

**CITY COUNCIL MEETING AGENDA v.1**

**CITY COUNCIL CHAMBERS**

**November 30, 2015**

**7:15 PM**

**Pole Hearing**

**National Grid – Underground Conduit – Daniel Lucy Way**

**7:25 PM**

**Council Group Photo**

**7:30 PM**

(Name Plates & Sound Check)

- 1. MOMENT OF SILENCE**
- 2. PLEDGE OF ALLEGIANCE**
- 3. CALL TO ORDER**
- 4. LATE FILE ITEMS – Mayor's Update**
- 5. PUBLIC COMMENT**
- 6. MAYOR'S UPDATE**

**CONSENT AGENDA**

NOTE: ALL ITEMS LISTED UNDER CONSENT AGENDA WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS. IF DISCUSSION IS DESIRED, THAT ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED SEPARATELY.

**7. APPROVAL OF MINUTES**

November 9, 2015

(Approve)

**8. TRANSFERS**

- 1. DPS Sewer Ret'd Earnings to Sewer Easement \$225, 000** (B&F)
- 2. DPS Water Ret'd Earnings to Meter Replacement \$225,000** (B&F)
- 3. Mayor Gen Fd Free Cash \$101,835.31 to Compensated Absences Rsv Fd \$91,835.31, to Assessment Ctr \$10,000** (B&F)
- 4. Mayor Budget Contingency To Multiple Salary Line Items \$22,190.48 (with Memo)** (B&F)
- 5. Police Dept. Reserve Approp Ins Claims to Purchase of Cruisers \$27,427** (B&F)

**9. COMMUNICATIONS**

- 1. Renewal of Second hand motor vehicle license RL Currie Corp** (L&P)
- 2. Memo from Mayor re 8 Strong Street Demolition** (P&D)
- 3. PERAC required Fiscal Year 2017 Appropriation** (B&F)
- 4. Retirement Board Expense Budget C/Y 2015** (B&F)
- 5. Memo from Mayor to Council on 2016 Retirement Bd Budget** (B&F)
- 6. Memo re: Harbormaster project value engineering** (P&D)

**10. APPOINTMENTS – First Reading**

**APPOINTMENTS**

- |                             |   |   |                      |
|-----------------------------|---|---|----------------------|
| <b>1. Adam R. Hayden</b>    | <b>76 Longfellow Dr.</b>                    | <b>Asst HM/Shellfish Constable/Spec. PO</b> | <b>Dec. 31, 2017</b> |
| <b>2. Joseph Grande</b>     | <b>52 Linwood Ave, Methuen</b>              | <b>Asst HM/Shellfish Constable/Spec. PO</b> | <b>Dec. 31, 2017</b> |
| <b>3. Benedetto Orlando</b> | <b>104 North Ave #2, Haverhill</b>          | <b>Asst HM/Shellfish Constable/Spec. PO</b> | <b>Dec. 31, 2017</b> |
| <b>4. Robert Padellaro</b>  | <b>17 56<sup>th</sup> St.</b>               | <b>Asst HM/Shellfish Constable/Spec. PO</b> | <b>Dec. 31, 2017</b> |
| <b>5. Daniel Scott</b>      | <b>4 Ferry Rd, Methuen</b>                  | <b>Asst HM/Shellfish Constable/Spec. PO</b> | <b>Dec. 31, 2017</b> |
| <b>6. Philip Stern</b>      | <b>271 Merrimac St.#2,</b>                  | <b>Asst HM/Shellfish Constable/Spec. PO</b> | <b>Dec. 31, 2017</b> |
| <b>7. Lance Thokle</b>      | <b>1886 SE Erwin Rd, Port St. Lucie, FL</b> | <b>Asst HM/Shellfish Constable/Spec. PO</b> | <b>Dec. 31, 2017</b> |
| <b>8. David Willey</b>      | <b>13 Devonshire Crossing, Lowell</b>       | <b>Asst HM/Shellfish Constable/Spec. PO</b> | <b>Dec. 31, 2017</b> |
| <b>9. Kristian Zoeller</b>  | <b>115 Timber Swamp Rd, Hampton NH.</b>     | <b>Asst HM/Shellfish Constable/Spec PO</b>  | <b>Dec. 31, 2017</b> |
| <b>10. James Maranto</b>    | <b>167 Harper Ridge Rd, E Hampstead NH</b>  | <b>Asst HM/Shellfish Constable/Spec PO</b>  | <b>Dec. 31, 2017</b> |
| <b>11. Richard Cummings</b> | <b>7 Jewett St, Georgetown</b>              | <b>Asst HM/Shellfish Constable/Spec PO</b>  | <b>Dec. 31, 2017</b> |

12. Francis F. Chaisson	300 Merrimac St.	Asst HM/Shellfish Constable/Spec PO	Dec. 31, 2017
13. Michael Chaisson	46 Lake Attitash Rd, Amesbury	Asst HM/Shellfish Constable/Spec PO	Dec. 31, 2017
14. Enrico Caruso	34 Russett Hill Rd, Haverhill	Asst HM/Shellfish Constable/Spec PO	Dec. 31, 2017

## END OF CONSENT AGENDA

### REGULAR AGENDA

#### 11. COMMUNICATIONS

7. LATE FILE – Mayor’s Communication

#### 12. APPOINTMENTS – 2<sup>nd</sup> Reading

##### APPOINTMENTS

15. Peter M. Blaiwas	61 Pleasant St., #717	Commission on Diversity & Tolerance	Dec. 1, 2018
----------------------	-----------------------	-------------------------------------	--------------

##### RE-APPOINTMENTS

16. Susan Chase	44 Oak Street	Emma Andrews Branch Library Commission	Oct. 30, 2016
17. Elizabeth L. Watson	53 Warren St. # 314	Emma Andrews Branch Library Commission	Oct. 30, 2016
18. Elizabeth Valeriani	29 Oak St.	Emma Andrews Branch Library Commission	Oct. 30, 2016
19. Aine G. Ellrott	43 Purchase St.	Emma Andrews Branch Library Commission	Oct. 30, 2016
20. Donna Conway	27 Marlboro St.	Emma Andrews Branch Library Commission	Oct. 30, 2016
21. Stephen J. Moore	10 N. Atkinson St.	Conservation Commission	Dec. 1, 2018

#### 13. ORDERS

1. TABLED Order License Contractor Street Occupancy Northern Drill Services, Inc.
2. Order License Contractor Street Occupancy NE Boring Contractors w/ bond
3. Order Accepting Gift from Odd Fellows \$3,500 – smoke ejector fan
4. Order Accepting the Gift of a 1977 UTI 41’ fire/rescue vessel
5. Order Authorizing Easement for Utility Purposes – Eastern Side of Custom House for Boater Facility
6. Order Parking Restricted On High Street at Kent
7. Order Senior Center Appropriation \$52,500
8. Order on Sidewalks with list attached
9. Order on Signs on Crow Lane Recycling Center
10. Order Accepting Gift from Morrill Foundation \$90,000
11. Order Street light at 53 Curzon Mill Rd
12. Order Accept Ch.41 sec. 108P
13. Order Amending Municipal Fees and Fines

#### 14. ORDINANCES

1. 2<sup>nd</sup> Reading Amend ORD Ch 9-158 Business prohibited between certain hours
2. Ordinance Animal Control Fees Nuisance
3. Ordinance Animal Control Fees Dog License Fees (Unspayed/Unneutered)
4. Ordinance Animal Control Fees Dog Fines on Plum Island

#### 15. COMMITTEE ITEMS

##### Budget & Finance

###### *In Committee:*

- |  |             |
|--|-------------|
| 1. Order Home Rule Petition- supplementing education budget (COTW) | *05/12/2014 |
| 2. Amend ORD Ch. 2 Section 2-45 City Council Salary                | *05/12/2014 |
| 3. Amend ORD Ch. 2 Section 2-61A School Committee Salary           | *05/12/2014 |
| 4. Letter from Hope Church regarding Master Box fee                | *11/10/2014 |
| 5. Statement re: Human Resources Dependent Audit                   | *08/10/2015 |
| 6. Loan Order intermodal transit parking facility \$630,300        | *10/13/2015 |
| 7. Mayor memo regarding Material Weakness - Cash Reconciliation    | *10/26/2015 |

##### General Government

###### *In Committee:*

- |  |             |
|--|-------------|
| 1. Letter re: Health Insurance Benefit | *05/11/2015 |
|--|-------------|

2. Changes to City Hall Rental Application and Rules of Use \*09/15/2015
3. Create Ch. 2-2.5 City Flag \*09/15/2015

#### **Joint Education**

##### ***In Committee:***

1. Order Home Rule Petition- supplementing education budget (COTW) \*05/12/2014

#### **License & Permits**

##### ***In Committee:***

1. Movable Sign Application Newburyport Brewing Company \*02/10/2014
2. Amend ORD Sec. 9-114 Transient Vendors Restricted Areas \*04/28/2014
3. Letter regarding transient vendor licensing \*06/30/2014
4. Regulations \*08/10/2015
5. Phat Cabbie Transportation Taxi License Application \*11/09/2015

#### **Neighborhoods and City Services**

##### ***In Committee:***

1. Amend Ch11 Parks and Recreation (COTW) \*08/10/2015
2. Letter from Commission for Diversity and Tolerance \*11/09/2015
3. Order on CDT Policy \*11/16/2015

#### **Planning & Development**

##### ***In Committee:***

1. Letter from Newburyport Preservation Trust \*03/31/2014
2. First Refusal to Purchase Lot 8 Low Street \*01/12/2015
3. Amend ORD Zoning Map Sec. III-C "Back Bay Area Zoning Map Change" \*01/12/2015
4. Amend Zoning VIII-D Sign regulations \*09/15/2015
5. Amend Zoning XI-I Glare \*09/15/2015
6. Amend Ch. 2-116 Planning Board Established, membership, appointment \*09/15/2015
7. Amend Ch. 2-119 Planning Board Members to serve without pay; powers and duties \*09/15/2015
8. Zoning Amendment and DOD Map \*11/16/2015

#### **Public Safety**

##### ***In Committee:***

1. London Livery request for valet parking at 38 State Street \*04/27/2015
2. Order regarding Signs \*05/26/2015
3. Amend ORD Ch. 13 Article IV Div 6 Sec. 13-175 2 hr No. Atkinson \*06/29/2015
4. Letter regarding condition of Dove Street \*07/13/2015
5. Amend Ch. 3-2 Disposal of Animal Waste \*09/15/2015
6. Amend Ch. 13-136 Designated Stop Intersections \*09/15/2015
7. Amend Ch. 13-168 Parking Restricted on Certain Streets \*09/15/2015
8. Amend Ch. 13-180 Resident Parking \*09/15/2015
9. Amend Ch. 13-168 Parking Restricted on Pauline Street \*09/15/2015
10. Amend ORD Ch. 13-181 Parking Lots Waterfront Trust Lot \*09/28/2015
11. Amend ORD Ch. 13-181 Parking Lots Green Street Lot Police Vehicles \*09/28/2015
12. Amend ORD Ch. 13-168 Parking restricted on certain streets (COTW) \*10/13/2015
13. Snow & Ice Plan 2015-16 \*10/26/2015
14. Amend ORD Ch. 13-179 Handicapped Parking on Franklin Street \*10/26/2015
15. Amend ORD Ch. 13 -171 Service Zone 153-155 State Street \*10/26/2015

#### **Public Utilities Committee**

#### **Rules Committee**

#### **16. GOOD OF THE ORDER**

#### **17. ADJOURNMENT**

## POLE HEARING

**nationalgrid**

RECEIVED  
CITY CLERK'S OFFICE  
NEWBURYPORT, MA  
2015 NOV -5 A 10:51

November 3, 2015  
City Clerk of  
Newburyport, Massachusetts

To Whom It May Concern:

Enclosed please find a petition of NATIONAL GRID covering the installation of underground facilities.


If you have any questions regarding this permit please contact:

John Butler- 978-725-1415

If this petition meets with your approval, please return an executed copy to:

National Grid Contact: Maureen Miloro; 1101 Turnpike Street; North Andover, MA 01845

Very truly yours,

  
Rafael Panos  
Supervisor, Distribution Design

Enclosures

Questions contact -- John Butler - 978-725-1415

Petition of the NATIONAL GRID  
Of NORTH ANDOVER, MASSACHUSETTS  
For Electric conduit Location:

To the City Council of Newburyport Massachusetts

Respectfully represents the NATIONAL GRID of North Andover, Massachusetts, that it desires to construct a line of underground electric conduits, including the necessary sustaining and protecting fixtures, under and across the public way or ways hereinafter named.

Wherefore it prays that after due notice and hearing as provided by law, it be granted permission to excavate the public highways and to run and maintain underground electric conduits, together with such sustaining and protecting fixtures as it may find necessary for the transmission of electricity, said underground conduits to be located substantially in accordance with the plan filed herewith marked -- Daniel-Lucy Way -Newburyport Massachusetts

The following are the streets and highways referred to:

**19116151** Daniel Lucy Way-National Grid to install approximately 50' 2-3" conduits with underground 4/0 3 wire secondary conductor from existing hand hole 1-2 to new hand hole 2-3 . The new hand hole and conduit is for new secondary service to City Soccer Field.

Location approximately as shown on plan attached

NATIONAL GRID  
BY Rafael Pano  
Engineering Department

Dated: November 3, 2015

City

ORDERED:

Notice having been given and public hearing held, as provided by law, that the NATIONAL GRID be and it is hereby granted permission to excavate the public highways and to run and maintain underground electric conduits, together with such sustaining and protecting fixtures as said company may deem necessary, in the public way or ways hereinafter referred to, and to make the necessary house connections along said extensions, as requested in petition with said company dated the 3rd day of November 2015 .

Said underground electric conduits shall be located substantially in accordance with the plan filed herewith marked -Daniel Lucy Way-Newburyport Massachusetts 19116151

The following are the public ways or part of ways along which the underground electric conduits above referred to may be laid:

Daniel Lucy Way-National Grid to install approximately 50' 2-3" conduits with underground 4/0 3 wire secondary conductor from existing hand hole 1-2 to new hand hole 2-3 . The new hand hole and conduit is for new secondary service to City Soccer Field.

I hereby certify that the foregoing order was adopted at a meeting of the .....  
.....  
....., held on the ..... day of ....., 20 .....

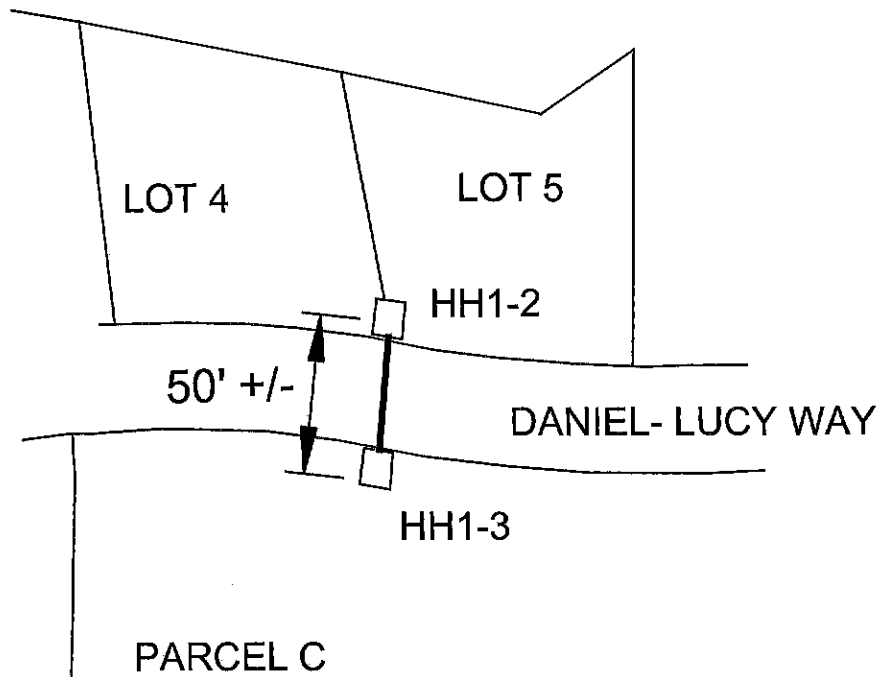
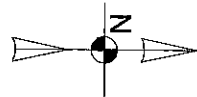
..., 20 .....

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

Attest:

.....

..... Hereby certify that on .....20..... at ..... o'clock, .M  
at ....., a public hearing was held on the petition of  
NATIONAL GRID for permission to construct the underground electric conduits described in the  
order herewith recorded, and that I 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 construct the underground electric conduits under said order. And that thereupon said  
order was duly adopted.



