



CITY OF SALEM, MASSACHUSETTS

Kimberley Driscoll
Mayor

Office of the Mayor

March 25, 2021

Honorable Salem City Council
Salem City Hall
Salem, Massachusetts 01970

Ladies and Gentlemen of the City Council:

I reappoint, subject to City Council confirmation, Filipe Zamborlini of 62 Perkins Street #3 to the Affordable Housing Trust Fund Board for a term of one year to expire March 25, 2022.

I recommend confirmation of this reappointment and ask that you join me in thanking Mr. Zamborlini for their continued dedicated service and commitment to our community.

Very truly yours,

A handwritten signature in black ink, reading "Kim Driscoll".

Kimberley Driscoll
Mayor
City of Salem



CITY OF SALEM, MASSACHUSETTS

Kimberley Driscoll

Mayor

March 25, 2021

Honorable Salem City Council
Salem City Hall
Salem, Massachusetts 01970

Ladies and Gentlemen of the City Council:

Enclosed herewith is a request to accept the following donation from Ruth R. Larrabee and David C. Larrabee for a bench donation in the amount of One Thousand Nine Hundred Fifty Dollars (\$1,950.00). These funds will be deposited into the Park and Recreation Donation account 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 towards the Park and Recreation Fund.

Very truly yours,

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

Kimberley Driscoll
Mayor



CITY OF SALEM

In City Council,

Ordered:

March 25, 2021

To accept the donation from Ruth R. Larrabee and David C. Larrabee in the amount of One Thousand, Nine Hundred Fifty Dollars (\$1,950.00). These funds will be deposited into the Park & Recreation Donation Fund 24061-4830 to be used for park bench funds in accordance with the recommendation of Her Honor the Mayor.



Kimberley Driscoll
MAYOR

CITY OF SALEM, MASSACHUSETTS

PARK, RECREATION & COMMUNITY SERVICES

401 Bridge Street, Salem MA 01970

Tel. (978) 744-0180/(978) 744-0924

Fax (978) 219-1665

March 8, 2021

Dear Mayor Driscoll:

I am writing to request the acceptance of a \$1,950.00 check written to the City of Salem for a bench donation of \$1,950.00 from Ruth R. Larrabee and David C. Larrabee for Park & Recreation Donation. The amount to be deposited into Park & Recreation Donation account 24061-4830.

Thank You.

Sincerely,

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

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



CITY OF SALEM, MASSACHUSETTS

Kimberley Driscoll
Mayor

March 25, 2021

To the City Council
City Hall
Salem, Massachusetts


Ladies and Gentlemen of the Council:

Enclosed herewith is a request for an appropriation of Two Hundred Sixteen Thousand, Six Hundred Eighty-Eight Dollars and Twenty-Six Cents (\$216,688.26) appropriated in the "Retirement Stabilization Fund-Vacation Sick/leave buyback account (83113-5146) to fund the retirement buyback cost to be expended for FY 2021 contractual buyback.

| Name | Department | Amount |
|-----------------|-------------------|---------------|
| John Guinta | Fire | \$91,144.90 |
| Kevin Koen | Fire | \$62,599.80 |
| Michael Leonard | Fire | \$62,943.56 |
| | | <hr/> |
| | | \$216,688.26 |

I recommend passage of the accompanying Order.

Very truly yours,


Kimberley Driscoll
Mayor



CITY OF SALEM

In City Council,

Ordered:

March 25, 2021

That the sum of Two Hundred Sixteen Thousand, Six Hundred Eighty-Eight Dollars and Twenty-Six Cents (\$216,688.26) be approved within the "Retirement Stabilization Fund-Vacation/Sick Leave Buyback" account (83113-5146) to be expended for the FY 2021 contractual buyback(s) listed below in accordance with the recommendation of Her Honor the Mayor.

| Name | Department | Amount |
|-----------------|------------|----------------------|
| John Guinta | Fire | \$ 91,144.90 |
| Kevin Koen | Fire | 62,599.80 |
| Michael Leonard | Fire | 62,943.56 |
| | | \$ 216,688.26 |



CITY OF SALEM MASSACHUSETTS

KIMBERLEY L. DRISCOLL
MAYOR

LISA B. CAMMARATA
DIRECTOR OF HUMAN
RESOURCES

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

MEMORANDUM

TO: Laurie Giardella, Director of Finance
DATE: March 4, 2021
RE: Retirement Stabilization Fund

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

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

John Giunta

| | |
|---|-------------|
| 24 vacation tours @ \$651.70 per tour | \$15,640.80 |
| 13 vacation tours @\$651.70 per tour (2020) | \$8,472.10 |
| 90 sick tours @ \$744.80 per tour | \$67,032.00 |

Total: \$91,144.90

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

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



CITY OF SALEM MASSACHUSETTS

KIMBERLEY L. DRISCOLL
MAYOR

LISA B. CAMMARATA
DIRECTOR OF HUMAN
RESOURCES

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

MEMORANDUM

TO: Laurie Giardella, Director of Finance
DATE: February 23, 2021
RE: Retirement Stabilization Fund

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

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

Kevin Koen

| | |
|--|--------------------|
| 24 vacation days @ \$447.60 per day | \$10,742.40 |
| 13 vacation days (2020) @ \$447.60 per day | \$ 5,818.80 |
| 90 sick days @ \$511.54 per day | \$46,038.60 |
| Total: | \$62,599.80 |

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

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



KIMBERLEY L. DRISCOLL
MAYOR

LISA B. CAMMARATA
DIRECTOR OF HUMAN
RESOURCES

CITY OF SALEM MASSACHUSETTS

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

MEMORANDUM

TO: Laurie Giardella, Director of Finance
DATE: February 23, 2021
RE: Retirement Stabilization Fund

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

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

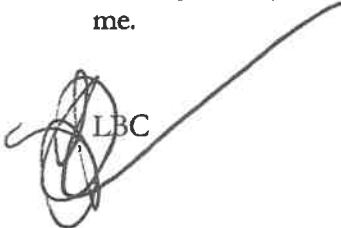
Michael Leonard

| | |
|--|-------------|
| 24 vacation days @ \$450.08 per day | \$10,801.92 |
| 13 vacation days (2020) @ \$450.08 per day | \$ 5,851.04 |
| 90 sick days @ \$514.34 per day | \$46,290.60 |

Total: \$62,943.56

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

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


LBC



CITY OF SALEM, MASSACHUSETTS

Kimberley Driscoll
Mayor

Office of the Mayor

March 25, 2021

Honorable Salem City Council
Salem City Hall
Salem, Massachusetts 01970

Ladies and Gentlemen of the City Council:

The enclosed Order appropriates \$175,000 from our short-term capital fund to install security cameras in the South Harbor Garage, based on a proposal received by SIGNET Electronic Systems. The Traffic and Parking Department and Police Department have initiated this request to help provide greater safety to garage users and security to City and private property.

The FY2022 capital budget will include a request to also install security cameras in the Museum Place Garage, as part of the next phase of that garage's overall improvement project, which will consist of the cameras, structural and drainage improvements on the roof level, and additional ADA accessibility upgrades on the 2nd and 3rd levels.