## UNDERGROUND PETITION



HANDHOLE



PROPOSED CONDUIT 2-3"

New Handhole and conduit for new secondary service to City soccer field

**nationalgrid**

Date: NOVEMBER 2, 2015

WORK REQUEST: WR 19116151

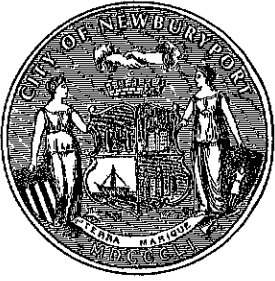
To The: City Of NEWBURYPORT

For Proposed: HANDHOLE AND CONDUIT Location: DANIEL LUCY WAY

Drawn By: S.STEEVES

DISTANCES ARE APPROXIMATE





CITY OF NEWBURYPORT  
MASSACHUSETTS  
CITY CLERK'S OFFICE  
NEWBURYPORT CITY HALL  
60 PLEASANT STREET • P.O. BOX 550  
NEWBURYPORT, MA 01950  
TEL: 978-465-4407 • FAX: 978-462-7936

RICHARD B. JONES  
CITY CLERK

November 5, 2015

Dear Property Owner:

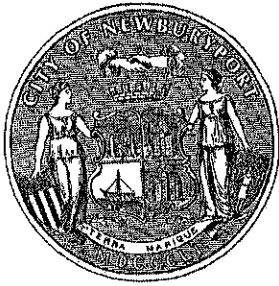
Notice is hereby given that a Public Hearing will be held on the petition by National Grid for the installation on Daniel Lucy Way of approximately 50 feet of conduit. It will consist of 2-3 conduits with underground 4/03 wire secondary conductor going from an existing hand hole (HH 1-2) to new hand hole. The new hand hole and conduit is for a new secondary service to the City's Soccer Field.

Said meeting will be held on Monday, November 30, 2015 at 7:15 PM in the City Council Chamber, City Hall, 60 Pleasant St., Newburyport, MA. At that time, all interested parties will have an opportunity to be heard.

Location approximately as shown on plan attached.

Sincerely,

Tricia E. Barker  
Assistant City Clerk  
60 Pleasant Street  
Newburyport, MA 01950  
978-465-4408  
[pbarker@cityofnewburyport.com](mailto:pbarker@cityofnewburyport.com)



# City of Newburyport

## OFFICE OF THE ASSESSOR

City Hall  
60 Pleasant Street  
Newburyport, MA 01950  
978-465-4413 / Fx 978-462-8495

**Date:** November 5, 2015

**To:** Richard Jones, City Clerk

**From:** Newburyport Board of Assessors

**Re:** Daniel Lucy Way  
Map: 107 Lot: 1A

To be granted permission to excavate the public highways and to run and maintain underground electric conduits, together with such sustaining and protecting fixtures as it may find necessary for the transmission of electricity, said underground conduits to be located substantially in accordance with the plan filed herewith.

National Grid to install approximately 50' 2-3" conduits with underground 4/0 3 wire secondary conductor from existing hand hole 1-2 to new hand hole 2-3. The new hand hole and conduit is for new secondary service to City Soccer Field.

---

The following are the abutters of the above described location:

Board of Assessors

BY CERTIFYING THAT THE PERSONS LISTED IN THE FOREGOING LIST OF ABUTTERS ARE THE OWNERS OF RECORD OF THE FOREGOING PROPERTIES AS OF JANUARY 1<sup>ST</sup>, 2015, THE CITY ASSESSOR IS NOT CERTIFYING THAT THE PERSONS SO LISTED ARE THE PERSONS WHO ARE REQUIRED TO RECEIVE NOTIFICATION UNDER APPLICABLE LAW.

107/ 1/ 4/ /  
PONS DUNSTIN  
KAREN T/E  
9 DANIEL LUCY WAY  
NEWBURYPORT, MA 01950

107/ 1/ 5/ /  
MARELLA JOSEPH M TRUSTEE  
GAY H BROWN TRUSTEE  
11 DANIEL LUCY WAY  
NEWBURYPORT, MA 01950

107/ 1/A / /  
CITY OF NEWBURYPORT  
CHERRY HILL VACANT LOT  
DANIEL LUCY WAY  
NEWBURYPORT, MA 01950

## CONSENT AGENDA

# CITY COUNCIL MEETING MINUTES v.1

## CITY COUNCIL CHAMBERS

November 9, 2015

**7:00 PM**

### **HEARING**

Council President O'Brien called the meeting to order at 7:15 pm. He instructed the City Clerk to call the roll. The following Councillors answered present: Cameron, Connell, Cronin, Eigerman, Giunta, Herzog, Kinsey, Tontar, Vogel and O'Brien. 10 present, 1 absent (Heartquist). The Clerk read the notice of hearing. President O'Brien opened up the public comment. Jim Leonard spoke in favor. Rob Germinara spoke in favor. There was some discussion as to where the street light was located in front of 3 Belcher Street. The hearing was closed at 7:20pm.

**7:30 PM**

Council President O'Brien called the meeting to order at 7:30 pm. A moment of silence was held remembering the Veterans who have served. This was followed by the Pledge of Allegiance. He then instructed the City Clerk to call the roll. The following Councillors answered present: Cameron, Connell, Cronin, Eigerman, Giunta, Herzog, Kinsey, Tontar, Vogel and O'Brien. 10 present, 1 absent (Heartquist).

### **1. LATE FILES – Communication #8 Mayor's Update**

**Motion to waive the rules and accept the late file items by Councillor Cameron, seconded by Councillor Giunta**  
**So voted.**

### **2. PUBLIC COMMENT**

- |                    |                       |                                       |
|--------------------|-----------------------|---------------------------------------|
| 1. Erin Dunphy     | 31 Dove Street        | NYHL Tag Day                          |
| 2. Peter Blaiwas   | 5 Otis Place          | Commission for Diversity & Tolerance  |
| 3. David Cross     | 21 NE Blvd, Salisbury | Taxi Permit                           |
| 4. Frank Giacalone | 10 Dunham Rd, Beverly | Sidewalk Ordinance                    |
| 5. Jerry Mullins   | 7 Parsons Street      | Sidewalk Ordinance                    |
| 6. Rob Germinara   | 2 Ashland Street      | Belcher St. Disc. & Sidewalks & Trees |

### **3. MAYOR'S UPDATE**

**The Mayor gave an update.**

### **CONSENT AGENDA**

NOTE: ALL ITEMS LISTED UNDER CONSENT AGENDA WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS. IF DISCUSSION IS DESIRED, THAT ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED SEPARATELY.

### **4. APPROVAL OF MINUTES**

October 26, 2015

(Approved)

### **5. TRANSFERS - NONE**

### **6. COMMUNICATIONS**

1. Phat Cabbie Transportation Taxi License Application

(L&P)

**Removed by Councillor Cronin.**

2. Letter from Greater Nbpt Chamber of Commerce support single tax rate

(B&F)

**Removed by Councillor Cronin.**

3. Letter from Commission for Diversity and Tolerance

(N&CS)

**Removed by Councillor Herzog.**

4. Mayor memo regarding Health Ins. Benefit for City Councillors and School Committee

(B&F)

**Removed by Councillor Cronin.**

5. Letter Nbpt Youth Hockey League Tag Day downtown City sidewalks Nov. 21, 2015

(PS)

**Removed by Councillor Cronin.**

6. Supplemental Information on Tax Classification and Tax Rate Orders submitted 10/26/15

(B&F)

**Removed by Councillor Cronin.**

7. Notification of the Board Of Health appointment of new Health Director

(R&F)

## 7. APPOINTMENTS – First Reading

### APPOINTMENTS

1. Peter M. Blaiwas	61 Pleasant St., #717	Commission on Diversity & Tolerance	Dec. 1, 2018
---------------------	-----------------------	-------------------------------------	--------------

### RE-APPOINTMENTS

2. Susan Chase	44 Oak Street	Emma Andrews Branch Library Commission	Oct. 30, 2016
3. Elizabeth L. Watson	53 Warren St. # 314	Emma Andrews Branch Library Commission	Oct. 30, 2016
4. Elizabeth Valeriani	29 Oak St.	Emma Andrews Branch Library Commission	Oct. 30, 2016
5. Aine G. Ellrott	43 Purchase St.	Emma Andrews Branch Library Commission	Oct. 30, 2016
6. Donna Conway	27 Marlboro St.	Emma Andrews Branch Library Commission	Oct. 30, 2016
7. Stephen J. Moore	10 N. Atkinson St.	Conservation Commission	Dec. 1, 2018

### END OF CONSENT AGENDA

**Motion to approve the Consent Agenda as amended by Councillor Herzog, seconded by Councillor Kinsey. So voted.**

### REGULAR AGENDA

## 8. COMMUNICATIONS

1. Phat Cabbie Transportation Taxi License Application

**Motion to refer to License & Permits by Councillor Cronin, seconded by Councillor Heartquist. So voted.**

2. Letter from Greater Nbpt Chamber of Commerce support single tax rate

**Motion to receive and file by Councillor Tontar, seconded by Councillor Kinsey.**

3. Letter from Commission for Diversity and Tolerance

**Motion to refer to Neighborhoods & City Services by Councillor Herzog, seconded by Councillor Cameron. So voted.**

4. Mayor memo regarding Health Ins. Benefit for City Councillors and School Committee

**Motion to refer to receive and file by Councillor Cronin, seconded by Councillor Tontar. So voted.**

5. Letter Nbpt Youth Hockey League Tag Day downtown City sidewalks Nov. 21, 2015

**Motion to approve Emergency Preamble by Councillor Kinsey, seconded by Councillor Herzog. So voted.**

**Motion to approve by Councillor Cronin, seconded by Councillor Herzog. So voted.**

6. Supplemental Information on Tax Classification and Tax Rate Orders submitted 10/26/15

**Motion to receive and file by Councillor Tontar, seconded by Councillor Herzog. So voted.**

8. LATE FILE – Mayor’s Communication

**Motion to receive and file by Councillor Cameron, seconded by Councillor Connell. So voted.**

## 9. APPOINTMENTS – 2<sup>nd</sup> Readings - None

## 10. ORDERS

1. TABLED Order Discontinue portion of Belcher’s Street

**Motion to remove from the table by Councillor Cameron, seconded by Councillor Giunta. So voted. Motion to delete “dated ----” by Councillor Connell, seconded by Councillor Herzog. So voted. Motion to insert “accept assessed value of \$28,000” by Councillor Connell, seconded by Councillor Cameron. Roll call vote, 9 yes, 1 no (Vogel), 1 absent (Heartquist). So voted. Motion to approve as amended by Councillor Connell, seconded by Councillor Cameron. Roll call vote, 10 yes, 1 absent (Heartquist). So voted.**

2. Order License Contractor Street Occupancy Northern Drill Services, Inc.

**Motion to Table by Councillor Herzog, seconded by Councillor Kinsey. So voted.**

## 11. ORDINANCES

1. 2<sup>nd</sup> Reading Amend ORD Ch 12-6 Public Trees

**Motion to approve 2<sup>nd</sup> reading by Councillor Eigerman, seconded by Councillor Cameron. Roll call vote, 10 yes, 1 absent (Heartquist). So voted.**

2. 2<sup>nd</sup> Reading Amend ORD Ch 12-9 Sidewalks

**Motion to approve 2<sup>nd</sup> reading by Councillor Eigerman, seconded by Councillor Cameron. Roll call vote, 10 yes, 1 absent (Heartquist). So voted.**

3. 2<sup>nd</sup> Reading Amend ORD Ch 13 Div 4 Stop Intersections

**Motion to approve 2<sup>nd</sup> reading by Councillor Cronin, seconded by Councillor Giunta. Roll call vote, 10 yes, 1 absent (Heartquist). So voted.**

4. 2<sup>nd</sup> Reading Amend ORD Ch 13 Div 5 Turning lanes

**Motion to approve 2<sup>nd</sup> reading by Councillor Cronin, seconded by Councillor Giunta. Roll call vote, 10 yes, 1 absent (Heartquist). So voted.**

5. 2<sup>nd</sup> Reading Amend ORD Ch 13 Div 6 Add section 166  
Motion to approve 2<sup>nd</sup> reading by Councillor Cronin, seconded by Councillor Giunta. Roll call vote, 10 yes, 1 absent (Heartquist). So voted.

## 12. COMMITTEE ITEMS

### Budget & Finance

#### *In Committee:*

1. Order Home Rule Petition- supplementing education budget (COTW) \*05/12/2014
2. Amend ORD Ch. 2 Section 2-45 City Council Salary \*05/12/2014
3. Amend ORD Ch. 2 Section 2-61A School Committee Salary \*05/12/2014
4. Letter from Hope Church regarding Master Box fee \*11/10/2014
5. Statement re: Human Resources Dependent Audit \*08/10/2015
6. Mayor/Planning & Dev. Gen'l Fd Free Cash \$40,000 to Master Plan Update \*10/13/2015

Motion remove by Councillor Tontar, seconded by Councillor Cameron. 9 yes, 1 no (Herzog), 1 absent (Heartquist). So voted. Motion to approve by Councillor Tontar, seconded by Councillor Cameron. Motion to amend to \$20,000 by Councillor Eigerman, seconded by Councillor O'Brien. Roll call vote, 4 yes (Cronin, Eigerman, Giunta, O'Brien), 6 no, 1 absent (Heartquist). Motion failed. Roll call vote on motion to approve, 6 yes, 4 no (Cronin, Eigerman, Herzog, O'Brien), 1 absent (Heartquist). Motion passed.

7. Loan Order intermodal transit parking facility \$630,300 \*10/13/2015

8. Tax Classification Order \*10/26/2015

Motion to remove by Councillor Tontar, seconded by Councillor Cameron. So voted. Motion to establish the Residential Factor as 1 by Councillor Tontar, seconded by Councillor Connell. So voted.

9. Tax Rate Order \*10/26/2015

Motion to remove by Councillor Tontar, seconded by Councillor Cameron. So voted. Motion to set the rate at \$13.39 by Councillor Tontar, seconded by Councillor Connell. Roll call vote, 7 yes, 3 no (Eigerman, Herzog, Vogel), 1 absent (Heartquist). Motion passed.

10. LATE FILE Order Senior Center Rental Fees \*10/26/2015

Motion to remove by Councillor Tontar, seconded by Councillor Cronin. So voted. A five minute recess was held from 9:06 to 9:11 pm to research the fees. Motion to approve by Councillor Tontar, seconded by Councillor Cameron. Roll call vote, 10 yes, 1 absent (Heartquist). So voted.

11. LATE FILE Order Revolving Fund Senior Center \*10/26/2015

Motion to remove by Councillor Tontar, seconded by Councillor Cameron. So voted. Motion to approve by Councillor Tontar, seconded by Councillor Cameron. So voted.

### General Government

#### *In Committee:*

1. Letter re: Health Insurance Benefit \*05/11/2015
2. Changes to City Hall Rental Application and Rules of Use \*09/15/2015
3. Create Ch. 2-2.5 City Flag \*09/15/2015

### Joint Education

#### *In Committee:*

1. Order Home Rule Petition- supplementing education budget (COTW) \*05/12/2014

### License & Permits

#### *In Committee:*

1. Movable Sign Application Newburyport Brewing Company \*02/10/2014
2. Amend ORD Sec. 9-114 Transient Vendors Restricted Areas \*04/28/2014
3. Letter regarding transient vendor licensing \*06/30/2014
4. Regulations \*08/10/2015

### Neighborhoods and City Services

#### *In Committee:*

1. Amend Ch11 Parks and Recreation (COTW) \*08/10/2015
2. Order Portion of Belcher Street for disposition \*10/13/2015

Motion to remove by Councillor Connell, seconded by Councillor Cameron. So voted. Motion to approve BC EC Roll call vote, 10 yes, 1 absent (Heartquist). So voted.

### Planning & Development

***In Committee:***

1. Letter from Newburyport Preservation Trust \*03/31/2014
2. First Refusal to Purchase Lot 8 Low Street \*01/12/2015
3. Amend ORD Zoning Map Sec. III-C "Back Bay Area Zoning Map Change" \*01/12/2015
4. Amend Zoning VIII-D Sign regulations \*09/15/2015
5. Amend Zoning XI-I Glare \*09/15/2015
6. Amend Ch. 2-116 Planning Board Established, membership, appointment \*09/15/2015
7. Amend Ch. 2-119 Planning Board Members to serve without pay; powers and duties \*09/15/2015

**Public Safety**

***In Committee:***

1. London Livery request for valet parking at 38 State Street \*04/27/2015
2. Order regarding Signs \*05/26/2015
3. Amend ORD Ch. 13 Article IV Div 6 Sec. 13-175 2 hr No. Atkinson \*06/29/2015
4. Letter regarding condition of Dove Street \*07/13/2015
5. Amend Ch. 3-2 Disposal of Animal Waste \*09/15/2015
6. Amend Ch. 13-136 Designated Stop Intersections \*09/15/2015
7. Amend Ch. 13-168 Parking Restricted on Certain Streets \*09/15/2015
8. Amend Ch. 13-180 Resident Parking \*09/15/2015
9. Amend Ch. 13-168 Parking Restricted on Pauline Street \*09/15/2015
10. Amend ORD Ch. 13-181 Parking Lots Waterfront Trust Lot \*09/28/2015
11. Amend ORD Ch. 13-181 Parking Lots Green Street Lot Police Vehicles \*09/28/2015
12. Amend ORD Ch. 13-168 Parking restricted on certain streets (COTW) \*10/13/2015
13. Amend ORD Ch. 9-158 Business prohibited between certain hours \*10/13/2015

**Motion to remove by Councillor Cronin, seconded by Councillor Tontar. So voted. Motion to approve as amended 1<sup>st</sup> reading and order published by Councillor Cronin, seconded by Councillor Tontar. Roll call vote, 9 yes, 1 no (Herzog), 1 absent (Heartquist). So voted.**

14. Special Event Application Newburyport River Run ½ Marathon & 5k June 12, 2016 \*10/26/2015

**Motion to remove by Councillor Cronin, seconded by Councillor Cameron. So voted. Motion to approve as changed to May 15, 2015 by Councillor Cronin, seconded by Councillor Cameron. So voted.**

15. Snow & Ice Plan 2015-16 \*10/26/2015
16. Amend ORD Ch. 13-179 Handicapped Parking on Franklin Street \*10/26/2015
17. Amend ORD Ch. 13 -171 Service Zone 153-155 State Street \*10/26/2015

**Public Utilities Committee**

***In Committee:***

1. Sum. Rep. from Environmental Ptners on Wastewater Trtmnt Fac. & Odor Controls & COW \*09/28/2015

**Motion to remove by Councillor Herzog, seconded by Councillor Cameron. So voted. Motion to receive and file by Councillor Herzog, seconded by Councillor Cameron. So voted.**

**Rules Committee**

**13. GOOD OF THE ORDER**

**The Clerk reminded Councillors of the group photo at 7:15pm on November 30, 2015.**

**Councillor Cameron recognized Officer Schmidt.**

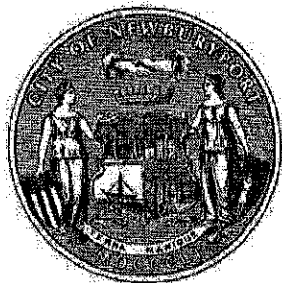
**Councillor Kinsey stated the youth football team would be playing in Lynnfield on Sunday.**

**14. ADJOURNMENT**

**Motion to adjourn by Councillor Cameron, seconded by Councillor Connell at 9:29 pm. So voted.**



## TRANSFERS



CITY OF NEWBURYPORT  
OFFICE OF PLANNING AND DEVELOPMENT

60 PLEASANT STREET • P.O. BOX 550

NEWBURYPORT, MA 01950

(978) 465-4400 • (978) 465-4452 (FAX)

RECEIVED  
CITY CLERK'S OFFICE  
NEWBURYPORT, MA

2015 NOV 23 P 12:01

DONNA D. HOLADAY  
MAYOR

---

MEMORANDUM

---

TO: NEWBURYPORT CITY COUNCIL  
FROM: GEORDIE VINING, SENIOR PROJECT MANAGER; ETHAN MANNING, FINANCE DIRECTOR  
SUBJECT: SENIOR COMMUNITY CENTER: APPROPRIATION FOR 2016 DONATIONS  
DATE: 11/23/15

We are writing to respectfully request the City Council authorize an appropriation for completion of the final stages of the Senior Community Center project in anticipation of our receipt of \$52,500 in donations from the Friends of the Council on Aging in fiscal year 2016. In addition, another \$10,000 is being donated by the Mayor Gayden W. Morrill Foundation for the project as part of their fiscal year 2016 annual contribution.

The budget for the \$6.9 million Senior Community Center Project includes \$301,000 in donations. The City has received \$238,500 of those donations to date, and the balance is due next year as several foundations, companies, and individuals split their donations between 2015 and 2016. We are paying the final invoices soon for the contractor, owner's project manager, and miscellaneous items such as the phone system, computers, etc.

The donors are generous foundations, companies, and individuals with deep local roots. Their pledges have been well publicized and their names are on plaques and doors of the various rooms and spaces they have sponsored. We are confident that we will receive the pledges in fiscal year 2016. If, for whatever reason, any of the donations have not been received by the end of the fiscal year, we would have to return for a free cash transfer to make up any deficit at year-end.

As we work to finalize the building's remaining details, the new Senior Community Center is actively being used and celebrated by the public. Thank you for your consideration.



**City of Newburyport**  
**FY 2016**  
**BUDGET TRANSFER REQUEST**

Transfer #1  
November 30, 2015

RECEIVED  
CITY CLERK'S OFFICE  
NEWBURYPORT, MA

2015 NOV 23 P 1:38

**Department:** DPS - Sewer

**Submitted by:** Anthony Furnari, Director

**Date Submitted:** 11/30/2015

**Transfer From:**

Account Name	Retained Earnings	YTD Bal:	\$ 1,927,181.00
Account Number:	61-35920	Trans In:	\$ -
Amount:	\$225,000.00	Trans Out:	
Why are Funds Available:	<i>The Massachusetts Department of Revenue certified Retained Earnings for the Sewer Enterprise Fund for FY2016 at \$1,927,181. These funds are available for any legal expenditure with the approval of the Mayor and a majority vote of the City Council.</i>		

**Transfer To:**

Account Name	Sewer Easement	YTD Bal:	\$ 105,083.12
Account Number:	3406-49700	Trans In:	\$ -
Amount:	\$225,000.00	Trans Out:	\$ -
Why are Funds Required:	<i>On 9/15/15, a transfer was approved in the amount of \$225,000.00 from the Sewer Easement Capital Project Account to the DPS Building Capital Project Account to allow for construction to proceed with the new building while retained earnings balance was not yet certified. This appropriation replenishes funds for the Sewer Easement Capital Project.</i>		

Donna D Holaday, Mayor  
Ethan Manning, Auditor  
City Council Approval: (Stamp)

*Donna D Holaday*  
*Ethan Manning*

Date: *11/23/15*  
Date: *11/23/15*



**City of Newburyport**  
**FY 2016**  
**BUDGET TRANSFER REQUEST**

Transfer #2  
November 30, 2015

RECEIVED  
CITY CLERK'S OFFICE  
NEWBURYPORT, MA

2015 NOV 23 P 1:38

**Department:** DPS - Water

**Submitted by:** Anthony Furnari, Director

**Date Submitted:** 11/30/2015

**Transfer From:**

Account Name	Retained Earnings	YTD Bal:	\$ 1,710,343.00
Account Number:	60-35920	Trans In:	\$ -
Amount:	\$225,000.00	Trans Out:	\$ -
Why are Funds Available:	<i>The Massachusetts Department of Revenue certified Retained Earnings for the Water Enterprise Fund for FY2016 at \$1,710,343. These funds are available for any legal expenditure with the approval of the Mayor and a majority vote of the City Council.</i>		

**Transfer To:**

Account Name	Meter Replacement	YTD Bal:	\$ 58,812.00
Account Number:	3409-49700	Trans In:	\$ -
Amount:	\$225,000.00	Trans Out:	\$ -
Why are Funds Required:	<i>On 9/15/15, a transfer was approved in the amount of \$225,000.00 from the Meter Replacement Capital Project Account to the DPS Building Capital Project Account to allow for construction to proceed with the new building while retained earnings balance was not yet certified. This appropriation replenishes funds for the Meter Replacement Project.</i>		

Donna D Holaday, Mayor  
Ethan Manning, Auditor  
City Council Approval: (Stamp)

*Donna D Holaday*  
*Ethan Manning*

Date: 11/23/15  
Date: 11/23/15



Transfer #3  
November 30, 2015

**City of Newburyport**  
FY 2016  
**BUDGET TRANSFER REQUEST**

RECEIVED  
CITY CLERK'S OFFICE  
NEWBURYPORT, MA

2015 NOV 23 P 1:38

**Department:** Mayor's Office  
**Submitted by:** Donna D. Holaday

**Date Submitted:** 11/30/2015

**Transfer From:**

Account Name	General Fund - Free Cash	YTD Bal:	\$ 2,432,970.00
Account Number:	01-35910	Trans In:	\$ -
Amount:	\$101,835.31	Trans Out:	\$ (385,466.00)
Why are Funds Available:	<i>The Massachusetts Department of Revenue certified Free Cash for FY2016 at \$2,818,436. These funds are available for any legal expenditure with the approval of the Mayor and a majority vote of the City Council.</i>		

**Transfer To:**

Account Name	Compensated Absences Rsv Fund	YTD Bal:	\$ 72,348.18
Account Number:	8270-49700	Trans In:	\$ -
Amount:	\$91,835.31	Trans Out:	\$ -
Why are Funds Required:	<i>This special reserve fund was established by the City Council to pay City employees for compensated absences upon separation from employment, in accordance, with contractual agreements. Funds remain in this account and cannot be used for any other purposes unless approved by the City Council.</i>		

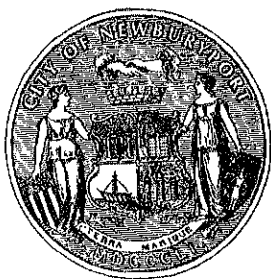
**Transfer To:**

Account Name	Assessment Center	YTD Bal:	\$ -
Account Number:	New Account	Trans In:	\$ -
Amount:	\$10,000.00	Trans Out:	\$ -
Why are Funds Required:	<i>City Ordinance requires the engagement of an assessment center for the purpose of providing the Screening Committee with an evaluation of potential candidates' knowledge, skills and abilities, including, without limitation, their technical, tactical, professional, managerial and strategic skills.</i>		

Donna D. Holaday, Mayor  
Ethan R. Manning, Auditor  
City Council Approval: (Stamp)

*Donna D. Holaday*  
*Ethan R. Manning*

Date: 11/23/15  
Date: 11/23/15



# CITY OF NEWBURYPORT

OFFICE OF THE MAYOR  
DONNA D. HOLADAY, MAYOR

RECEIVED  
CITY CLERK'S OFFICE  
NEWBURYPORT, MA

60 PLEASANT STREET - P.O. BOX 550  
NEWBURYPORT, MA 01950

978-465-4413 PHONE

978-465-4402 FAX

2015 NOV 24 A 9:58

To: President and Members of the City Council  
From: Donna D. Holaday, Mayor  
Date: November 23, 2015  
Subject: Marshal Retirement & Assessment Center

---

Attached are two appropriation requests from Free Cash to fund the vacation and sick-time payout of former Marshal Thomas Howard, as well as, funding for the assessment center to assist the Screening Committee in finding his replacement.

The vacation and sick-time payout totals \$91,865.31, which represents the 150 sick days and 30 vacation days that are contractually due to Marshal Howard. All payments owed for compensated absences within the General Fund are paid from the Compensated Absences Reserve Fund; however, due to lack of available funding for this sizeable retirement, which was just approved in October 2015, an appropriation from Free Cash is needed.

Regarding the assessment center, the City has engaged the services of BadgeQuest out of Plymouth, Massachusetts who will be evaluating screened candidates for the position of Police Marshal. This is a requirement under City Ordinance. The screening committee met with BadgeQuest on November 13<sup>th</sup> to provide input as to what is important to the community in a Police Marshal and BadgeQuest has also sent a questionnaire to all current members of the Police Department seeking their input. According to the schedule determined by the screening committee, up to ten (10) candidates should be going through the assessment center process in January with results being reported back to the committee no later than early February. The committee is moving through the screening process in a thorough and expeditious manner



**City of Newburyport**  
**FY 2016**  
**BUDGET TRANSFER REQUEST**

Transfer #4  
November 30, 2015

RECEIVED  
CITY CLERK'S OFFICE  
NEWBURYPORT, MA

2015 NOV 23 P 1:38

**Department:** Mayor's Office

**Submitted by:** Donna D. Holaday

**Date Submitted:** 11/30/2015

**Transfer From:**

Account Name	Budget Contingency	YTD Bal:	\$ 122,933.50
Account Number:	01129007-57805	Trans In:	\$ -
Amount:	\$22,190.48	Trans Out:	\$ -
Why are Funds Available:	A contingency was budgeted for two collective bargaining agreements that were not complete at the start of the fiscal year.		

**Transfer To:**

Account Name	Multiple Salary Line Items	YTD Bal:	\$ 698,937.45
Account Number:	See attached	Trans In:	\$ -
Amount:	\$22,190.48	Trans Out:	\$ -
Why are Funds Required:	An appropriation of \$345,466 from Free Cash is required to fund the tax rate of \$13.39 per thousand as voted by the City Council on November 9, 2015.		

Donna D. Holaday, Mayor  
Ethan R. Manning, Auditor  
City Council Approval: (Stamp)

*Donna D. Holaday*  
*Ethan R. Manning*

Date: 11/23/15  
Date: 11/23/15

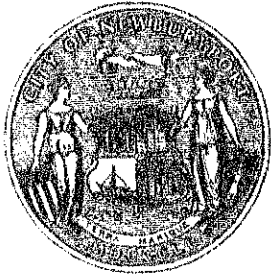
**Transfer from Budget Contingency to Multiple Salary Line Items**

**Submitted 11/30/2015**

<b>Org</b>	<b>Object</b>	<b>Description</b>	<b>Original Budget</b>	<b>Transfer Amount</b>	<b>Revised Budget</b>
01141001	51101	ASR SAL ASSESSOR	\$79,279.91	\$1,585.67	\$80,865.58
01421001	51117	DPS SAL ASST ENGINEER*	\$19,452.09	\$388.02	\$19,840.11
01241001	51101	BLD SAL BLDG INSPECTOR	\$79,278.25	\$1,587.33	\$80,865.58
01541001	51101	COA SAL COA DIRECTOR	\$61,426.92	\$1,228.44	\$62,655.36
01421001	51119	DPS SAL CITY ENGINEER*	\$28,582.24	\$911.64	\$29,493.88
01421001	51102	DPS SAL DEPUTY DIRECTOR*	\$30,368.96	\$607.20	\$30,976.16
01151001	51101	IT SAL DIRECTOR	\$74,493.95	\$11,653.23	\$86,147.18
01241001	51160	BLD SAL ASST BLDG INSPECTOR*	\$23,223.20	\$464.46	\$23,687.66
01182001	51101	OPD SAL PLANNING DIRECTOR	\$84,182.81	\$921.99	\$85,104.80
01145001	51101	TRS SAL TREASURER	\$76,119.31	\$1,522.50	\$77,641.81
01543001	51101	VET SAL VETERAN DIRECTOR	\$66,000.00	\$1,320.00	\$67,320.00
<b>Total</b>			<b>\$622,407.64</b>	<b>\$22,190.48</b>	<b>\$644,598.12</b>

\*Portion of salary funded by other line item(s) and/or funding source(s).





CITY OF NEWBURYPORT  
OFFICE OF THE MAYOR  
DONNA D. HOLADAY, MAYOR

RECEIVED  
CITY CLERK'S OFFICE  
NEWBURYPORT, MA

2015 NOV 23 P 1:38

60 PLEASANT STREET - P.O. Box 550  
NEWBURYPORT, MA 01950  
978-465-4413 PHONE  
978-465-4402 FAX

TO: President and Members of the City Council

FROM: Donna D. Holaday

DATE: November 23, 2015

RE: Teamsters Local 170 Department Heads Contract

I am pleased to inform you that the City has settled the Teamsters Local 170 Department Heads contract which expired on June 30, 2015. Accompanying the transfer before you is the accounting below of each of the negotiated changes. I am particularly pleased to report that we have ended sick-leave payout for any new employee hired July 1, 2015 or later, tightened control over leave time, clarified annual vacation accrual language for pre-July 1, 2015 hires, instituted a monthly accrual system for new hires, and ended the practice of mileage reimbursement plus a monthly vehicle stipend for personal vehicle use.

**Article I Recognition and the Bargaining Unit**

- Added the Assistant City Engineer and Local Building Inspector positions into the Bargaining Unit.

**Article X Non-Reappointment and Discipline**

- Added an Appendix C to the contract listing local and state laws governing the appointment of various municipal positions.

**Article XI Compensation**

- Removed language regarding merit increases up to 3% annually for goal-setting and performance evaluations. It is agreed that departmental goals and objectives are part of the annual budget process.
- Added a provision that all employees must participate in a mandatory direct deposit program.

**Article XVI Leaves**

*Vacations*

- Added vacation leave language to make clear that vacation leave may be used in no less than half-day increments.
- Added language that notification to the Mayor's Office for vacation leave must be provided.
- Vacation accrual method clarified for annual accrual method for employees hired prior to 7/1/15 and instituted monthly accrual method for employees hired 7/1/15 and later.

#### *Personal Leave*

- Added personal leave language to make clear that personal leave may be used in no less than half-day increments, that unused leave does not carry over from year-to-year, and that notification to the Mayor's Office for use of personal leave must be provided.
- Added language on pro-ration of personal days for newly-hired employee whose start date falls between July 1-December 31, said employee shall receive four (4) personal days on the date of hire. For any newly-hired employee whose start date falls between January 1-June 30, said employee shall receive two (2) personal days on the date of hire. Unused personal leave at time of voluntary or involuntary termination, retirement or death during employment is not compensable.

#### *Childbirth and Child Rearing Leave*

- Changed terminology to "parental" leave to reflect terminology used in current state law.

#### *Sick Leave*

- Added language to make clear that sick leave may be used in no less than one hour increments.
- Added language that no employee hired after July 1, 2015 is eligible for any pay out of unused sick leave.
- Added language that notification to the Mayor's Office for sick leave must be provided.
- Added a new provision for a voluntary sick leave payout program for employees hired prior to July 1, 2015 with ten or more years of service who can be eligible to be paid out 50% of their sick leave accrual up to a maximum of 25 days per year valued at 90% of their current rate of pay. The maximum payout over the employee's career cannot exceed 50 days, and anyone participating in the program must maintain a minimum balance of 50 accrued sick days. Any time paid out under this program is subtracted from the balance paid out at retirement or death.
- Added an Appendix D – form for payout of sick leave request

#### *Bereavement Leave*

- Changed leave benefit for death of an aunt or uncle from one day to three.
- Added language that notification to the Mayor's Office for bereavement leave must be provided.

#### **Article XX Professional Development**

- Added a new Section E: that the Mayor will put forward to the City Council, local adoption of M.G.L. c. 41 §108P, which provides up to \$1,000 per year for the City's Treasurer/Collector if s/he maintains certification as a certified Massachusetts Treasurer and/or Collector.