I recommend adoption of the enclosed Order and encourage you to contact David Kucharsky should you have any additional questions about it.

Very truly yours,

Kimberley Driscoll
Mayor
City of Salem



CITY OF SALEM

In City Council,

Ordered:

March 25, 2021

That the sum of One Hundred Seventy-Five Thousand Dollars (\$175,000) is hereby appropriated and transferred from the "Capital Outlay Fund 2000" to the ST CIP Parking Garage Equipment (20002118-5846CF) for garage equipment in accordance with the recommendation of Her Honor the Mayor.

CITY OF SALEM
ST Capital Outlay Expenditure Request Form – FY 2021

From Department: Traffic & Parking Date: 3/11/2021

Department Head Name: David Kucharsky

Authorization Signature: *David Kucharsky*

Amount:

\$ 175,000

Description:

Funds would be used to install a security camera system in the South Harbor Garage. Installation would improve the ability to monitor the facility to deter vandalism and issues related to some of the homeless population.

For Finance Department Use Only:



City Council Approval Needed (Y/N)

CIP Balance: \$

678,770.35

Recommendation:

☐

Approved

☐

Denied

[Signature]
Finance Director

Processed: Date: _____ By: _____

CO # _____ JE# _____ Trans # _____

Org: _____ Obj: _____



City of Salem, Massachusetts

Traffic & Parking Department
98 Washington Street, 2nd Floor
Salem, MA 01970
www.salem.com

Kimberley L. Driscoll, Mayor

David Kucharsky, Traffic & Parking Director

March 9, 2021

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

RE: Request for Funding: South Harbor Garage Security Cameras

Dear Honorable Mayor Driscoll:

This request is for a Council Order to provide \$175,000 in funding to install security cameras throughout the South Harbor Garage. As you know, the garage has recently experienced several incidences of vandalism including damage to the elevators, kiosks, lights and stairwell doors as well as graffiti. Staffing of this facility is also limited, which to an extent, can encourage this type of behavior from occurring. In addition, there have been ongoing issues with some of the homeless population which has further contributed to conditions that are impacting users of the facility and creating an overall unsafe and unpleasant experience.

The addition of security cameras will improve the ability of Traffic & Parking and Police Departments to monitor the facility and deter this type of behavior from occurring moving forward. We have received a proposal from a company the City has worked with previously and believe the requested funds will be sufficient to ensure this work can be completed. Please let me know if you have any questions or need any additional information.

Sincerely,

A handwritten signature in dark ink, appearing to read "David Kucharsky", is written over a light blue horizontal line.

David Kucharsky
Traffic and Parking Director



CITY OF SALEM, MASSACHUSETTS

Kimberley Driscoll
Mayor

Office of the Mayor

March 25, 2021

Honorable Salem City Council
Salem City Hall
Salem, Massachusetts 01970

Ladies and Gentlemen of the City Council:

As requested by the City Clerk, the enclosed Order appropriates \$18,795 from our short-term capital fund to carry out repairs and restoration of the furniture in the City Council chambers.

This is the first part of a two-phase restoration project to ensure the furnishings in this heavily used public space remain in good repair and condition into the future. Because the chamber is not currently in use due to COVID-19 and this work will require the furniture to be removed off-site for a time, the City Clerk believes this presents an opportune time to carry out this phase of the project.

Should you have any questions about this request or the proposed project, please feel free to contact City Clerk Ilene Simons.

Very truly yours,

A handwritten signature in black ink, appearing to read "Kim Driscoll", is written over a faint, larger version of the same signature.

Kimberley Driscoll
Mayor
City of Salem



CITY OF SALEM

In City Council,

Ordered:

March 25, 2021

That the sum of Eighteen Thousand, Seven Hundred Ninety-five Dollars (\$18,795.00) is hereby appropriated and transferred from the "Capital Outlay Fund 2000" to the ST CIP Repairs and Restoration Account (20002103-5846CE) for furnishing repairs and restoration in accordance with the recommendation of Her Honor the Mayor.

City of Salem, Massachusetts
Office of the City Clerk

Ilene Simons
City Clerk



Room 1
City Hall

March 9, 2021

Ms. Laurie Giardella
Finance Director
City of Salem
93 Washington Street
Salem, MA 01970

Dear Ms. Giardella,

On behalf of the Salem City Council, I respectfully request the sum of \$18,795.00 in short term capital to fund a long overdue repairs need to the City Councillor's chairs located in the Chambers. A short-term capital outlay expenditure request form is attached, as well as a quote for the repair and refinish of the ten chairs belonging to the Councillors.

The quote is for both the Chairs and the Desks. I am submitting the repairs of the desks as part of the FY2022 Budget. I submitted the repairs of the furniture in FY2021 which was eliminated due to the Coronavirus pandemic. I am hoping to get the chairs done now while the Chambers remain empty at this time.

Thank you for your consideration of this request. Please let me know if you have any questions or concerns.

Sincerely,

A handwritten signature in black ink that reads "Ilene Simons". The signature is written in a cursive style with a large, stylized "S" at the end.

Ilene Simons
City Clerk

CITY OF SALEM
ST Capital Outlay Expenditure Request Form – FY 2021

From Department: City Council Date: 3-9-2021

Department Head Name: Ilene Simons

Authorization Signature: Ilene Simons

Amount: \$ 18,795

Description: Repair, renovation + refinish of 10 (ten) Councilor's
Chairs

For Finance Department Use Only:

☒ City Council Approval Needed (Y/N)

CIP Balance: \$ \$697,565.36

Recommendation:

☒ Approved ☐ Denied

[Signature]
Finance Director

Processed: Date: _____ By: _____

CO # _____ JE# _____ Trans # _____

Org: _____ Obj: _____



CITY OF SALEM, MASSACHUSETTS

**Kimberley Driscoll
Mayor**

March 25, 2021

To the City Council
City Hall
Salem, Massachusetts

Ladies and Gentlemen of the Council:

Enclosed herewith is a request for an appropriation of Eight Thousand, One Hundred and Ten dollars (\$8,110.00) from the "Receipts Reserved for Appropriation" to be transferred to the Park and Rec Contracted Services account 16512-5860.

This appropriation is necessary for the purchase of PAC-Van storage container for small equipment for the Golf Course.

I recommend passage of the accompanying Order.

Very truly yours,

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

Kimberley Driscoll
Mayor



CITY OF SALEM

In City Council,

Ordered:

March 25, 2020

That the sum of Eight Thousand, One Hundred and Ten Dollars (\$8,110.00) be hereby appropriated from the following "Receipts Reserved for Appropriation" account, to be transferred to the Park & Rec Equipment account 16512-5860 for to purchase a PAC-Van storage container for small equipment for the golf course in accordance with the recommendation of Her Honor the Mayor.

| Description | Amount |
|---------------------------------|--------------------|
| Receipts Reserved – Golf Course | \$ 8,110.00 |
| Total | \$ 8,110.00 |



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

To: The Honorable Mayor Driscoll
From: Tricia O'Brien
Date: March 9, 2021

Dear Mayor Driscoll,
I am writing to request funds from the Olde Salem Greens Golf Course Receipts Reserve Fund #24361 to the Equipment Line Org/Obj16512-5860 in the amount of \$8,110 in order to purchase a PAC-VAN storage container for smaller equipment. (See attached quote from Pac-Van).