#### **Article XXII COLA**

- July 1, 2015      2.0%
- July 1, 2016      2.0%
- July 1, 2017      2.0 %

[2012-2015 COLA was 2.0%, 1.5%, 1.5% plus an additional one-time 2% added to base salary 7/1/13 for negotiating one less week of vacation]

## **Article XXV Miscellaneous**

### *Section 1 Vehicle Reimbursement Plan*

- Memorialized that Sewer Chief Operator position has an assigned City vehicle 24/7 for its use.
- Vehicle reimbursement set for daily personal vehicle user positions is now \$425/month and zero mileage reimbursement for travel. (Building Commissioner, Council on Aging Director, Health Director, Local Building Inspector, Veterans Affairs Director, Harbormaster, Sewer Superintendent of Collections, Water Superintendent)
- Vehicle reimbursement set for 2x/week or seasonal personal vehicle user positions is \$275/month and zero mileage reimbursement. (Assessor, IT Director)
- Added Assistant City Engineer to the list of positions that receive mileage reimbursement only (no stipend) and added language that these employees are encouraged to utilize DPS vehicles for travel when they are available, rather than personal vehicles.
- Added language that the employer will research and may introduce a program for a city fleet system rather than use of personal vehicles. Should such a program be introduced, the vehicle reimbursement plan will be reviewed for modifications.

### *Section 2 Clothing Allowance*

- Changed clothing allowance to \$600/year for positions receiving the allowance.
- Put list of positions in alphabetical order and added Assistant City Engineer and Local Building Inspector to receive the clothing allowance.
- Added proration language for newly-hired employees and that payment shall occur in July.

## **Article XXVII Duration**

- Changed contract duration to July 1, 2015-June 30, 2018

## **Appendix A Salaries**

- Salaries reflect 3 individual position base salary upgrades: City Engineer (+\$1,000), IT Director (+\$10,000), Sewer Superintendent of Collections (+3,750) based on individual requests put forward by employees and management's review of salaries for these positions in comparable communities.

I believe this is a fair and balanced contract between the City and Teamsters Local 170 Department Heads. Overall, it was a productive negotiation with each side of the bargaining table being heard.



# City of Newburyport

FY 2016

## BUDGET TRANSFER REQUEST

Transfer #5  
November 30, 2015

RECEIVED  
CITY CLERK'S OFFICE  
NEWBURYPORT, MA

Department: Police Department

Submitted by: Mark R Murray, Interim Marshal

2015 NOV 24 A 9:59

Date Submitted: 11/30/2015

### Transfer From:

Account Name	Reserve for Approp - Insurance Claims	YTD Bal:	\$	76,291.06
Account Number:	2741-59600	Trans In:	\$	-
Amount:	\$27,427.00	Trans Out:	\$	-
Why are Funds Available:	<i>This is a reserve for appropriation account used to deposit funds received from insurance companies for covered insurance losses, insurance settlements and deductible payments. Transfers from reserve for appropriation accounts require approval of the Mayor and the City Council and is the standard method of moving the funds to an expenditure account.</i>			

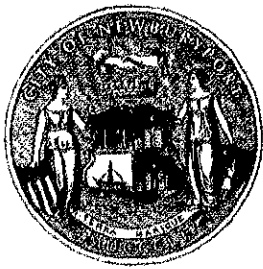
### Transfer To:

Account Name	Purchase of Cruisers	YTD Bal:	\$	4,053.63
Account Number:	01210008-58502	Trans In:	\$	-
Amount:	\$27,427.00	Trans Out:	\$	-
Why are Funds Required:	<i>Insurance proceeds were received from the total loss of a cruiser, which was damaged in a collision on Interstate 95 in July 2015.</i>			

Donna D. Holaday, Mayor  
Ethan R. Manning, Auditor  
City Council Approval: (Stamp)

*Donna D. Holaday*  
*Ethan R. Manning*

Date: 11/24/15  
Date: 11/23/15



CITY OF NEWBURYPORT RECEIVED  
CITY CLERK'S OFFICE  
NEWBURYPORT, MA

2015 NOV 24 A 9:59

## POLICE DEPARTMENT

MARK R. MURRAY  
INTERIM CITY MARSHAL

4 GREEN STREET  
NEWBURYPORT, MA 01950

TEL: 978-462-4411

FAX: 978-462-0196

November 23<sup>rd</sup>, 2015

To: City Council  
From: Mark Murray Interim City Marshal  
Re: Police Cruisers

The purpose of this letter is to outline the critical need to purchase two new police cruisers. The cost of a police cruiser is currently around \$32,000.00. This cost includes the original price of the vehicle and the cost to add the lights and equipment that is needed.

With the current loss of one vehicle in an accident and two other vehicles taken off line because they were too costly to fix, we are in need of two more vehicles to replace the current loss.

The two oldest vehicles in the fleet are a 2006 and 2008 Ford Crown Vic. These vehicles are no longer in production, so the transfer of equipment from one cruiser to another is not an option. These vehicles will need to be replaced in the near future as well.

In order for the police department to purchase vehicles and keep the maintenance costs at a minimum, we found that by taking a three-year commercial loan with three equal payments, a more effective way of purchasing and also maintaining an efficient fleet of vehicles. I am proposing to purchase 2 vehicles with the current transfer request.

I have received three quotes from 3 local banks regarding a 3 year term commercial loan. The lowest of which was 2.85%. This is the current bank which we have secured 3 previous loans.

Respectfully,

Mark Murray

## COMMUNICATIONS

OF

RECEIVED  
CITY CLERK'S OFFICE  
NEWBURYPORT, MAAPPLICATION FOR A LICENSE TO BUY, SELL, EXCHANGE  
OR ASSEMBLE SECOND HAND MOTOR VEHICLES  
OR PARTS THEREOF

I, the undersigned, duly authorized by the concern herein mentioned, hereby apply for a Second class license, to Buy, Sell, Exchange or Assemble second hand motor vehicles or parts thereof, in accordance with the provisions of Chapter 140 of the General Laws.

1. What is the name of the concern? R L CURRIE CORP.

Business address of concern. No. 6 New PASTURE ROAD St.,  
NEWBURY PORT MA 01950 City — Town.

2. Is the above concern an individual, co-partnership, an association or a corporation? CORPORATION

3. If an individual, state full name and residential address.

N/A

4. If a co-partnership, state full names and residential addresses of the persons composing it.

N/A

5. If an association or a corporation, state full names and residential addresses of the principal officers.

President RANDY L CURRIE 111 Georgetown Rd West Newbury MA 01985

Secretary — SAME —

Treasurer — SAME —

6. Are you engaged principally in the business of buying, selling or exchanging motor vehicles? YES

If so, is your principal business the sale of new motor vehicles? NO

Is your principal business the buying and selling of second hand motor vehicles? YES

Is your principal business that of a motor vehicle junk dealer? NO

7. Give a complete description of all the premises to be used for the purpose of carrying on the business.

4.5 1/2 ACRES LOCATED AT 6 New Pasture Road  
PAVED AND LIGHTED AREA WITH A 10,000  
SQ FT CONCRETE BLOCK BUILDING HOUSING OFFICES  
AS WELL AS A SERVICE AND REPAIR AREA

8. Are you a recognized agent of a motor vehicle manufacturer? NO  
(Yes or No)

If so, state name of manufacturer \_\_\_\_\_

9. Have you a signed contract as required by Section 58, Class 1? NO  
(Yes or No)

10. Have you ever applied for a license to deal in second hand motor vehicles or parts thereof? YES  
(Yes or No)

If so, in what city — town NEWBURYPORT

Did you receive a license? YES  
(Yes or No)

For what year? 2005 — PRESENT

11. Has any license issued to you in Massachusetts or any other state to deal in motor vehicles or parts thereof  
ever been suspended or revoked? NO  
(Yes or No)

Sign your name in full \_\_\_\_\_

Gandy K. Currie  
(Duly authorized to represent the concern herein mentioned)

Residence 111 GEORGETOWN RD, WEST NEWBURY  
MA, 01985

### IMPORTANT

EVERY QUESTION MUST BE ANSWERED WITH  
FULL INFORMATION, AND FALSE STATEMENTS  
HEREIN MAY RESULT IN THE REJECTION OF  
YOUR APPLICATION OR THE SUBSEQUENT  
REVOCATION OF YOUR LICENSE IF ISSUED.

NOTE: If the applicant has not held a license in the year prior to this application, he must file a duplicate of the application with the registrar. (See Sec. 59)



**APPLICANT WILL NOT FILL THE FOLLOWING BLANKS**

Application after investigation \_\_\_\_\_

(Approved or Disapproved)

License No. \_\_\_\_\_ granted \_\_\_\_\_ 20 \_\_\_\_\_ Fee \$ \_\_\_\_\_

Signed \_\_\_\_\_

**CHAPTER 140 OF THE GENERAL LAWS, TER. ED., WITH AMENDMENTS THERETO (EXTRACT)**

SECTION 57. No person, except one whose principal business is the manufacture and sale of new motor vehicles but who incidentally acquires and sells second hand vehicles, or a person whose principal business is financing the purchase of or insuring motor vehicles but who incidentally acquires and sells second hand vehicles, shall engage in the business of buying, selling, exchanging or assembling second hand motor vehicles or parts thereof without securing a license as provided in section fifty-nine. This section shall apply to any person engaged in the business of conducting auctions for the sale of motor vehicles.

SECTION 58. Licenses granted under the following section shall be classified as follows:

Class 1. Any person who is a recognized agent of a motor vehicle manufacturer or a seller of motor vehicles made by such manufacturer whose authority to sell the same is created by a written contract with such manufacturer or with some person authorized in writing by such manufacturer to enter into such contract, and whose principal business is the sale of new motor vehicles, the purchase and sale of second hand motor vehicles being incidental or secondary thereto, may be granted an agent's or a seller's license; provided, that with respect to second hand motor vehicles purchased for the purpose of sale or exchange and not taken in trade for new motor vehicles, such dealer shall be subject to all provisions of this chapter and of rules and regulations made in accordance therewith applicable to holders of licenses of class 2.

Class 2. Any person whose principal business is the buying or selling of second hand motor vehicles may be granted a used car dealer's license.

Class 3. Any person whose principal business is the buying of second hand motor vehicles for the purpose of remodeling, taking apart or rebuilding the same, or the buying or selling of parts of second hand motor vehicles or tires, or the assembling of second hand motor vehicle parts, may be granted a motor vehicle junk license.

SECTION 59. The police commissioner in Boston and the licensing authorities in other cities and towns may grant licenses under this section which will expire on January first following the date of issue unless sooner revoked. The fees for the licenses shall be fixed by the licensing board or officer, but in no case shall exceed \$100. dollars. Application for license shall be made in such form as shall be approved by the registrar of motor vehicles, in sections fifty-nine to sixty-six, inclusive, called the registrar, and if the applicant has not held a license in the year prior to such application, such application shall be made in duplicate, which duplicate shall be filed with the registrar. No such license shall be granted unless the licensing board or officer is satisfied from an investigation of the facts stated in the application and any other information which they may require of the applicant, that he is a proper person to engage in the business specified in section fifty-eight in the classifications for which he has applied, that said business is or will be his principal business, and that he has available a place of business suitable for the purpose. The license shall specify all the premises to be occupied by the licensee for the purpose of carrying on the licensed business. Permits for a change of situation of the licensed premises or for addition thereto may be granted at any time by the licensing board or officer in writing, a copy of which shall be attached to the license. Cities and towns by ordinance or by-law may regulate the situation of the premises of licensees within class 3 as defined in section fifty-eight, and all licenses and permits issued hereunder to persons within said class 3 shall be subject to the provisions of ordinances and by-laws which are hereby authorized to be made. No license or permit shall be issued hereunder to a person within said class 3 until after a hearing, of which seven days' notice shall have been given to the owners of property abutting on the premises where such license or permit is proposed to be exercised. All licenses granted under this section shall be revoked by the licensing board or officer if it appears, after hearing, that the licensee is not complying with sections fifty-seven to sixty-nine, inclusive, or the rules and regulations made thereunder; and no new license shall be granted to such person thereafter, nor to any person for use on the same premises, without the approval of the registrar. The hearing may be dispensed with if the registrar notifies the licensing board or officer that a licensee is not so complying. Any person aggrieved by any action of the licensing board or officer refusing to grant, or revoking a license for any cause may, within ten days after such action, appeal therefrom to any justice of the superior court in the county in which the premises sought to be occupied under the license or permit applied for are located. The justice shall, after such notice to the parties as he deems reasonable, give a summary hearing on such appeal, and shall have jurisdiction in equity to review all questions of fact or law and may affirm or reverse the decision of the board or officer and may make any appropriate decree. The decision of the justice shall be final.

APPLICATION FOR A LICENSE TO BUY, SELL,  
EXCHANGE OR ASSEMBLE SECOND HAND  
MOTOR VEHICLES OR PARTS THEREOF.

APPLICANT WILL NOT FILL THE FOLLOWING BLANKS

Application No. \_\_\_\_\_

Class \_\_\_\_\_ License No. \_\_\_\_\_

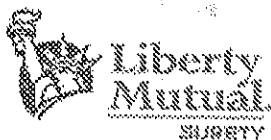
Name \_\_\_\_\_

St. and No. \_\_\_\_\_

City — Town \_\_\_\_\_

Date Issued \_\_\_\_\_

Remarks \_\_\_\_\_



20 Riverside Road  
Mail Stop 03AN  
Weston, MA 02493-2281

### CONTINUATION CERTIFICATE

To be attached to and form a part of surety bond number LSF006317 (the "Bond"), cross reference bond number 5010479, for Used Dealers and Salesmen  
dated the 25th day of October, 2007, in the penal sum of \$ 25,000.00 issued by  
The Ohio Casualty Insurance Company as surety (the "Surety"), on behalf of  
RL Currie Corp as principal (the "Principal"), in favor of CITY OF NEWBURYPORT, as obligee (the "Obligee").

The Surety hereby certifies that this Bond is continued in full force and effect until the 25th day of  
October, 2016, subject to all covenants and conditions of said Bond.

Said Bond has been continued in force upon the express condition that the full extent of the Surety's liability under said Bond, and this and all continuations thereof, for any loss or series of losses occurring during the entire time the Surety remains on said Bond, shall in no event, either individually or in the aggregate, exceed the penal sum of the Bond.

IN WITNESS WHEREOF, the Surety has set its hand and seal this 27th day of July, 2015

The Ohio Casualty Insurance Company

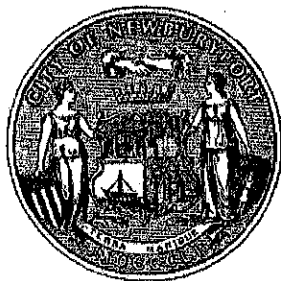
(Surety)

By:

Timothy A. Mikolajewski

Timothy A. Mikolajewski  
Assistant Secretary - Liberty Mutual Surety





CITY OF NEWBURYPORT  
OFFICE OF THE MAYOR  
DONNA D. HOLADAY

60 PLEASANT STREET • P.O. BOX 550  
NEWBURYPORT, MA 01950  
(978) 465-4413 • (978) 465-4402 (FAX)  
WWW.CITYOFNEWBURYPORT.COM

RECEIVED  
CITY CLERK'S OFFICE  
NEWBURYPORT, MA

2015 NOV 23 A 11: 27

TO: President and Members of the City Council

FROM: Mayor Donna D. Holaday

DATE: November 23, 2015

RE: 8 Strong St demolition

A handwritten signature in dark ink, appearing to read "Donna D. Holaday", is written diagonally across the right side of the letterhead area.

Dear President O'Brien & City Councilors:

Attached please find three documents pertinent to the 8 Strong St. demolition:

- 1) Emergency Property Solutions report to Board of Health
- 2) Board of Health Order to Demolish
- 3) Board of Health Minutes August 4, 2015

I am fully aware of the concerns that have arisen regarding the demolition of this 1824 home, but also understand that we have not dealt with a situation as egregious as this property which resulted in the Board of Health ordering a demolition. I believe the report from EPS will provide insight into why the board ruled as they did. However, there still was a real gap in communication to all of us and a concern that the Zoning Board of Appeals (ZBA) was not consulted to support the board's findings and order. The ZBA does not have expertise in this area nor does the ordinance account for demolition resulting from significant public health issues. We need to tighten up this review process.

In a related topic, we did recently meet with Planning, Building, ZBA, my office and Councilor Eigerman to discuss the ongoing problems with destruction of historic homes and lack of compliance with ZBA decisions. We agreed that although an applicant before the ZBA typically brings conceptual drawings as they are not going to invest in full construction drawings when requesting the grant of a special permit or variance, it is not unreasonable for the ZBA to probe further on significant exterior design elements desired to be maintained, and mark the conceptual drawings and make these part of the record. We will continue to work on this and expect better communication with all departments as well as increased monitoring of construction.

Please let me know if there is additional documentation, meetings or other you would like from my office to address this unfortunate situation.



To: Robert Bracey

Director of Public Health City of Newburyport and the Board Members

August 4, 2015

All, as you may be aware, Emergency Property Solutions, Inc. (EPS) was contracted to clean out the contaminated and condemned property located at 8 Strong Street, Newburyport, MA.

After removing 6 forty-yard dumpsters of trash, toys, clothing, animal feces, furniture, beds, and appliances, we were able to start the decontamination process. The process of decontamination required the use of HEPA air scrubbers and MicroBan antimicrobial sterilizer and extraction. This was performed a total of 4 times in order to be able to complete a comprehensive evaluation of the property.

Due to the length of time that the house was kept in these deplorable conditions, the contaminants had permeated the walls, flooring, sub-flooring, floor joists and wall studs beyond the point of being able to be saved.

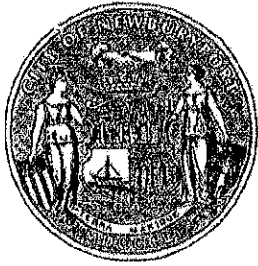
Based on our findings, it is the professional opinion of EPS that the entire structure remains are contaminated, and it is recommend the best way to handle the remediation of all contaminates would be to raise the house and properly dispose of all the contaminated materials.

Thank you for your time,

Thomas Sexton

President

Emergency Property Solutions, Inc.



## CITY OF NEWBURYPORT HEALTH DEPARTMENT

file  
copy

JOSEPH TABBI  
DIRECTOR OF PUBLIC HEALTH

NEWBURYPORT CITY HALL  
TEL: 978-465-4410

60 PLEASANT STREET

NEWBURYPORT, MA 01950  
FAX: 978-465-9958

August 26, 2015

George Haseltine  
8 Boardman Street  
Newburyport, MA 01950

Re: 8 Strong Street - Order to Demolish

Be advised that at a regularly scheduled meeting on August 4, 2015 at which a public hearing was held, the City Board of Health voted unanimously to order the demolition of the property located at 8 Strong Street, Newburyport, MA.

In accordance with Massachusetts State Sanitary Code 105 CMR 410.000 "Minimum Standard of Fitness for Human Habitation, Chapter II": 410.831 Dwellings Unfit for Human Habitation; Hearing; Condemnation; Order to Vacate; Demolition, the property at 8 Strong Street was condemned by the City Health Department on July 5, 2015 after a site assessment revealed significant "Conditions Deemed to Endanger or Impair Health or Safety of the Occupants." Despite professional attempts to clean and sanitize the property, it was determined that the flooring and supports were so damaged from long-term saturation with urine and feces that it was not possible to properly sanitize the home to achieve compliance with the standards set forth by CMR 410:00 Minimum Standard for Human Habitation.

The City Health Department is hereby ordering you to demolish the property at 8 Strong Street, Newburyport, MA. Failure to comply with this City Health Department order to correct could result in the issuance of penalties or fines issues and/or this office filing an administrative consent order in Newburyport District Court. If you have any questions regarding this notice, please contact the City Health Department office at 978-465-4410.

Sincerely,

  
Joseph Tabbi  
Director of Public Health

Cc: Board of Health

**Newburyport Board of Health Public Meeting  
August 4, 2015**

***Attendees:***

*Chairperson of the Board: Dr. Robin Blair*

*Board Member: Patricia Lawrence*

*Note Taker: Patti McAlarney*

**Call to Order:** Dr. Blair called the meeting to order 7 pm

**8 Strong Street** – Dr. Blair announced that tonight the Board will be considering a request to demolish the residence located at 8 Strong Street. He stated that the Health Director was not able to attend tonight's meeting due to personal reasons; however, Director Bracey has kept the Board up to date on this issue since the initial condemnation and has provided the Board with a document listing reasons he supports the demolition of the property.

Dr. Blair opened the floor for public comment regarding this issue:

Bernard Casey, resident of 6 Strong Street – Mr. Casey stated that this is a tough situation for everyone and feels that the house should come down. He has seen 'critters' come out of the upstairs and downstairs windows.

Tom Sexton, 600 Main Street, Rowley MA – Emergency Property Solutions – He did the clean out at 8 Strong St and removed all contents of the home including: clothes, toys, furniture, feces. The company also sterilized the property multiple times which was necessary because of the constant seepage of urine and feces into the flooring and studs. He recommends razing the house and noted that this would take care of all of the contaminated materials.

Patricia Lawrence asked if any other neighbors have given feedback. Mr. Casey said that 'everyone in the neighborhood wants the house to come down.' Mr. Sexton agreed. Mr. Haseltine noted that he has a vested interest in this decision since he is planning to purchase the house (it is currently under legal agreement.) He agrees that the house should be torn down and the condition of the house is the worst he has ever seen. His intention would be to replace the house with something within the character of the neighborhood.

Rob Germinara, 2 Ashland Street, Newburyport – Stated that he used to deliver oil to the property years ago and informed the Board that there is an underground oil tank in front yard. He supports tearing down the house.

Dr. Blair noted that the Director of Board of Health, Fire Department and Police Department all support razing the property. He also stated that there were three

generations of family that lived at the property; the owner of the property currently resides in a nursing home.

Hugh Wear, family member representing 8 Strong Street, informed the Board that the sale of the home will help to pay for nursing home costs for the current owner of the property.

**Motion** by Patricia Lawrence-- I motion to destroy 8 Strong Street, start fresh and have a new house built. Seconded by Chairman Blair. In favor: Patricia Lawrence and Dr. Blair. Opposed: none.

#### **One Kent Street -**

Dr. Blair explained that this property is under currently under ownership of People's Comprehensive Mortgage (People's) but the Board will not be discussing the legal ownership at this meeting. The issue to be discussed is whether the Board should issue a Tobacco Permit to People's Comprehensive Mortgage since the Board of Health put a stoppage on granting any further tobacco permits and that when a property transfers from one owner to another, the new owner must apply for a new permit within 30 days. It is the Board's understanding that the permit belongs to the physical property/location, not to the manager or owner of the business.

Lisa Mead, Blatman Bobrowski & Mead, introduced herself and her client, Charles Mabardy who is the potential buyer of Caldwell's Corner and explained the following: According to Ms. Mead, the only thing holding up the purchase is the non-issuance of the tobacco permit. In 2013 People's took ownership from Mr. Germinara in a deed in lieu of foreclosure. Prior to adoption of the new tobacco regulations, Mr. Nik Bakis of People's Comprehensive Mortgage Company filed with Mr. Bracey an application for a tobacco permit. Mr. Bracey denied it, saying that there were fees and taxes due to the City. However, Mr. Bracey failed to follow proper procedures pursuant to the Ordinance for failure to pay taxes. The ordinance requires that whoever is denying the permit must give notice, have a hearing and ensure that it is understood why the permit is being denied. (Ms. Mead explained that when she makes reference to "People's" it is synonymous with Nik Bakis.) Nonetheless, People's paid all fees by January 8, 2014. On January 8, 2014 he submitted another application for a tobacco permit. In March 2014, Mr. Bracey denied the application and said that the Board of Health had adopted new tobacco regulations that prohibited the issuance of new tobacco permits and that even if this were to be considered a renewal, it was too late because there was new ownership and more than 30 days had passed. Ms. Mead said that the issue with this is that the new tobacco regulations wouldn't be in effect until July 2014 and that although there was a provision in the regulation that took effect in April, it wouldn't have mattered, since the application was denied in March. Ms. Mead noted that she had provided to the Board a copy of the denial letter from Mr. Bracey.

Ms. Mead contends that the permit should have been issued in November 2013, or if it had been denied in November, it should have been issued in January 2014.



# PERAC

Communication #3  
November 30, 2015

COMMONWEALTH OF MASSACHUSETTS | PUBLIC EMPLOYEE RETIREMENT ADMINISTRATION COMMISSION

PHILIP Y. BROWN, ESQ., *Chairman*

JOSEPH E. CONNARTON, *Executive Director*

Auditor SUZANNE M. BUMP | KATE FITZPATRICK | ELIZABETH FONTAINE | JOHN B. LANGAN | JAMES M. MACHADO | ROBERT B. MCCARTHY

## MEMORANDUM

TO: Newburyport Retirement Board  
FROM: *Joseph E. Connarton*  
Joseph E. Connarton, Executive Director  
RE: Appropriation for Fiscal Year 2017  
DATE: November 19, 2015

RECEIVED  
CITY CLERK'S OFFICE  
NEWBURYPORT, MA  
2015 NOV 23 A 11:53  
\$4,432,358

Required Fiscal Year 2017 Appropriation:

This Commission is hereby furnishing you with the amount to be appropriated for your retirement system for Fiscal Year 2017 which commences July 1, 2016.

Attached please find summary information based on the present funding schedule for your system and the portion of the Fiscal Year 2017 appropriation to be paid by each of the governmental units within your system.

If your System has a valuation currently in progress, you may submit a revised funding schedule to PERAC upon its completion. The current schedule is/was due to be updated by Fiscal Year 2017.

If you have any questions, please contact PERAC's Actuary, Jim Lamenzo, at (617) 666-4446 Extension 921.

JEC/jrl  
Attachments

cc: Office of the Mayor  
City Council  
c/o City Clerk

p:\actuarial\approp\approp17fy17 for web\newburyportapprop17.docx



# Newburyport Retirement Board

## Projected Appropriations

Fiscal Year 2017 - July 1, 2016 to June 30, 2017

Aggregate amount of appropriation: **\$4,432,358**

Fiscal Year	Estimated Cost of Benefits	Funding Schedule (Excluding ERI)	ERI	Total Appropriation	Pension Fund Allocation	Pension Reserve Fund Allocation	Transfer From PRF to PF
FY 2017	\$5,254,373	\$4,182,905	\$249,453	\$4,432,358	\$4,432,358	\$0	\$822,015
FY 2018	\$5,499,374	\$4,360,199	\$249,453	\$4,609,652	\$4,609,652	\$0	\$889,722
FY 2019	\$5,755,610	\$4,544,585	\$249,453	\$4,794,038	\$4,794,038	\$0	\$961,572
FY 2020	\$6,023,598	\$4,909,945	\$75,855	\$4,985,800	\$4,985,800	\$0	\$1,037,798
FY 2021	\$6,303,876	\$5,185,232	\$0	\$5,185,232	\$5,185,232	\$0	\$1,118,644

The Total Appropriation column shown above is in accordance with your current funding schedule and the scheduled payment date(s) in that schedule. Whenever payments are made after the scheduled date(s), the total appropriation should be revised to reflect interest at the rate assumed in the most recent actuarial valuation. Payments should be made before the end of the fiscal year.

For illustration, we have shown the amount to be transferred from the Pension Reserve Fund to the Pension Fund to meet the estimated Cost of Benefits for each year. If there are sufficient assets in the Pension Fund to meet the Cost of Benefits, this transfer is optional.

**Newburyport Retirement Board**  
Appropriation by Governmental Unit

Fiscal Year 2017 - July 1, 2016 to June 30, 2017

Aggregate amount of appropriation: **\$4,432,358**

UNIT	Percent of Aggregate Amount	Funding Schedule (excluding ERI)	ERI	Total Appropriation
City of Newburyport	97.48%	\$4,077,496	\$242,128	\$4,319,624
Newburyport Housing Authority	2.52%	\$105,409	\$7,325	\$112,734
<b>UNIT TOTAL</b>	<b>100%</b>	<b>\$4,182,905</b>	<b>\$249,453</b>	<b>\$4,432,358</b>

The Total Appropriation column shown above is in accordance with your current funding schedule and the scheduled payment date(s) in that schedule. Whenever payments are made after the scheduled date(s), the total appropriation should be revised to reflect interest at the rate assumed in the most recent actuarial valuation. Payments should be made before the end of the fiscal year.

*Newburyport Retirement Board  
16 Unicorn Street  
Newburyport, MA 01950*

RECEIVED  
CITY CLERK'S OFFICE  
NEWBURYPORT, MA

2015 NOV 24 A 10:53

*Laurie Burton, Executive Director*

*LaurieBurton@NewburyportRetirement.org*

Telephone

(978) 465-6619

FAX

(978) 462-4042

Board Members

*Joseph Spaulding, Chairman*

*Jeffrey Cutter, Vice-Chairman*

*Alexander Kravchuk, Board Appointee*

*Ethan Manning, City Auditor*

*John Moak, Mayor Appointee*

November 23, 2015

To: President and Members of the City Council

From: Newburyport Retirement Board

Re: Retirement Board Expense Budget C/Y 2016

Section 36 of Chapter 306 of the Acts of 1996 states that the Newburyport Retirement Board shall file with the legislative body of the governmental unit an annual budget (and any supplemental budgets) covering the operating expenses of the Retirement Board.

This budget represents normal minimal increases except for the following:

- Office expenses: rent and insurance
- Consolidate two part time positions to a permanent 28 hour position
- Health insurance cost related to the permanent position

We are filing this budget with you for informational purposes only. No action need be taken by you, as these expenses will be funded from the investment income of the Newburyport Retirement System.

Sincerely,

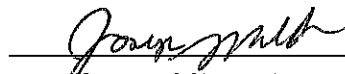


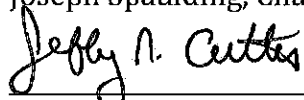
Joseph Spaulding  
Chairman

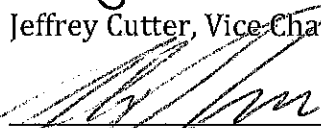
# Administrative Budget for the Newburyport Retirement Board

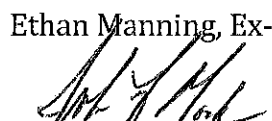
January 1, 2016 - December 31, 2016

Administrative expenses	6,400
Health Insurance	17,609
Board stipends	25,000
Conferences/travel	3,300
Contracts & software support	22,129
Education & training	1,700
Fiduciary insurance	3,900
Furniture & equipment	1,000
Legal	3,500
Office expenses	16,350
Salaries	<u>122,376</u>
Total	229,156

  
Joseph Spaulding, Chairman

  
Jeffrey Cutter, Vice-Chairman

  
Alexander Kravchuk, Appointee

  
Ethan Manning, Ex-officio

  
John Moak, Appointee

Estimate to be paid 2015

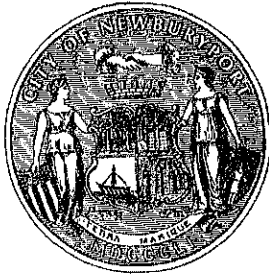
Investment fees \$460,395

Retiree Pensions \$5,800,387

## **Chapter 306 Acts of 1996**

### **SECTION 36.**

Said section 22 of said chapter 32 is hereby further amended by inserting after the word "paid", in line 591, as so appearing, the following words:- ; provided, however, that each retirement board shall adopt an annual budget and supplemental budgets as deemed necessary by said board. Said budgets shall be funded solely from the investment income account of each system and without any further appropriation from the municipality, county or other governmental unit the current or former employees of which are served by said board. Notwithstanding the foregoing, at least thirty days prior to the adoption of said budgets, the boards shall file said budgets with the appropriate legislative body of the governmental unit the current or former employees of which are served by said board. Said governmental unit at its option may, but shall not be required to, appropriate additional monies for use by the retirement board in carrying out the purposes of section five B.



# CITY OF NEWBURYPORT

OFFICE OF THE MAYOR  
DONNA D. HOLADAY, MAYOR  
CITY CLERK'S OFFICE  
NEWBURYPORT, MA

60 PLEASANT STREET - P.O. BOX 1950  
NEWBURYPORT, MA 01950  
978-465-4413 PHONE  
978-465-4402 FAX

2015 NOV 24 A 10:00

To: President and Members of the City Council

From: Donna D. Holaday, Mayor

Date: November 24, 2015

Subject: 2016 Retirement Board Budget

*Donna D. Holaday*

As the Retirement Board files its annual calendar year budget to the City Council, I would like to go on record as expressing my opposition to said budget as approved by the Board at their November 4, 2015 meeting. My concern is not only with the budget itself, representing a **16.5% increase** over last year, but also with the lack of transparency provided to the taxpayers of Newburyport, City Councilors and the very members of the system that the Board represents. I would like to take this opportunity to address these concerns threefold:

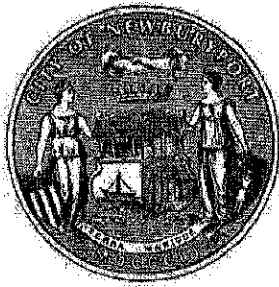
First, with regard to the 2016 operating expenses, the budget as presented equates to a 16.5% increase. At a time when the City is working hard to reduce its unfunded liabilities, it is inconsistent with the very fiscal practices that have been lauded by credit rating agencies and outside auditors that the Board is considering increasing its operating expenses to that degree. Given tax law limitations and realistic projections of local receipts, the City's budget can only increase by 3% to 5% each year, of which pension and health insurance costs is a major driver. I am concerned that our Retirement Board voted such a budget without a well-grounded and detailed explanation of their personnel expenses which comprises the majority of the system's administrative expenses. These increased expenses have both short and long-lasting impacts to both the City budget, as well as, the system's unfunded liability.

Second, I am deeply concerned with the fact that the budget was not approved in accordance M.G.L. Chapter 32, Section 22, which provides in relevant part: "Notwithstanding the foregoing, at least thirty days *prior to the adoption of said budgets*, the boards shall file said budgets with the appropriate legislative body of the governmental unit the current or former employees of which are served by said board." It seems clear that the intent of this statute is to allow the local legislative body (i.e. the City Council) due notice to review the system's proposed budget before it is adopted by the Retirement Board. Given that there was no budget filed with the

City Council thirty days prior to adoption on November 4, 2015, I appeal to the Retirement Board to explain and rectify this procedural misstep that resulted in the approval of a budget without any consideration for the local legislative body.