Thank you for your consideration.

Sincerely,

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

Trish O'Brien
Superintendent
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: Park+Rec-Golf Course [Signature] 3-10-21
 Department Department Head Authorizing Signature Date

Budget or R/Res

Transfers To: 16512-5860 Desc: GOLF COURSE EQUIPMENT Budget Amt: \$12,000 -
 (Org/Object) Balance: \$7,608.12

From: 24361-4800 Desc: R/RES GOLF - GREENS FEE REVENUE Budget Amt:
 (*Note - Please include letter to Mayor for Transfers from different Personnel & Non-personnel lines) Balance: \$100,302.08

Current Balance in Receipts Reserved Fund Above (if applicable) - \$100,502.08 Date:

Free Cash or To: Desc: Budget Amt:
Retained Earnings (W/S) (Org/Object) Balance: ~~100,502.08~~
 Please circle one

Amount Requested: \$8,110.00

Reason (Be Specific) FOR THE PURCHASE OF A 40' STORAGE CONTAINER TO
STORE EQUIPMENT IN AT THE GOLF COURSE

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 \$ 100,302.08
 R/Res Fund Balance
 Raise & Appropriate Other [Signature]

Recommendation: Approved Denied

[Signature]
 Finance Director

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



CITY OF SALEM, MASSACHUSETTS

**Kimberley Driscoll
Mayor**

March 25, 2021

Honorable Salem City Council
Salem City Hall
Salem, Massachusetts 01970

Ladies and Gentlemen of the City Council:

Over its three years of use our previous bike share, Zagster, logged 23,476 trips and 4,647 members, demonstrating the popularity of this micro-mobility alternative. Bike share programs make it easier for residents and commuters to forgo private passenger vehicle travel. The result both reduces traffic congestion on our streets and cuts our community's carbon footprint. Investments in micro-mobility and multi-modal forms of transportation improve quality of life, make our roads safer for all users, and help us achieve our climate goals.

For these reasons, we were excited to apply for and receive a \$200,000 state Shared Streets grant to launch BlueBikes Salem this year. As you may know, BlueBikes is a well-established bike sharing program already operating in 10 cities and towns in the greater Boston region. We are looking forward to welcoming BlueBikes to Salem, with an eight-station, 50 bike system to start.

In addition to the \$200,000 MassDOT grant, additional funding making this possible includes \$15,000 from our Community Benefits Agreement with North Shore Medical Center and \$55,000 through BlueCross BlueShield. This leaves about 16% of the \$320,000 project budget left for the City to fund; therefore, enclosed please find an Order appropriating that amount, \$50,000 from our short-term capital fund for the remaining equipment costs to begin offering this new service for our residents.

I recommend adoption of the enclosed Order and invite you to contact David Kucharsky should you have any questions about this request.

Very truly yours,

**Kimberley Driscoll
Mayor
City of Salem**



CITY OF SALEM

In City Council,

Ordered:

March 25, 2021

That the sum of Fifty Thousand Dollars (\$50,000) is hereby appropriated and transferred from the "Capital Outlay Fund 2000" to the ST CIP Bike Share (20002118-5846CG) to supplement Bike Share Program Equipment in accordance with the recommendation of Her Honor the Mayor.

CITY OF SALEM
ST Capital Outlay Expenditure Request Form – FY 2021

From Department: Traffic & Parking Date: 3/11/2021

Department Head Name: David Kucharsky

Authorization Signature: *David Kucharsky*

Amount: \$ 50,000

Description: Requested funds would supplement the purchase of 8 bike stations and 50 bikes to re establish a bike share program in the city. Salem has been awarded a \$200,000 grant towards this effort and there are additional funds available. This request will ensure there are sufficient funds to purchase the equipment.

For Finance Department Use Only:

☐ City Council Approval Needed (Y/N)

CIP Balance: \$ 503,771

Recommendation:

☒ Approved ☐ Denied

[Signature]
Finance Director

Processed: Date: _____ By: _____

CO # _____ JE# _____ Trans # _____

Org: _____ Obj: _____



City of Salem, Massachusetts

Traffic & Parking Department
98 Washington Street, 2nd Floor
Salem, MA 01970
www.salem.com

Kimberley L. Driscoll, Mayor

David Kucharsky, Traffic & Parking Director

March 10, 2021

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

RE: Request for Capital Funding: Bike Share Program

Dear Honorable Mayor Driscoll:

This request is for a Council Order to provide \$50,000 in funding to supplement the purchase of eight (8) bike stations and fifty (50) bikes from Motivate (owned by Lyft) to join the BlueBikes system. Each station costs approximately \$40,000 including the bikes. The proposed eight station system would cost approximately \$320,000 to purchase.

In February of 2021, the City was awarded a \$200,000 MassDOT Shared Streets grant to establish a bikeshare program that would be part of the BlueBikes system. As you know, BlueBikes currently operates in 10 municipalities within the Boston region. Implementing a program here would establish a system that could grow regionally with our neighboring municipalities.

Additional funding has been identified, including \$15,000 from the Community Agreement with the North Shore Medical Center and \$55,385 from the Salem Partnership that remained from funding provided by BlueCross BlueShield as part of the City's now defunct Zagster bikeshare system. Please let me know if you have any questions or need any additional information.

Sincerely,

A handwritten signature in dark ink, appearing to read "David Kucharsky", is written over a light blue horizontal line.

David Kucharsky
Traffic and Parking Director



CITY OF SALEM, MASSACHUSETTS

Kimberley Driscoll
Mayor

March 25, 2021

To the City Council
City Hall
Salem, Massachusetts

Ladies and Gentlemen of the Council:

Enclosed herewith is a request for an appropriation of Thirteen Thousand Dollars (\$13,000.00) from the "Receipts Reserved" funds listed below to the Department of Public Services Burial Account (14112-5383).

| FROM | | | TO | AMOUNT |
|-------------|----------------------|------------|------------|--------------------|
| 24301-4800 | R/Res Sale of Lots | 14112-5383 | DPS Burial | \$ 5,000.00 |
| 24311-4800 | R/Res Sale of Vaults | 14112-5383 | DPS Burial | \$ 8,000.00 |
| Total: | | | | <u>\$13,000.00</u> |

This appropriation is necessary to allow for the burial services and operations for fourth quarter of FY 2021.

I recommend passage of the accompanying Order.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Kim Driscoll", is written over the printed name.

Kimberley Driscoll
Mayor



CITY OF SALEM

In City Council,

Ordered:

March 25, 2021

That the sum of Thirteen Thousand Dollars (\$13,000.00) is hereby 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 |
|------------|----------------------|------------|------------|-----------|
| 24301-4800 | R/Res Sale of Lots | 14112-5383 | DPS Burial | 5,000.00 |
| 24311-4800 | R/Res Sale of Vaults | 14112-5383 | DPS Burial | 8,000.00 |
| Total | | | | 13,000.00 |



KIMBERLEY DRISCOLL
MAYOR

DAVID KNOWLTON P.E.
DIRECTOR OF PUBLIC SERVICES

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

March 10, 2021

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

Subject: Burial Service for Q4FY21

Dear Mayor Driscoll,

We respectfully request an appropriation of funds in the amount of Thirteen Thousand, (\$13,000.00) from the following accounts:

| | |
|--------------------------|---------|
| 2430-4800 Sale of Lots | \$5,000 |
| 2431-4800 Sale of Vaults | \$8,000 |

to be transferred into the Public Service Burial Services Line 14112-5383. This appropriation will allow for the burial services and operations for the fourth quarter of Fiscal Year 2021.