Finally, I am dismayed at the manner in which I and dozens of members of the system were treated at the November 4, 2015 meeting of the Retirement Board. It is concerning that a Board would begin a discussion about the 2016 budget and Executive Director's contract in open session, with no attendees present, continue the discussion to the agenda of a subsequent open session, and then choose not to discuss all of the agenda items because members of the system elected to attend the open meeting. Aside from the lack of transparency in the Board's proceedings, these actions were an affront to my colleagues attending an open meeting. For a system that is funded by City employees and the taxpayers of Newburyport, I would expect much greater consideration for these vital stakeholders and investors.





CITY OF NEWBURYPORT  
OFFICE OF PLANNING AND DEVELOPMENT

60 PLEASANT STREET • P.O. BOX 550

NEWBURYPORT, MA 01950

(978) 465-4400 • (978) 465-4452 (FAX)

RECEIVED  
CITY CLERK'S OFFICE  
NEWBURYPORT, MA

2015 NOV 23 P 12:01

DONNA D. HOLADAY  
MAYOR

---

MEMORANDUM

---

TO: NEWBURYPORT CITY COUNCIL  
FROM: GEORDIE VINING, SENIOR PROJECT MANAGER  
SUBJECT: HARBORMASTER AND VISITING BOATER FACILITY PROJECT UPDATE:  
VALUE ENGINEERING TO RE-BID AND AWARD CONTRACT  
DATE: 11/23/15

As the Mayor reported to you earlier, the City received general bids in October for the Harbormaster Visiting Boater Facility but all the bids came in higher than the professional cost estimates and the budget, so we were unable to award a contract. The project is delayed but still moving forward, and we are currently conducting a thorough value engineering process so that we can re-bid the project in January and build the facility in 2016. The organizing principle for reducing costs is maintaining the basic program of the facility and its core functions, including the grant-funded visiting boater component, the customer service area, the staff area, the harbormaster office, and toilets for the general public, but simplifying and reducing elements that may be desirable but are more peripheral to the project and its funding sources. The low bid was \$213,688 above the cost estimate and the second lowest bid was \$439,708 above the cost estimate (not including the alternate of the thin film solar panels). We are attempting to reduce costs by about \$350,000 so that when the project is re-bid the bids will likely come in within the budget.

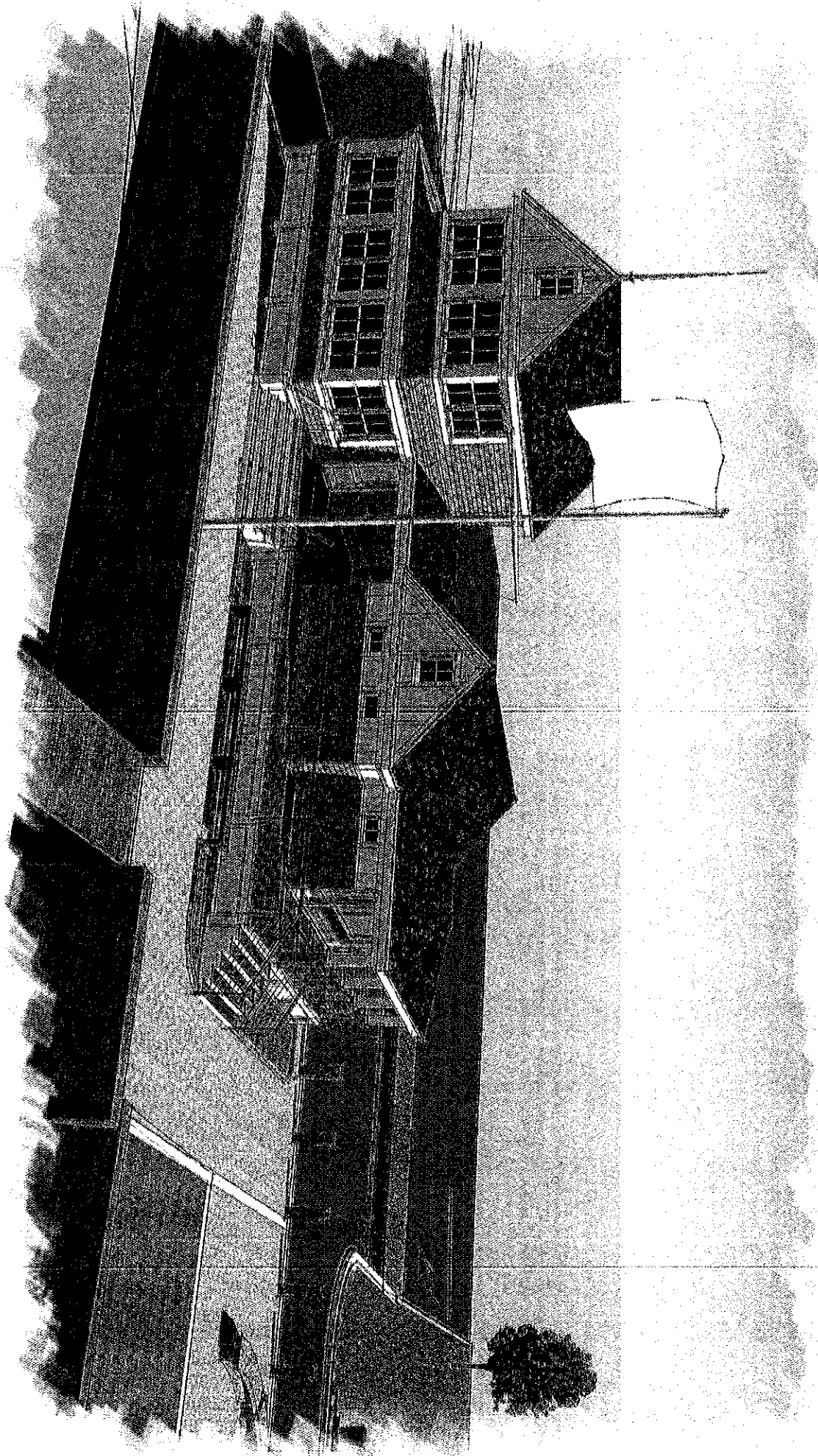
The main reductions that we are pursuing include:

- Simplifying the adjacent NRA-owned brick plaza so that it entails just relocating the fishermen's monument and existing granite backless benches and removing the granite block planter. We need to eliminate the original plan's narrowing of the fish pier roadway, new planting bed, removal and resetting of flush granite curbing, new picnic tables and granite seatwall, new lighting, and defer the future rail trail connection in order to save about \$95,000.
- Maintaining general public bathrooms but reducing their size from a women's room with two toilets and a men's room with a toilet and a urinal to two unisex toilets. (There will continue to be one additional toilet for the visiting boaters adjacent to the showers, and one toilet for staff.) This will reduce the footprint of the building and therefore the number of steel beams and lumber in the superstructure, and the tile, plumbing, electrical, HVAC, windows, partitions and specialty items in the bathrooms. This reduction could save approximately \$100,000. The overall project will unfortunately not be affordable unless this change is made.
- Re-routing the utilities away from Custom House Way and over to the eastern side of the Custom House through a subsurface utility easement from New England Development. (A separate request is being made concurrently to the City Council for authorization for the Mayor to secure this easement.) Avoiding the brickwork will save approximately \$30,000. Moving the utility corridor outside of the Central Waterfront Archaeological District should also preclude any need for independent professional archaeological monitoring of the utility trenching which was estimated at another \$10,000 or more.

- Eliminating the thin film solar panels will save about \$25,000. As recommended by the Energy Advisory Committee, the building could potentially be retrofitted with solar power later as part of a Power Purchase Agreement approach with a solar company.
- Changing the roof material from a standing seam metal roof to a 50-year architectural asphalt shingles as well as elimination of the downspouts and gutters. This should save about \$25,000.
- Changing the raised deck material from purpleheart tropical hardwood to PVC decking in order to save approximately \$10,000.
- Modify the specification for the windows as well as eliminate several windows in order to save about \$15,000.
- Modify some structural elements, reduce the size of the deck, and simplify a variety of woodwork, built-ins, and other features and finishes in order to save about another \$50,000.

Please note that the facility will still be handsome and functional, and will look similar to the plans and renderings you have already seen. Please see the attached revised renderings.

We are coordinating with a variety of boards and commissions and agencies as we finalize the modification of the bid package in December so that we can re-bid the project after the holidays, make an award in February, and initiate construction in March. A number of contractors have emphasized that the City will receive more favorable bids by avoiding construction during the winter but bidding and awarding the contract as soon as possible before contractors line up other work for 2016. Thank you.



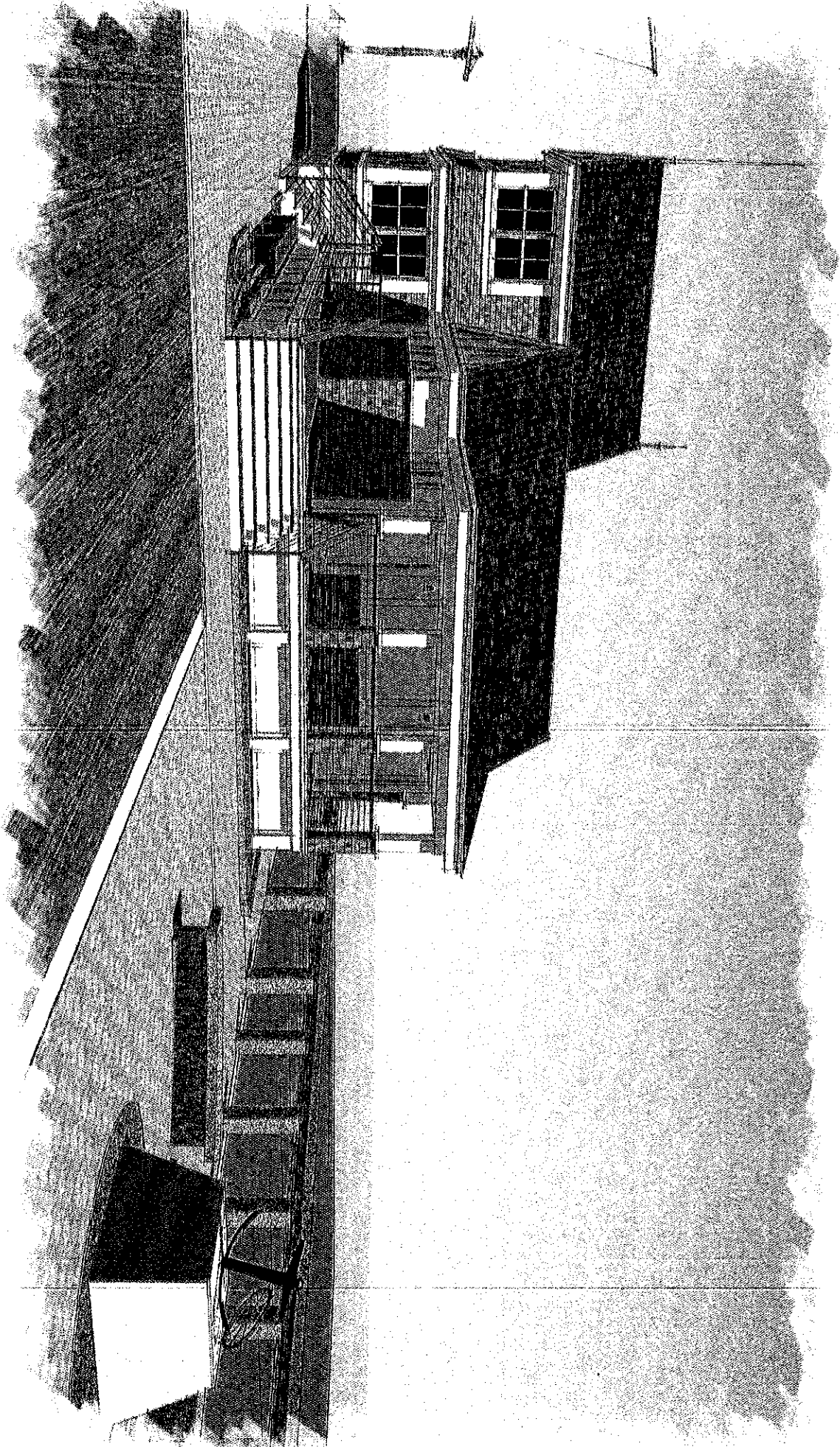
Newburyport Harbormaster Facility  
View from the North

HALVORSON DESIGN  
PARTNERSHIP  
ARCHITECTS



KEERY  
DESIGN LLC  
207 Middle Street  
Newburyport, MA 01950  
978.259.4242

OLSON  
LEWIS +  
ARCHITECTS  
17 Elm Street  
Newburyport, MA 01944  
978.259.4246  
olsonlewis.com