Respectfully yours,

A handwritten signature in black ink, appearing to read "David Knowlton", written over a horizontal line.

David Knowlton
Director of Public Services

Cc: Cheryl Dick
Robert LeBlanc
File Copy



CITY OF SALEM, MASSACHUSETTS

**Kimberley Driscoll
Mayor**

Office of the Mayor

March 25, 2021

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

Ladies and Gentlemen of the City Council:

The enclosed Order provides initial start-up funds from free cash to allow the new Charter Street Cemetery Welcome Center to begin operations this May. Starting in the FY2022 budget, the Welcome Center will appear as a self-sustaining line in the regular budget, with revenues from the center supporting its operation and being directed to the preservation, maintenance, and care of the cemetery itself, as well.

As you know, Charter Street Cemetery, the oldest burial ground in Salem and one of the oldest cemeteries in the United States, has received immensely successful preservation efforts by the City over the past few years. With the cemetery preparing to reopen to the public on May 1st we believe this is a unique opportunity to better manage visitation in this sensitive space, interpret the history of the cemetery and surrounding area, and also generate funds to ensure the ongoing care of the cemetery.

Earlier this year the City reached out to PEM to begin a dialogue about partnering to allow for the operation of a new Charter Street Welcome Center on the first floor of the Samuel Pickman House, immediately adjacent to the cemetery and the Witch Trials Memorial. The Pickman House is one of Salem's oldest surviving structure, dating from 1665. In 1964, Historic Salem Inc. purchased the property to carry out preservation work on it – an effort that was completed by a private owner in the late 1960s and 1970s. In 1983, the Peabody Essex Museum purchased the house to conserve it and they have used it as office space ever since.

After multiple site visits between PEM officials and a City team consisting of our Patti Kelleher, our Historic Preservation Planner, Elizabeth Peterson, director of the Jonathan Corwin House and Pioneer Village, and Kate Fox, from Destination Salem, an operational plan and layout for the Welcome Center was determined.

This new Welcome Center will enable the City to monitor the occupancy of the burial ground, provide consistent surveillance of stones and walkways, and secure the grounds at closing. Having this center and guides on site will also foster a deeper historical understanding of the space. It would provide an opportunity to share interpretation of the particulars of a 17th century cemetery, the evolution of stone carving, the historic preservation process, as well as more meaningful insight regarding the individuals interred there. The Center would also provide an opportunity to interpret the historical significance of the Pickman House, the Witch Trials Memorial, as well as the surrounding area.

Operationally the Welcome Center will function very much as the Jonathan Corwin House (the Witch House) does. The Parks, Recreation, and Community Services Department will oversee its staffing and operations, including the sale of retail items from the gift shop space and providing maps of the cemetery for a donation to the fund, including to walking tour groups. In addition to self-guided tours via the map, Welcome Center staff will also provide tours of the cemetery on a set schedule for an additional admission fee. A request has been presented to the Cemetery Commission to cap all tour groups in the cemetery at no more than 15 people, including the tour guide.

The intention is for the Center to be open year-round, with precise hours of operation dependent on the season. All visitors to the cemetery would be encouraged to begin their visit at the Welcome Center and all guided walking tours that intend to enter the cemetery would be required to do so.

The Welcome Center will be handicap accessible and this spring PEM will be undertaking a renovation to the rear garden area to further improve and adapt the site for accessibility. To facilitate the interpretation of the cemetery and the surrounding area, the Center will collaborate with PEM and Salem's Preservation Partners to develop and install exhibits and programming schedules on a routine basis to provide additional educational and interpretative opportunities about 17th century Salem, historic burial grounds, and other similar topics.

We see this endeavor as a unique chance to build on the great success of the Charter Street Cemetery preservation projects and continue our efforts to work toward a quadricentennial in 2026 that celebrates and preserves our rich historic legacy for future generations to experience and learn from. I recommend adoption of the enclosed Order and invite you to contact any of the following City team members who have worked on this project if you have additional questions.

Operation of the Welcome Center: Elizabeth Peterson
Care and maintenance of the Charter Street Cemetery: Bob LeBlanc
Charter Street Cemetery preservation projects: Patti Kelleher
Partnership with PEM: Beth Rennard

Sincerely,



Kimberley Driscoll
Mayor
City of Salem



CITY OF SALEM, MASSACHUSETTS
Kimberley Driscoll
Mayor

March 25, 2021

To the City Council
City Hall
Salem, Massachusetts

Ladies and Gentlemen of the Council:

The enclosed Order transfers \$350,000.00 from free cash (1-3245) to our retirement stabilization fund. This transfer will provide funding to meet anticipated upcoming retirement buy backs. I recommend adoption of the Order and invite you to contact Laurie Giardella with any questions you may have about it.

Sincerely,

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

Kimberley Driscoll
Mayor



CITY OF SALEM

In City Council,

Ordered:

March 25, 2021

That the sum of Three Hundred Thousand Dollars (\$350,000.00) is hereby appropriated from General Fund Balance Reserved for Free Cash (1-3245) to the following special revenue funds. This transfer is requested in accordance with the recommendation of Her Honor the Mayor.

| Fund Name/Description | Amount |
|------------------------------------|---------------|
| | |
| Retirement Stabilization Fund 8311 | \$ 350,000.00 |
| | |



City of Salem, Massachusetts

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

Kimberley L. Driscoll, Mayor

Laurie A. Giardella, Finance Director

March 15, 2021

Honorable Salem Mayor Kimberley Driscoll
Salem City Hall
Salem, Massachusetts

Dear Honorable Mayor Driscoll:

Enclosed herewith is a request to transfer Three hundred and Fifty thousand dollars (\$350,0000) from the General Fund Reserve for Free Cash to the Retirement Stabilization Fund. Each year, anticipated retirement liabilities fluctuate. This transfer is to replenish the retirement stabilization funding to cover requests for actual and anticipated retirements known at this time.

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

Regards,

A handwritten signature in dark ink, appearing to read "Laurie A. Giardella", with a long horizontal flourish extending to the right.

Laurie A. Giardella
Finance Director

Enclosures



CITY OF SALEM, MASSACHUSETTS

Kimberley Driscoll

Mayor

March 25, 2021

To the City Council
City Hall
Salem, Massachusetts

Ladies and Gentlemen of the Council:

Pursuant to M.G. L. Chapter 44, section 64, enclosed herewith is a request to authorize the payment of the below described Fiscal Year 2020 invoice from the Fiscal Year 2021 Engineering Department Water Enterprise account.