# Newburyport Harbormaster Facility

View from the Boardwalk

**HALVORSON DESIGN**  
PARTNERSHIP  
ARCHITECTS

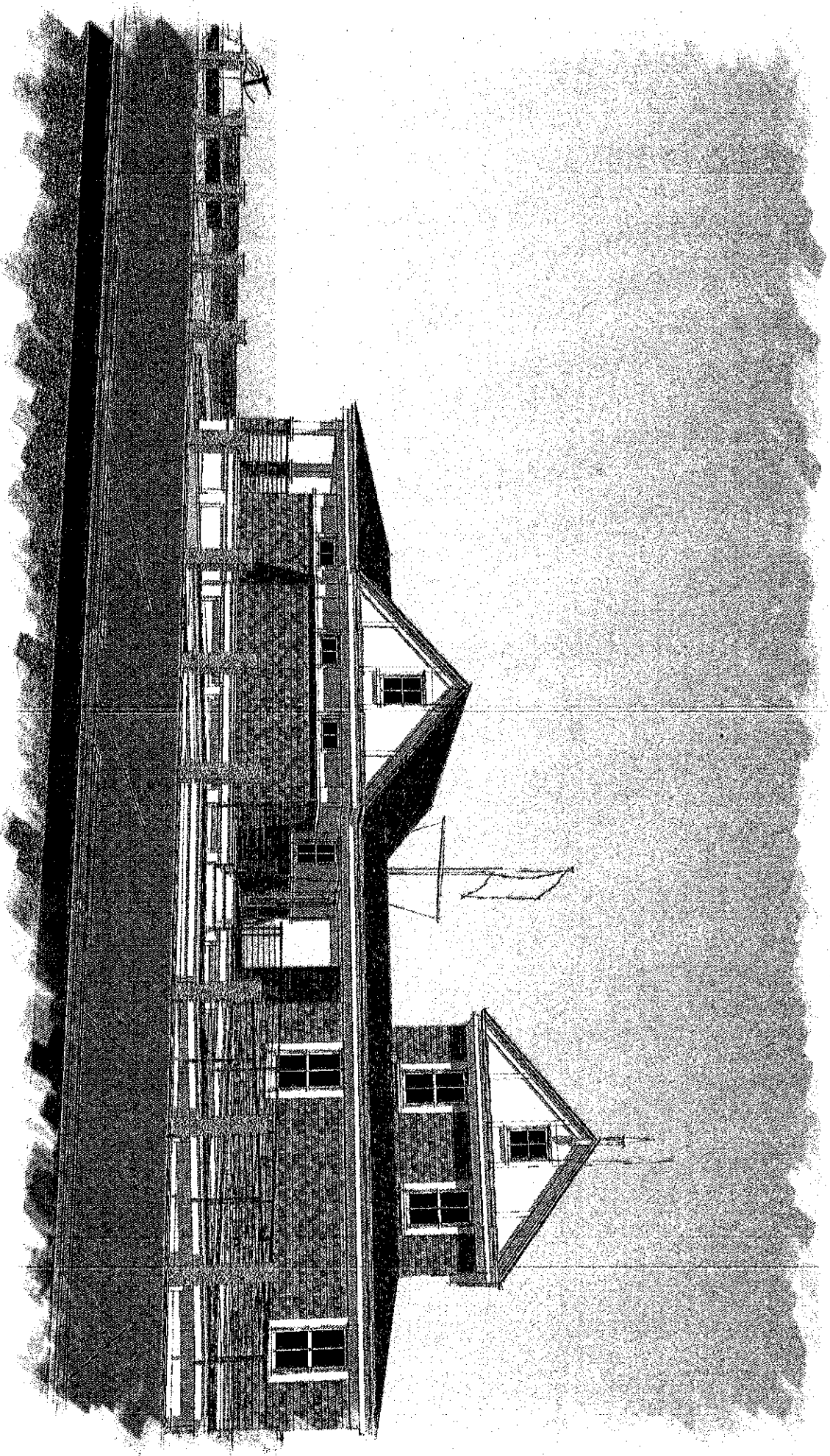


**KEERY**  
DESIGN LLC  
ARCHITECTS



**OLSON  
LEWIS +  
ARCHITECTS**  
17 Elm Street  
Newburyport, MA 01944  
978-528-4383  
olsonlewis.com





# Newburyport Harbormaster Facility

View from the Parking Lot

**HALVORSON DESIGN**  
PARTNERSHIP  
ARCHITECTS

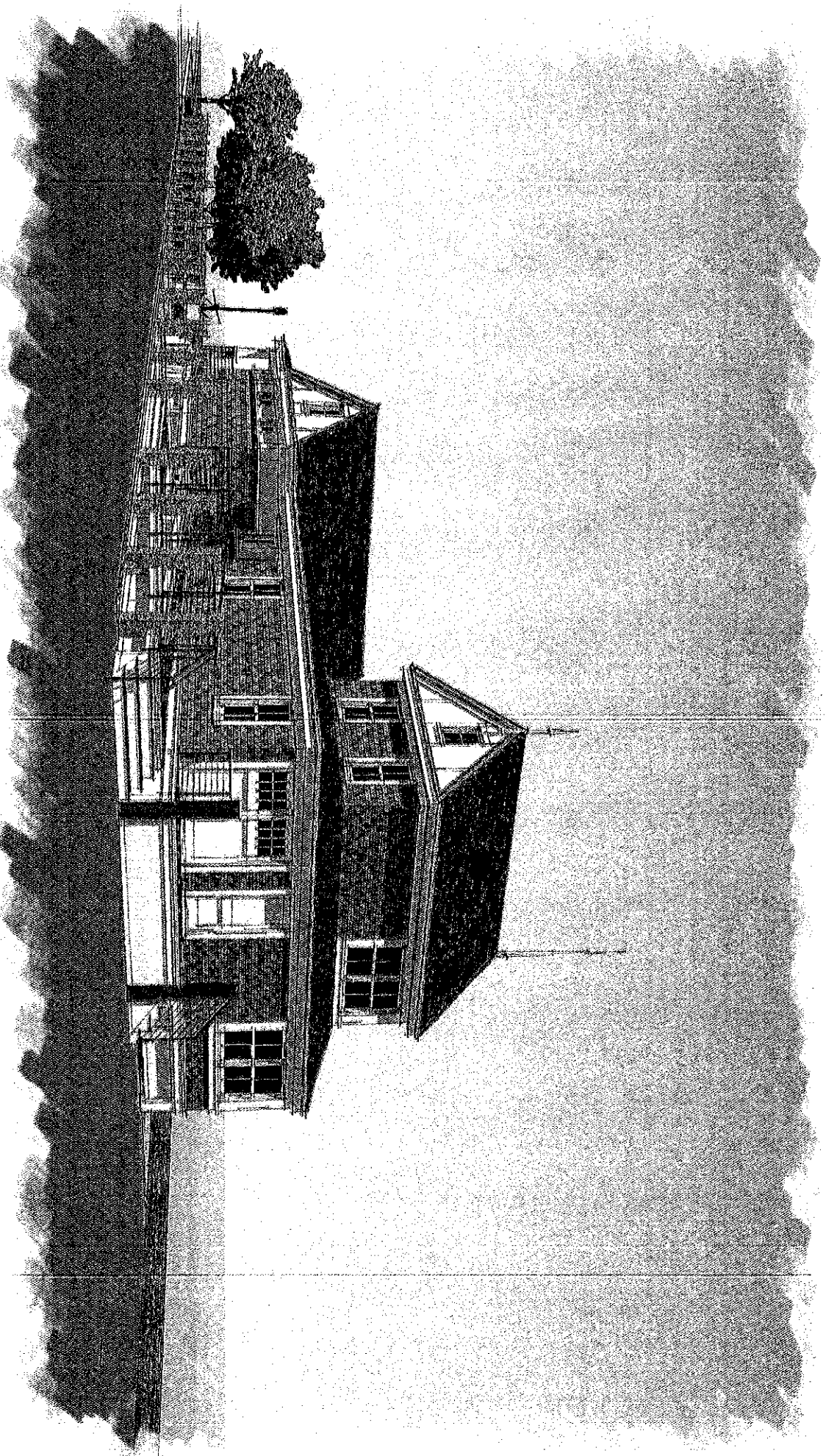


**KEERY**  
DESIGN LLC  
ARCHITECTS



**OLSON  
LEWIS +  
ARCHITECTS**

17 Elm Street  
Newburyport, MA 01944  
978.252.4266  
olsonlewis.com



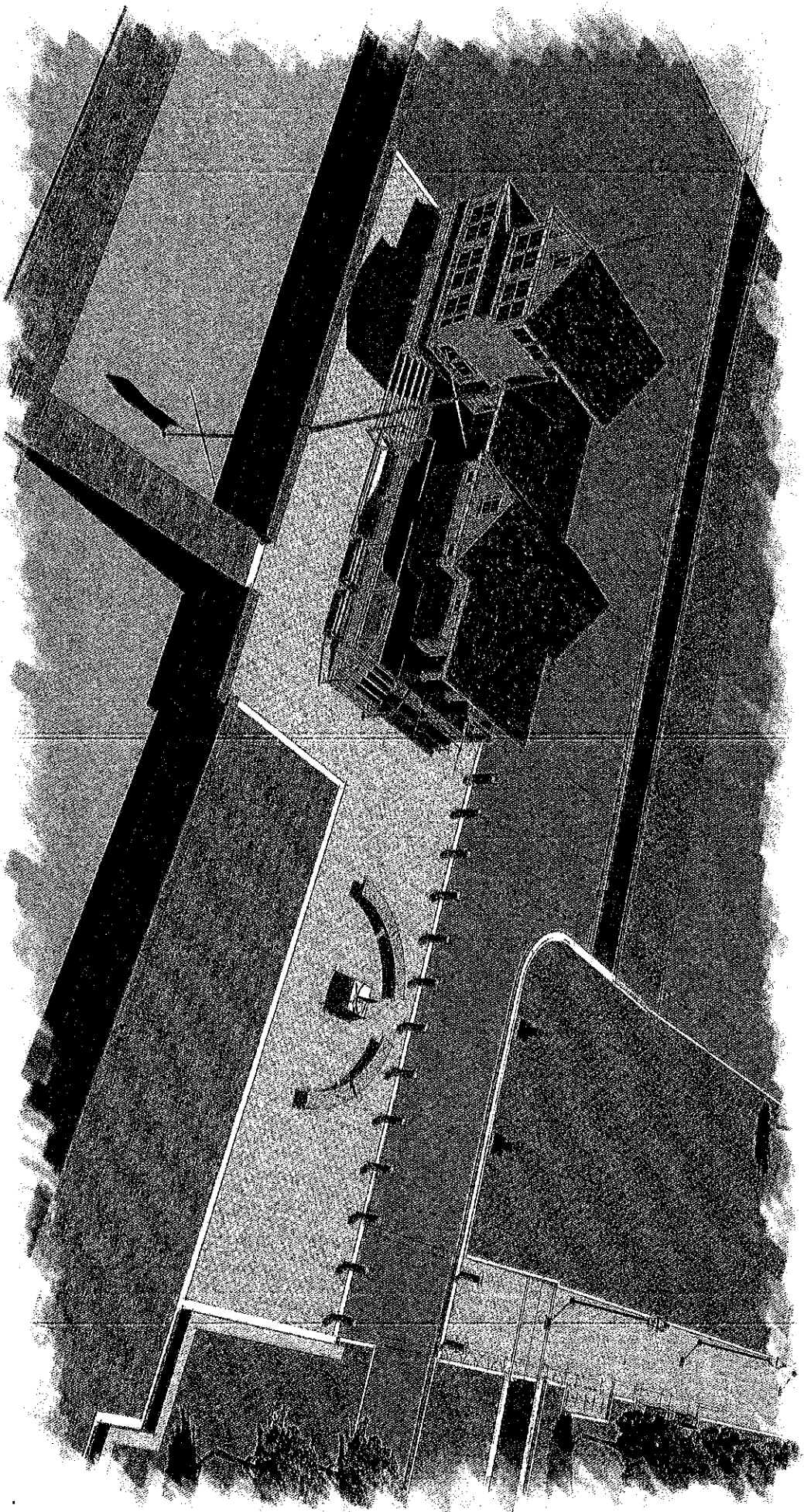
Newburyport Harbormaster Facility  
View from the Parking Lot

HALVORSON DESIGN  
PARTNERSHIP  
halvorsondesign.com



KEERY  
DESIGN LLC  
277 Main Street  
Newburyport, MA 01950  
978.258.4886

OLSON  
LEWIS +  
ARCHITECTS  
17 Elm Street  
Newburyport, MA 01954  
978.258.4886  
olsonlewis.com



# Newburyport Harbormaster Facility

Birdseye from the North

**HALYBORN DESIGN**  
PARTNERSHIP  
ARCHITECTS

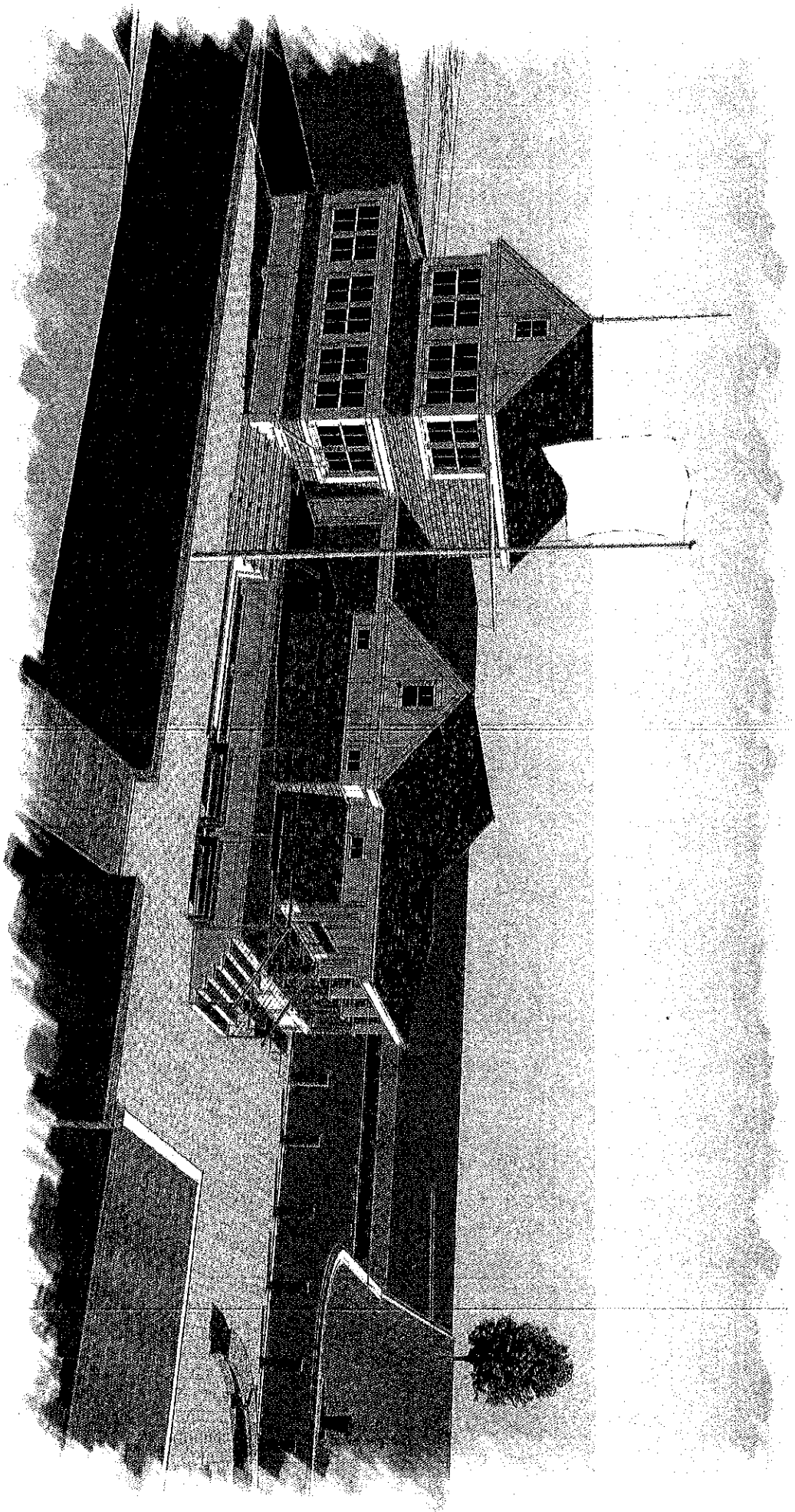


**KEERY**  
DESIGN LLC  
ARCHITECTS

**OLSON**  
LEWIS +  
ARCHITECTS

17 Elm Street  
Newburyport, MA 01944  
978.251.4266  
olsonlewis.com





# Newburyport Harbormaster Facility

View from the North

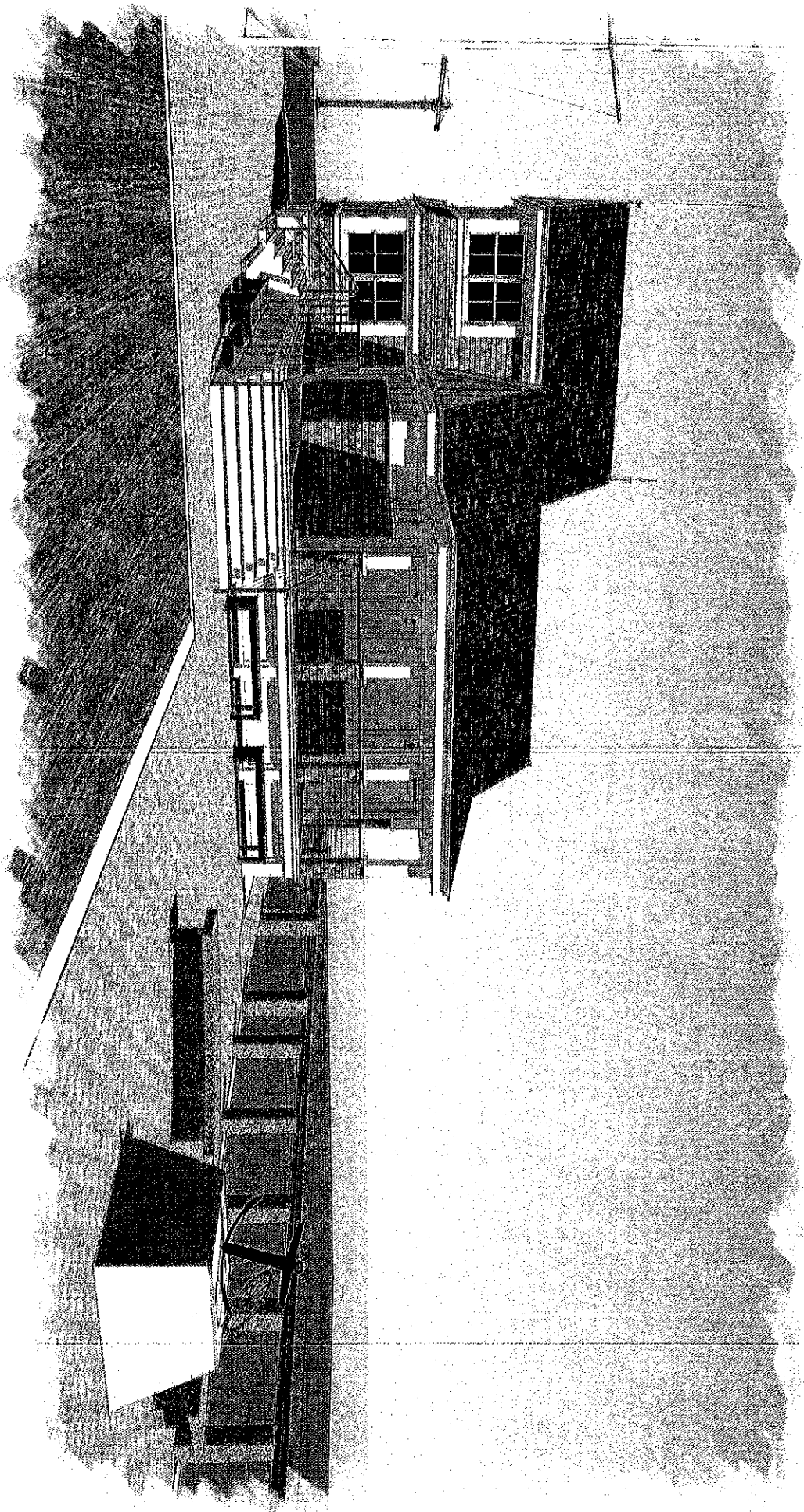
HALVORSON DESIGN  
PASTINEN/KEPNER  
ARCHITECTS



KEERY  
DESIGN LLC  
207 Main Street  
Newburyport, MA 01950  
978.799.5547 k@keerydesign.com

OLSON  
LEWIS +  
ARCHITECTS  
17 Elm Street  
Newburyport, MA 01950  
978.534.4356  
olsonlewis.com