This invoice is for the Fiscal Year 2020 payment in lieu of taxes (PILOT) assessed by the Town of Danvers for the Folly Hill Reservoir and was not received by June 30, 2020, the end of the fiscal year.

| <u>Department</u> | <u>Vendor</u> | <u>Amount</u> |
|-------------------|-----------------|---------------|
| Engineering | Town of Danvers | \$1,044.83 |

M.G.L. Chapter 44, section 64 allows a municipality to pay for prior fiscal year invoices using current fiscal year appropriations by a 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 "Kim Driscoll", is written over the printed name.

Kimberley Driscoll
Mayor



CITY OF SALEM

In City Council,

Ordered:

March 25, 2021

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 One thousand, forty-four Dollars and Eighty-Three Cents (\$1,044.83) of outstanding Fiscal Year 2020 invoice is hereby allowed to be paid from the Fiscal Year 2021 Engineering Water Enterprise budget as listed below in accordance with the recommendation of Her Honor the Mayor.

| Department | Vendor | Amount |
|-------------|-----------------|-------------|
| Engineering | Town of Danvers | \$ 1,044.83 |
| Total | | \$ 1,044.83 |



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

Kimberley Driscoll
Mayor

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

MEMORANDUM

To: Dominick Pangallo, Chief Administrative Aide to the Mayor
From: David H. Knowlton, P.E., City Engineer / DPS Director *David*
Date: March 9, 2021
RE: Request to Pay Invoice

This memo has been prepared to request the payment of one (1) invoice for the FY 2020 payment in lieu of taxes (PILOT) assessed by the Town of Danvers for the Folly Hill Reservoir. This bill is for the fiscal year (FY) (2020), which is past due. We have paid the FY 21 tax assessment. This invoice was not received by June 30, 2020, which led to them not being paid in FY 2020.

We are requesting City Council approval to pay the following invoice:

| <u>Invoice #</u> | <u>Balance Due</u> | <u>Vendor</u> |
|------------------|--------------------|-----------------|
| 045073 | \$ 1,044.83 | Town of Danvers |

Total Due: \$1,044.83

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

Cc: Laurie Giardella, Finance Director

MAR 9 '21 AM 11:20

TOWN OF DANVERS
ASSESSING DEPARTMENT

1 Sylvan Street
Danvers MA 01923
(978) 777-0001 ext. 3055
Fax (978) 406-4192
Email spoulos@danversma.org



March 11, 2020

City of Salem
Folly Hill Reservoir
93 Washington Street
Salem, MA 01970

RE: Folly Hill Reservoir – 045 073

To Whom It May Concern:

The Board of Assessors, as provided under Chapter 59, Sections 5D, of the Massachusetts General Laws, has determined the tax liability for land owned by the City of Salem in the Town of Danvers for the fiscal year 2020 payment-in-lieu-of-taxes. (9.15 acres of land shown on assessors map 45, lot 73). The value is 50,304 and the fiscal year 2020 commercial tax rate is \$20.77.

This letter serves as your bill, with an amount due of \$1,044.83 by 6/30/2020.

Respectfully,

Stephen A. Poulos
Chief Assessor

Cc: Kimberley Driscoll, Mayor of Salem
Steve Bartha, Town Manager of Danvers
Joseph L. Collins, Collector of Taxes, Danvers



CITY OF SALEM, MASSACHUSETTS

Kimberley Driscoll
Mayor

Office of the Mayor

March 25, 2021

Honorable Salem City Council
Salem City Hall
Salem, Massachusetts 01970

Ladies and Gentlemen of the City Council:

In 2016 the City established revolving fund #2377 to receive solar renewable energy credits (SRECs) and to expend those credits to repay Footprint for their contribution to the Witchcraft Heights Elementary School solar panel project, pursuant to our Community Benefits Agreement with the plant. The fund's authorizing Order also allowed these revenues to be applied to electrical bills.

The City's payments to Footprint under the Agreement will conclude at the end of FY2021. In addition, the City has started participating in more energy efficiency, utility saving, and emission credit programs that generate additional incentives beyond just SRECs. For these reasons, we are proposing the enclosed Order at this time, in order to amend the existing revolving fund authorization to reflect these changes and update it accordingly.

As a reminder, revolving funds do not cost property taxpayers anything. The receipts that come into the fund are revenues derived from non-tax activities and they are allowed to only be used to support those activities or programs. The City Council must vote to authorize the revolving funds each year during the budget process. If you have any questions about this request, please feel free to reach out to Jenna Ide.

Very truly yours,

A handwritten signature in black ink, appearing to read "Kim Driscoll", is written over a faint, larger version of the same signature.

Kimberley Driscoll
Mayor
City of Salem



CITY OF SALEM

In City Council, March 25, 2021

Ordered:

That Council Order #436 of 2016, to create a revolving fund account for solar renewable energy certificates, be hereby amended as follows:

1. **Fund Name** is deleted and replaced by "Utility Energy Credit Fund."
2. **Programs & Purpose** is deleted and replaced by "To be used for City projects or programs that reduce utility costs, use, and/or emissions. This may include personnel costs associated with participation in the programs that generate the credits."
3. **Type of Receipts Collected** is deleted and replaced by "Credits or payments received for City projects or programs that specifically result in reduction in utility costs, use, or emissions."



CITY OF SALEM, MASSACHUSETTS

Kimberley Driscoll
Mayor

Office of the Mayor

March 25, 2021

Honorable Salem City Council
Salem City Hall
Salem, Massachusetts 01970

Ladies and Gentlemen of the City Council:

I am very pleased to present the enclosed resolution for the Council's consideration formally recognizing and expressing our City's gratitude to Chief Giunta for his decades of service. I strongly recommend adoption of the enclosed resolution.

Very truly yours,

Kimberley Driscoll
Mayor
City of Salem



Resolution

Recognizing the Service of Gerry Giunta, Fire Chief (retired)

Salem Fire Department

WHEREAS: On March 25, 2021 we pay tribute to Gerry Giunta, recently retired Chief of the Salem Fire Department; and,

WHEREAS: Chief Giunta joined the Salem Fire Department as a firefighter in 1983 and served on Engine 1 and Ladder 2. He served as Lieutenant with Engines 1, 2, and 4 from 1986 to 1993, Captain on Ladder 1 and Tower 2 from 1993 to 2007, and as Deputy Chief from 2007 to 2018, when Mayor Kim Driscoll appointed him to serve as Chief; and,

WHEREAS: Giunta was a member of FEMA's Massachusetts Urban Search and Rescue Task Force and led that team from 2006 to 2018. In his time with the Task Force, Giunta deployed in response to Hurricanes Harvey, Irene, and Katrina, the 2011 Springfield tornadoes, the 1996 Atlanta Olympics, and as operations leader with a 70-member team deployed to New York City following the attacks on September 11, 2001; and,

WHEREAS: As Chief, Giunta led the department with integrity and a commitment to public safety and public service. He oversaw major capital investments in fire stations and apparatus, provided expanded training and professional development opportunities for firefighters, worked in collaboration with major community stakeholders such as Footprint, SSU, NSMC, and SESD on emergency response preparation, secured state and federal grants to upgrade equipment, and increased the diversity of the department's workforce to better represent the community it serves; and,

WHEREAS: Chief Giunta served as a key member of the City's COVID Response Task Force, leading efforts around protective equipment distribution, community coordination, and emergency preparedness.

NOW THEREFORE BE IT RESOLVED: That the Mayor of the City of Salem and the Salem City Council, on behalf of the staff of the Salem Fire Department and the residents of Salem, express our sincere appreciation and gratitude to Chief Giunta for the loyalty and dedication he displayed throughout his thirty-eight years of public service.

AND BE IT FURTHER RESOLVED: That this Resolution be made a matter of record of these proceedings, and that a suitable copy be presented to Chief Giunta along with a copy of the City Seal on behalf of the Mayor, the City Council, the Salem Fire Department and the residents of Salem.



CITY OF SALEM, MASSACHUSETTS

Kimberley Driscoll
Mayor

Office of the Mayor

March 25, 2021

Honorable Salem City Council
Salem City Hall
Salem, Massachusetts 01970

Ladies and Gentlemen of the City Council:

I am very pleased to present the enclosed resolution for the Council's consideration and I recommend adoption at your meeting of March 25, 2021. Chief Butler did not have the opportunity to receive a formal recognition and expression of our City's gratitude for her decades of service when she retired, therefore this resolution is being presented to you now.

Very truly yours,

A handwritten signature in black ink, appearing to read "Kim Driscoll", is written over a horizontal line.

Kimberley Driscoll
Mayor
City of Salem



Resolution
Recognizing the Service of Mary Butler, Chief of Police (retired)
Salem Police Department

WHEREAS: On March 25, 2021 we pay tribute to Mary E. Butler, recently retired chief of police of the Salem Police Department.

WHEREAS: Chief Butler began her service to the City of Salem and its residents when she joined the ranks of the Salem Police Department as a patrol officer in 1987. She served two years in the Patrol Division before being appointed a detective and assigned to the Criminal Investigations Division (CID). Detective Butler was one of the first female officers to be designated a detective on the North Shore.

WHEREAS: In 1992, Butler was promoted to the rank of sergeant and assumed an increasing level of supervisory and managerial responsibility within the Department. In 1993, she was named as the administrative aide to then-Chief Robert St. Pierre. Promoted to the rank of lieutenant in 1996, Butler was responsible for managing key areas of the Department including the operating budget, grants, technology, personnel, recruit selection and overseeing the Special Operations Division. From 2010 through 2014, Lieutenant Butler served as a shift commander in the Patrol Division, overseeing uniformed patrol operations protecting the residents of Salem.

WHEREAS: In 2014, Lieutenant Butler was promoted to acting captain and on April 9th 2015, was appointed chief of police by Mayor Kimberley Driscoll. Chief Butler was the first woman chief of police in a Department that can trace its roots back to our City's founding. Chief Butler served with honor, integrity and dedication throughout her career and has left a positive and lasting impression not only on the Salem Police Department and the officers who serve, but on policing throughout the North Shore. Chief Butler's well-deserved retirement occurred on August 1st 2020.

WHEREAS: Chief Butler was an innovator in community policing and exemplified the principles of policing attributed to Sir Robert Peel who, in his 7th Principle wrote; *"Police, at all times, should maintain a relationship with the public that gives reality to the historic tradition that the police are the public and the public are the police; the police being only members of the public who are paid to give full-time attention to duties which are incumbent on every citizen in the interests of community welfare and existence."*

NOW THEREFORE BE IT RESOLVED: That the Mayor of the City of Salem and the Salem City Council, on behalf of the staff of the Salem Police Department and the residents of Salem, express our sincere appreciation and gratitude to Chief Butler for the loyalty and dedication she displayed throughout her thirty-three years of public service.

AND BE IT FURTHER RESOLVED: That this Resolution be made a matter of record of these proceedings, and that a suitable copy be presented to Chief Butler along with a copy of the City Seal on behalf of the Mayor, the City Council, the Salem Police Department and the residents of Salem.



CITY OF SALEM, MASSACHUSETTS

Kimberley Driscoll

Mayor

March 25, 2021

Honorable Salem City Council
Salem City Hall
Salem, Massachusetts 01970

Ladies and Gentlemen of the City Council:

At the outset of the pandemic, City staff worked diligently to pivot to new virtual meeting and remote participation requirements for our boards, commissions, as well as your own body. In the process of doing so we saw a significant increase in the number and diversity of our residents who then had access to our meetings, deliberations, and votes.

For example, we had a roughly 700% increase in the number of people attending joint public hearings of the Planning Board and City Council, with more people participating in those hearings virtually than we would have legally been able to fit in the Council Chambers. More voices were heard around the table, improving our ability to represent our constituents and strengthening the decision-making process by boards. From 2016-2018 around half of all public comment at City Council public hearings came from just 20 residents. Requiring residents to have the ability to physically get to a hearing in order to speak is a system designed to perpetuate inequities and limit public input. We should be opening up the process, not restricting it.

We are working to develop ordinance and policy changes on the local level that would preserve the option for remote participation by the public in public meetings, even after the conclusion of the current state of the emergency. We can only do so much on the local level, however. Many of the constraints we face are built into the state's Open Meeting Law. Enclosed please find a resolution asking the legislature to act now to amend that law so that, when this emergency is over, we can continue to make use of the technological tools that have allowed for this greater level of public participation and engagement in local government. It additionally calls on the legislature to provide this same level of public access to its own proceedings and those of state boards, making use of the same technology.

Very truly yours,

Kimberley Driscoll
Mayor
City of Salem

CC: State Representative Paul Tucker; State Senator Joan Lovely

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



Resolution

Calling for Permanent Changes to Massachusetts' Open Meeting Law to Facilitate Greater Public Participation through Technology

WHEREAS: On March 12, 2020, Governor Baker issued an emergency order suspending certain provisions of the Commonwealth's Open Meeting Law, M.G.L. c. 30A, §20; and,

WHEREAS: The Governor's order and subsequent regulations by the state allowed for municipal boards, commissions, and committees to conduct business using remote participation technologies and online platforms; and,

WHEREAS: Because of those actions, access to local public meetings greatly expanded, giving residents and other members of the public more accessibility to the deliberations, public comment opportunities, and votes at those meetings; and,

WHEREAS: The residents of Salem have benefited enormously from the flexibility provided by virtual meetings, substantially increasing the number and diversity of voices able to participate in these important discussions and actions; and

WHEREAS: The City of Salem is developing its own local ordinances and policies to allow for the continuation of virtual meeting broadcasts and public comment options, even after the current state of emergency concludes, which would allow in person meetings to continue to be broadcast online and for remote participation by members of the public; and

WHEREAS: All residents of the Commonwealth would additionally benefit from the state legislature and state boards similarly providing access to the public via remote participation;

NOW THEREFORE BE IT RESOLVED: That the Mayor of the City of Salem and the Salem City Council urge the Massachusetts legislature to develop and approve such legislation as necessary to amend the Open Meeting Law to allow for remote participation by the public and greater flexibility by municipal boards and commissions, as well as the state legislature and state boards, in utilizing technology to facilitate greater public participation, even after the conclusion of the current state of emergency.



CITY OF SALEM, MASSACHUSETTS

Kimberley Driscoll

Mayor

March 25, 2021

Honorable Salem City Council
Salem City Hall
Salem, Massachusetts 01970

Ladies and Gentlemen of the City Council:

As you may recall, in November 2019 I had submitted a Home Rule Petition for your approval, seeking a special act that would authorize the City of Salem to install video camera speed detection systems in our school zones to curb speeding in these locations and ensure the safety of Salem children. The Order was adopted and the petition was submitted to the legislature; however, when the legislative session expired the special act died, as well. Therefore, we are resubmitting the same petition for your consideration.

Back in 2019 the Salem Police Department had studied vehicle speeds in two school zones – Bates Elementary School and Collins Middle School. The speed limit in a school zone is 20 MPH when school is in session and 25 MPH when school is not in session. At the Bates School, the data collectors were deployed twice – once in April and again June. In April they identified, during school arrival and dismissal times, an average of 439 vehicles per day traveling more than 30 MPH and in June an average of 480 vehicles per day doing so. Based on the total number of vehicles that traveled through the school zone at the Bates during those hours, 37% in April and 71% in June were traveling over 30 MPH. At the Collins, data collection took place in June only. During those dates – again, over school arrival and dismissal times – an average of 828 vehicles per day traveled more than 30 MPH, accounting for 43% of all vehicles that traversed the school zone there during the study period.

Massachusetts municipalities lack the ability to implement speed monitoring and video enforcement technologies absent a special act; therefore, in the interest of public safety, we are requesting this petition so that such authorization may be granted. Specifics regarding fines, appeals process, privacy protections, notifications of video recording, and more are all contained within the language of the act.

I recommend adoption of the Order so this act may be submitted to the legislature promptly. If you have questions, please feel free to reach out to me, Acting Chief Dennis King, or City Solicitor Beth Rennard.

Respectfully,

Kimberley Driscoll
Mayor
City of Salem

CC: State Representative Paul Tucker, State Senator Joan Lovely, Salem School Committee members



CITY OF SALEM

In City Council, March 25, 2021

Ordered:

That a petition to the General Court, accompanied by a bill for authorization to employ automated enforcement of speed limit violations in designated school zones within the city of Salem as set forth below, be filed with an attested copy of this Order be, and hereby is, approved under Clause (1) of Section 8 of Article 2, as amended, of the Amendments to the Constitution of the Commonwealth of Massachusetts, to the end that the following legislation be adopted, except for amendments by the Senate or House of Representatives which conform to the intent of this home rule petition:

AN ACT authorizing the City of Salem to employ automated enforcement of speed limit violations in designated school zones within the city of Salem.

Be it enacted by the Senate and House of Representatives in General Court Assembled, and by the authority of the same as follows:

AUTOMATED ENFORCEMENT OF SPEED LIMIT VIOLATIONS IN DESIGNATED SCHOOL ZONES WITHIN CITY OF SALEM

Section 1. As used in this chapter, the following words shall, unless the context clearly requires otherwise, have the following meanings:-

"Automated Road Safety Camera System" shall mean an automated motor vehicle sensor device installed which produces digital photographs and may record the speed of each motor vehicle at the time it is operated in a manner that is in violation of traffic laws and regulations where the automated road camera safety system is located.

"Camera Enforceable Violation" shall mean a violation of the traffic laws which may be enforced by an automated road safety camera system, limited to exceeding the speed limit pursuant to section 17 or section 18 of chapter 90 while travelling in a designated school zone.

"City" shall mean the City of Salem, Massachusetts.

"Designated School Zone" shall mean within 300 feet of the real property comprising a public or private accredited preschool, accredited headstart facility, elementary, vocational or secondary school if the violation occurs between 5:00 a.m. and midnight, whether or not school is in session.

Section 2. (a) The City of Salem may employ an automated road safety camera system as a means of promoting traffic safety in a designated school zone, which may be fixed along any portion of any ways within a designated school zone its control, or within a designated school

zone in the control of the commonwealth with written permission from the department of transportation and may impose a penalty on the owner of a motor vehicle for failure by the operator thereof to comply with traffic laws and regulations.

(b) The City may employ no more than two fixed automated road safety camera systems per designated school zone.

Section 3. (a) The maximum fine imposed for a violation issued pursuant to this chapter shall be twenty five dollars per violation. For violations issued pursuant to this chapter, except as provided in section 4, the owner or owners of a vehicle shall be liable for the fine, however, no owner of a vehicle shall be responsible for a violation issued pursuant to this chapter where the operator of the motor vehicle was issued a citation for the underlying violation in accordance with section 2 of chapter 90C of the General Laws. The city may send a written warning to the owner or owners in lieu of enforcement for the purpose of education.

(b) A certificate, or a facsimile thereof, based upon inspection of photographs and data produced by an automated road safety camera system, and sworn to or affirmed by the police department or designee authorized to issue citations for violations of traffic laws and regulations, shall be prima facie evidence of the facts contained therein.

(c) A violation issued by the city shall not be made part of the operating record of the person upon whom such liability is imposed, nor shall such violation be considered a conviction of a moving violation of the motor vehicle laws for the purpose of determining a surcharge on a motor vehicle premium pursuant to section 113B of chapter 175 of the General Laws.

(d) The police department shall supervise and coordinate the administration of violations issued in conformance with this chapter. The police department shall have the authority to hire and designate such personnel as may be necessary or contract for such services to implement the provisions of this chapter.

(e) It shall be the duty of the police department or designee of a city to cause a notice of violation to the registered owner or owners of a motor vehicle identified in photographs produced by such device as evidence of a violation pursuant to this chapter. Such notice shall contain, but not be limited to, the following information: a copy of the aforementioned recorded images and other data showing the vehicle in the process of a camera enforceable violation; the registration number and state of issuance of the vehicle; the date, time and location of the violation; the specific camera enforceable violation charged; instructions for payment of the violation; instructions to contest the violation in writing; and instructions to obtain a hearing.

(f) In the case of a violation involving a motor vehicle registered under the laws of the Commonwealth, a notice of violation shall be mailed within 14 days of the violation to the address of the registered owner or owners as listed in the records of the registrar of motor vehicles. In the case of any motor vehicle registered under the laws of another state or country, such notice of violation shall be mailed within 21 days of the violation to the address of the registered owner or owners as listed in the records of the official in such state or country having charge of the registration of such motor vehicle. If said address is unavailable, it shall be sufficient for the police department or designee to mail a notice of violation to the official in such state or country having charge of the registration of such motor vehicle.

(g) A notice of violation shall be sent by first class mail in accordance with subsection (f) and shall include an affidavit form approved by the police department for the purpose of complying with subsection (b). A manual or automatic record of mailing processed by or on behalf of the police department in the ordinary course of business shall be prima facie evidence thereof, and shall be admitted as evidence in any judicial or administrative proceeding, as to the facts contained therein. Unless an owner or owners pay the fine or contest responsibility within 60 days of the violation, the provisions of subsection (l) will apply.

(h) Any owner to whom a notice of violation has been issued shall not be liable for a violation under the provisions of this chapter if: the violation was necessary to allow the passage of an emergency vehicle; the violation was incurred while participating in a funeral procession; the violation was incurred during a period of time in which the motor vehicle was reported to the police department of any state, city or town as having been stolen and had not been recovered prior to the time the violation occurred; the operator of the motor vehicle was operating the motor vehicle under a rental or lease agreement and the owner of the motor vehicle is a rental or leasing company and has complied with the provisions of section 4 of this chapter; the operator of the motor vehicle was issued a citation for the underlying violation in accordance with section 2 of chapter 90C of the General Laws; or, the violation was necessary to comply with any other law or regulation governing the operation of a motor vehicle.

(i) Any motor vehicle owner to whom a notice of violation has been issued pursuant to this chapter may admit responsibility for such violation and pay the fine provided therein. Payment may be made personally or through a duly authorized agent, by appearing before the police department's designee during normal office hours, by mailing or online. Payment by mail shall be made by check, money order or credit card to the police department or city. Payment of the established fine and any applicable penalties shall operate as the final disposition of the violation. Payment by one motor vehicle owner shall operate as the final disposition of the violation as to all other motor vehicle owners of the same motor vehicle for the same violation.

(j) An owner may contest responsibility for a violation under this chapter in writing by mail or online. The owner shall provide the police department with a signed affidavit in a form approved by the police department, stating: the reason for disputing the violation; the full legal name and address of the owner of the motor vehicle; and the full legal name and address of the operator of the motor vehicle at the time the violation occurred. An owner may include signed statements from witnesses, which include the names and addresses of witnesses, supporting the owner's defense. Within 21 days of receipt, the police department or the hearing officer shall send the decision of the hearing officer, including the reasons for the outcome, by first class mail to the registered owner or owners. If the owner is found responsible for the violation, the owner shall pay the fine in the manner described in (i) within 14 days of the issuance of the decision or request further judicial review pursuant to section 14 of Chapter 30A of the General Laws.

(k) An owner may request a hearing to contest responsibility for a violation. A hearing request shall be made in writing by mail or online. Upon receipt of a hearing request, the police department shall schedule the matter before hearing officer. Said hearing officer may be an employee of the police department of the city or such other person or persons as the police department may designate. Written notice of the date, time and place of said hearing shall be sent by first class mail to each registered owner. The hearing shall be informal, the rules of evidence shall not apply, and the decision of the hearing officer shall be final subject to judicial review as

outlined by section 14 of Chapter 30A of the General Laws. Within 21 days of the hearing, the police department or the hearing officer should send the decision of the hearing officer, including the reasons for the outcome, by first class mail to the registered owner or owners. If the owner is found responsible for the violation, the owner shall pay the fine in the manner described in (i) within 14 days of the issuance of the decision or request further judicial review pursuant to section 14 of Chapter 30A of the General Laws.

(l) If an owner to whom a notice of violation has been issued either fails to pay the fine in said notice in accordance with subsection (i), or is found responsible for the violation and does not pay the fine in accordance with subsection (j) or subsection (k); the police department shall notify the registrar of motor vehicles who shall place the matter on record. Upon receipt of the registrar of five or more of such notices, the registrar shall not issue or renew such owner's motor vehicle registration until after notification from the police department that all fines owed pursuant to this chapter have been paid. It shall be the duty of the police department to notify the registrar forthwith that such case has been so disposed; provided, however, that certified receipt of full and final payment from the police department shall also serve as legal notice to the registrar that said violation has been disposed of in accordance with this chapter. The certified receipt shall be printed in such form as the registrar of motor vehicles may approve.

Section 4. (a) Notwithstanding section 3 of this chapter, if the registered owner of a motor vehicle in receipt of a notice of violation is a person or entity engaged in the business of leasing or renting motor vehicles, and such motor vehicle was operating under a rental or lease agreement at the time of a violation, then the provisions of this section shall be applicable, and the registered owner shall not be liable for any unpaid fines; provided, however, that such owner has complied with the procedures of this section.

(b) The police department shall give to the registered owner notice in writing of each violation in which a motor vehicle owned by such owner is involved, as set forth in section 3.

(c) Within 45 days of the violation, the registered owner shall furnish to such department or designee in writing the name and address of the lessee or rentee of such motor vehicle at the time of the violation; the lessee's or rentee's driver's license number, state of issuance of such driver's license and the lessee's or rentee's date of birth.

(d) Such department or designee shall thereupon issue a notice of violation to such lessee or rentee in the form prescribed by section 3 and the lessee or rentee shall be liable for the violation.

(e) If such lessee or rentee to whom a notice of violation has been issued either fails to pay the fine in accordance with subsection (i) of section 3, or fails to receive a favorable adjudication of said notice in accordance with subsection (j) of section 3, or subsection (k) of section 3, the police department or designee shall notify the registrar of motor vehicles who shall place the matter on record. Upon notification to the registrar of five or more of such notices under this section, it shall be the duty of the registrar to suspend and not renew the license to operate a motor vehicle of such lessee or rentee or suspend the right to operate of a lessee or rentee not licensed in this commonwealth until after notification from the Salem police department that all fines, taxes and penalties owed by such owner pursuant to either this chapter, have been disposed of in accordance with this chapter. It shall be the duty of the police department to notify the registrar forthwith that such case has been so disposed; provided, however, that certified receipt of full and final payment from the police department shall also serve as notice to the registrar

that said violation has been disposed of in accordance this chapter. The certified receipt shall be printed in such form as the registrar of motor vehicles may approve.

Section 5. No speed limit violation shall be issued unless the vehicle exceeds the speed limit by at least five miles per hour.

Section 6. (a) The city shall install a sign notifying the public that an automated road safety camera system is in use at each location of said camera.

(b) The city shall make a public announcement and conduct a public awareness campaign of use of automated road safety camera systems beginning at least 30 days before the enforcement program is in use. The city may install but not activate automated road safety camera systems during said time period.

Section 7. (a) The compensation paid to the manufacturer or vendor of the automated road safety camera system as authorized herein shall be based on the value of the equipment or services provided and shall not be based on the number of traffic citations issued or the revenue generated by the systems.

(b) Verification that the automated road safety camera system and any appurtenant traffic control signals are correctly calibrated shall be made by a professional engineer registered in the commonwealth.

Section 8. (a) Photographs and other recorded evidence shall only be captured when a camera enforceable violation occurs. Photographs and other recorded evidence shall be destroyed within 48 hours of the final disposition of a violation.

(b) No photographs taken in conformance with this chapter shall be discoverable in any judicial or administrative proceeding other than a proceeding held pursuant to this chapter without a court order. No photograph taken in conformance with this chapter shall be admissible in any judicial or administrative proceeding other than in a proceeding to adjudicate liability for such violation of this chapter without a court order. A court shall order a release of a photograph taken in conformance with this chapter only where the photograph tends to establish or undermine a finding of a moving violation and the violation is material as to a finding of civil or criminal liability.

(c) Photographs and other personally identifying information collected by the city pursuant to this chapter are not public record.

(d) No automated road safety camera system shall be utilized in such a manner as to take a frontal view photograph of a motor vehicle.

Section 9. This act shall take effect upon its passage.