# Newburyport Harbormaster Facility

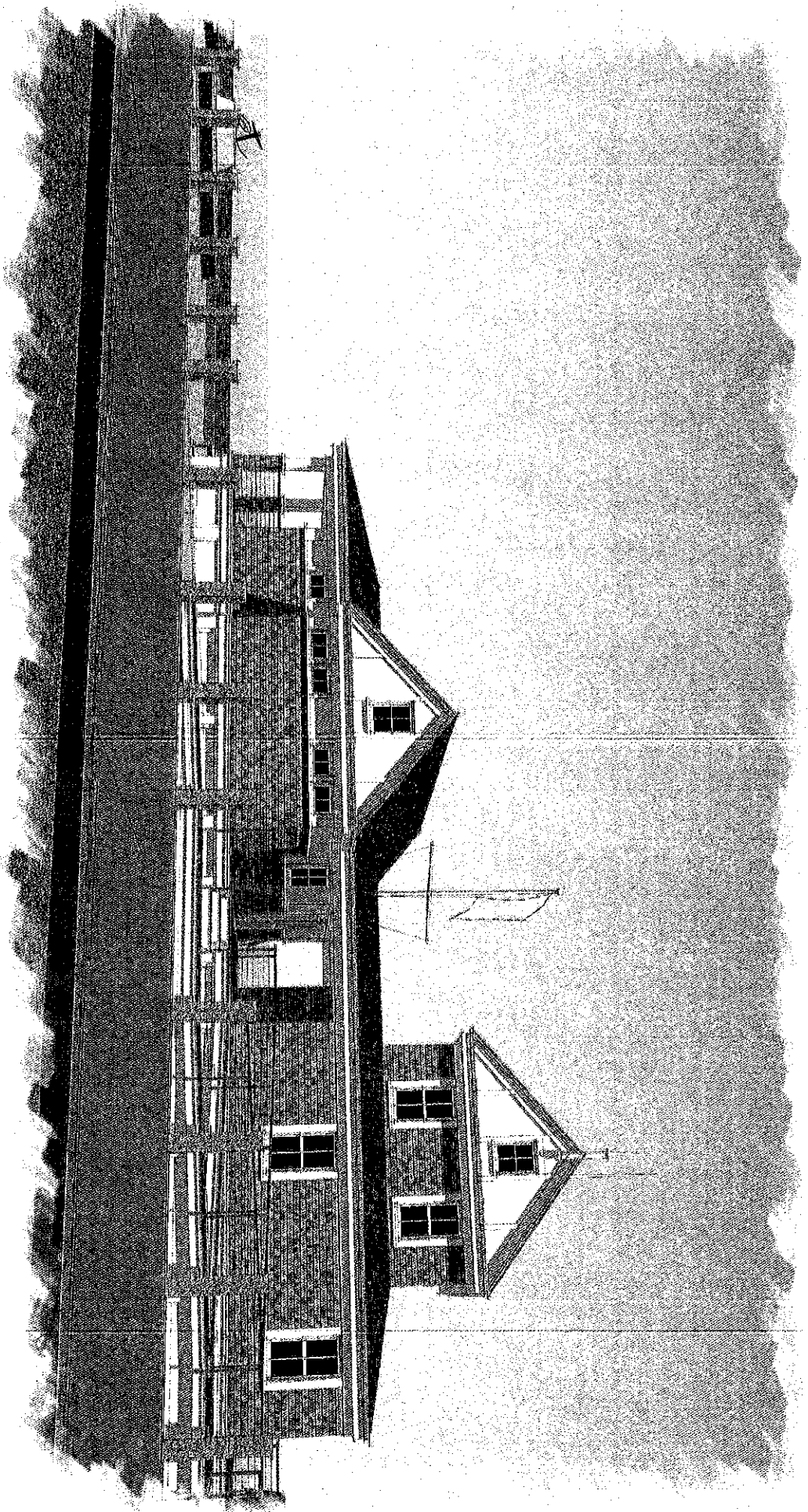
View from the Boardwalk

**HALVORSON DESIGN**  
ARCHITECTS  
1000 N. 10TH ST.  
MINNEAPOLIS, MN 55403  
(612) 338-1100  
www.halvorsondesign.com



**KERRY**  
design LLC  
1000 N. 10TH ST.  
MINNEAPOLIS, MN 55403  
(612) 338-1100  
www.kerrydesign.com

**OLSON**  
LEWIS +  
ARCHITECTS  
17 Elm Street  
Newburyport, MA 01944  
(978) 325-4343  
olsonlewis.com



# Newburyport Harbormaster Facility

View from the Parking Lot

**HALVORSON DESIGN**  
PARTNERSHIP  
ARCHITECTS



**KEERY**  
DESIGN LLC  
ARCHITECTS

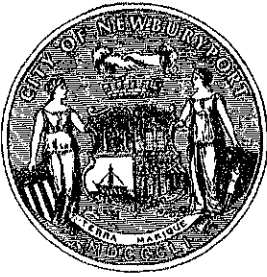


**OLSON**  
**LEWIS +**  
ARCHITECTS

17 Elm Street  
Newburyport, MA 01944  
978.624.4833  
olsonlewis.com

**APPOINTMENTS  
FIRST READING**

Appointment #1  
November 30, 2015



# CITY OF NEWBURYPORT

OFFICE OF THE MAYOR  
DONNA D. HOLADAY, MAYOR

RECEIVED  
CITY CLERK'S OFFICE  
NEWBURYPORT, MA

60 PLEASANT STREET - P.O. BOX 550  
NEWBURYPORT, MA 01950

978-465-4413 PHONE

978-465-4402 FAX

2015 NOV 20 A 11:00

To: President and Members of the  
City Council

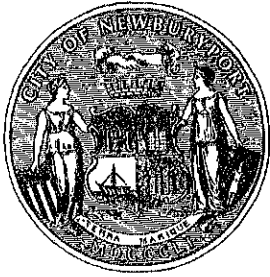
From: Donna D. Holaday, Mayor

Date: November 20, 2015

Subject: Appointment

I hereby appoint, subject to your approval, the following named individual as Assistant Harbormaster/Shellfish Constable and Special Police Officer for the purposes of local, State and Federal laws and regulations with respect to waterways, marine activities and boating. This term will expire on December 31, 2017.

Adam R. Hayden  
76 Longfellow Drive  
Newburyport, MA 01950



CITY OF NEWBURYPORT

OFFICE OF THE MAYOR

DONNA D. HOLADAY, Mayor

RECEIVED  
CITY CLERK'S OFFICE  
NEWBURYPORT, MA

60 PLEASANT STREET - P.O. Box 5  
NEWBURYPORT, MA 01950

978-465-4413 PHONE

978-465-4402 FAX

2015 NOV 20 A 11:00

To: President and Members of the  
City Council

From: Donna D. Holaday, Mayor

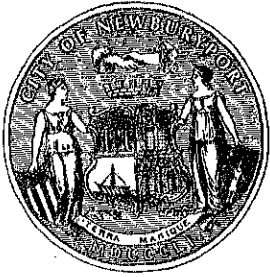
Date: November 20, 2015

Subject: Appointment

*Donna D. Holaday*

I hereby appoint, subject to your approval, the following named individual as Assistant Harbormaster/Shellfish Constable and Special Police Officer for the purposes of local, State and Federal laws and regulations with respect to waterways, marine activities and boating. This term will expire on December 31, 2017.

Joseph Grande  
52 Linwood Avenue  
Methuen, MA 01841



CITY OF NEWBURYPORT  
OFFICE OF THE MAYOR  
DONNA D. HOLADAY, MAYOR

60 PLEASANT STREET - P.O. Box 500  
NEWBURYPORT, MA 01950

978-465-4413 PHONE

978-465-4402 FAX

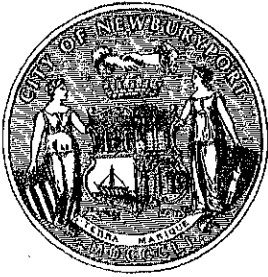
RECEIVED  
CITY CLERK'S OFFICE  
NEWBURYPORT, MA  
2015 NOV 20 A 11:00

To: President and Members of the City Council  
From: Donna D. Holaday, Mayor  
Date: November 20, 2015  
Re: Appointment

*Donna D. Holaday*

I hereby appoint, subject to your approval, the following named individual as Assistant Harbormaster/Shellfish Constable and Special Police Officer for the purposes of local, State and Federal laws and regulations with respect to waterways, marine activities and boating. This term will expire on December 31, 2017.

Benedetto Orlando  
104 North Avenue  
Apt. 2  
Haverhill, MA 01830



CITY OF NEWBURYPORT

OFFICE OF THE MAYOR  
DONNA D. HOLADAY, Mayor  
RECEIVED  
CITY CLERK'S OFFICE  
NEWBURYPORT, MA

60 PLEASANT STREET - P.O. BOX  
NEWBURYPORT, MA 01950

978-465-4413 PHONE

978-465-4402 FAX

NOV 20 A 11:00

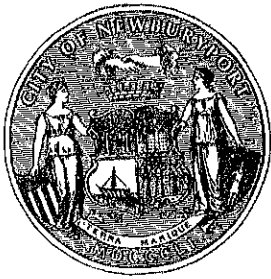
To: President and Members of the City Council  
From: Donna D. Holaday, Mayor  
Date: November 20, 2015  
Subject: Appointment

*Donna D. Holaday*

I hereby appoint, subject to your approval, the following named individual as an Assistant Harbor Master/Shellfish Constable and Special Police Officer for the purposes of local, State and Federal laws and regulations with respect to waterways, marine activities and boating. This term will expire on December 1, 2017.

Robert Padellaro  
17 56<sup>th</sup> Street  
Newburyport, MA 01950

Appointment #5  
November 30, 2015



CITY OF NEWBURYPORT  
OFFICE OF THE MAYOR  
DONNA D. HOLADAY, Mayor

60 PLEASANT STREET - P.O. Box  
NEWBURYPORT, MA 01950

978-465-4413 PHONE

978-465-4402 FAX

RECEIVED  
CITY CLERK'S OFFICE  
NEWBURYPORT, MA  
2015 NOV 20 A 11:00

To: President and Members of the City Council  
From: Donna D. Holaday, Mayor  
Date: November 20, 2015  
Subject: Appointment

*Donna D. Holaday*

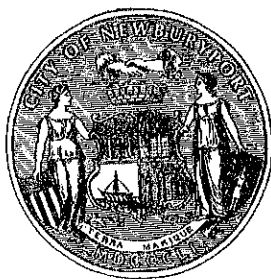
---

I hereby appoint, subject to your approval, the following named individual as a member of the Harbor Master/Shellfish Constable and Special Police Officer for the purposes of local, State and Federal laws and regulations with respect to waterways, marine activities and boating. This term will expire on April 15, 2017.

Daniel Scott  
4 Ferry Road  
Methuen, MA 01844



Appointment #6  
November 30, 2015



# CITY OF NEWBURYPORT

OFFICE OF THE MAYOR  
DONNA D. HOLADAY, Mayor

RECEIVED  
CITY CLERK'S OFFICE  
NEWBURYPORT, MA

60 PLEASANT STREET - P.O. Box 570  
NEWBURYPORT, MA 01950

978-465-4413 PHONE

978-465-4402 FAX

2015 NOV 20 A 10:59

To: President and Members of the  
City Council

From: Donna D. Holaday, Mayor

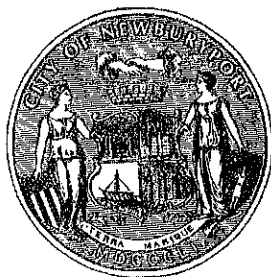
Date: November 20, 2015

Subject: Appointment

I hereby appoint, subject to your approval, the following named individual as Assistant Harbormaster/Shellfish Constable and Special Police Officer for the purposes of local, State and Federal laws and regulations with respect to waterways, marine activities and boating. This term will expire on December 31, 2017.

Philip Stern  
271 Merrimac Street  
Apt. 2  
Newburyport, MA 01950

Appointment #7  
November 30, 2015



CITY OF NEWBURYPORT  
OFFICE OF THE MAYOR  
DONNA D. HOLADAY, MAYOR

60 PLEASANT STREET - P.O. Box 550  
NEWBURYPORT, MA 01950  
978-465-4413 PHONE  
978-465-4402 FAX

RECEIVED  
CITY CLERK'S OFFICE  
NEWBURYPORT, MA

2015 NOV 20 A 10:59

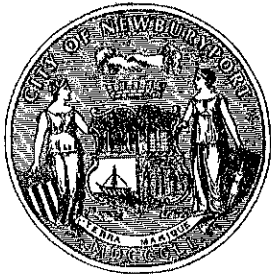
*Donna D. Holaday*

To: President and Members of the City Council  
From: Donna D. Holaday, Mayor  
Date: November 20, 2015  
Subject: Appointment

---

I hereby appoint, subject to your approval, the following named individual as an Assistant Harbor Master/Shellfish Constable and Special Police Officer for the purposes of local, State and Federal laws and regulations with respect to waterways, marine activities and boating. This term will expire on December 1, 2017.

Lance Thokle  
1886 Southeast Erwin Road  
Port St. Lucie, FL 34952



CITY OF NEWBURYPORT

OFFICE OF THE MAYOR

DONNA D. HOLADAY, MAYOR

RECEIVED  
CITY CLERK'S OFFICE  
NEWBURYPORT, MA

60 PLEASANT STREET - P.O. Box 550  
NEWBURYPORT, MA 01950

978-465-4413 PHONE

978-465-4402 FAX

2015 NOV 20 A 10:59

To: President and Members of the  
City Council

From: Donna D. Holaday, Mayor

Date: November 20, 2015

Subject: Appointment

---

I hereby appoint, subject to your approval, the following named individual as Assistant Harbormaster/Shellfish Constable and Special Police Officer for the purposes of local, State and Federal laws and regulations with respect to waterways, marine activities and boating. This term will expire on December 31, 2014.

David Willey  
13 Devonshire Crossing  
Lowell, MA 01851



# CITY OF NEWBURYPORT

OFFICE OF THE MAYOR

DONNA D. HOLADAY, Mayor

60 PLEASANT STREET - P.O. Box 550  
NEWBURYPORT, MA 01950

978-465-4413 PHONE

978-465-4402 FAX

Appointment #9  
November 30, 2015

RECEIVED  
CITY CLERK'S OFFICE  
NEWBURYPORT, MA

2015 NOV 20 A 10:59

To: President and Members of the  
City Council

From: Donna D. Holaday, Mayor

Date: November 20, 2015

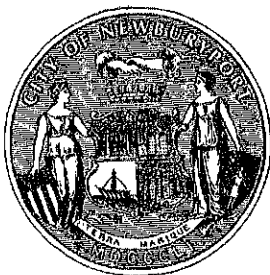
Subject: Appointment

*Donna D. Holaday*

---

I hereby appoint, subject to your approval, the following named individual as Assistant Harbormaster/Shellfish Constable and Special Police Officer for the purposes of local, State and Federal laws and regulations with respect to waterways, marine activities and boating. This term will expire on December 31, 2017.

Kristian Zoeller  
115 Timber Swamp Road  
Hampton, NH 03842



# CITY OF NEWBURYPORT

OFFICE OF THE MAYOR

DONNA D. HOLADAY, Mayor

60 PLEASANT STREET - P.O. Box 550  
NEWBURYPORT, MA 01950

978-465-4413 PHONE

978-465-4402 FAX

Appointment #10  
November 30, 2015

RECEIVED  
CITY CLERK'S OFFICE  
NEWBURYPORT, MA

2015 NOV 20 A 10:59

To: President and Members of the  
City Council

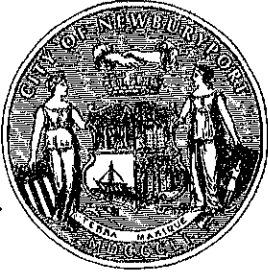
From: Donna D. Holaday, Mayor

Date: November 20, 2015

Subject: Appointment

I hereby appoint, subject to your approval, the following named individual as Assistant Harbormaster/Shellfish Constable and Special Police Officer for the purposes of local, State and Federal laws and regulations with respect to waterways, marine activities and boating. This term will expire on December 31, 2017.

James Maranto  
167 Harper Ridge Road  
E. Hampstead, NH 03826



CITY OF NEWBURYPORT  
OFFICE OF THE MAYOR  
DONNA D. HOLADAY, MAYOR

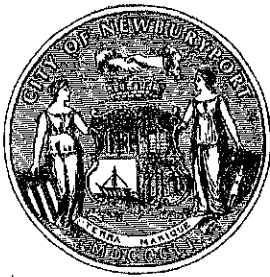
60 PLEASANT STREET - P.O. BOX 550  
NEWBURYPORT, MA 01950  
978-465-4413 PHONE  
978-465-4402 FAX

To: President and Members of the City Council  
From: Donna D. Holaday, Mayor  
Date: November 20, 2015  
Subject: Appointment

---

I hereby appoint, subject to your approval, the following named individual as an Assistant Harbor Master/Shellfish Constable and Special Police Officer for the purposes of local, State and Federal laws and regulations with respect to waterways, marine activities and boating. This term will expire on December 31, 2017.

Richard Cummings  
7 Jewett Street  
Georgetown, MA 01833



Appointment #12  
November 30, 2015

# CITY OF NEWBURYPORT

OFFICE OF THE MAYOR

DONNA D. HOLADAY, Mayor

RECEIVED  
CITY CLERK'S OFFICE  
NEWBURYPORT, MA

60 PLEASANT STREET - P.O. Box 550  
NEWBURYPORT, MA 01950

978-465-4413 PHONE

978-465-4402 FAX

2015 NOV 20 A 10:59

To: President and Members of the  
City Council

From: Donna D. Holaday, Mayor

Date : November 20, 2015

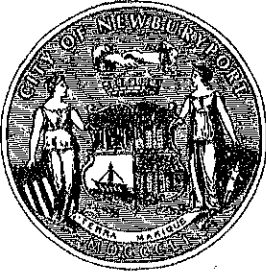
Subject: Appointment

*Donna D. Holaday*

I hereby appoint, subject to your approval, the following named individual as Assistant Harbormaster/Shellfish Constable and Special Police Officer for the purposes of local, State and Federal laws and regulations with respect to waterways, marine activities and boating. This term will expire on December 31, 2017.

Francis F. Chaisson  
300 Merrimac Street  
Newburyport, MA 01950

Appointment #13  
November 30, 2015



# CITY OF NEWBURYPORT

OFFICE OF THE MAYOR  
DONNA D. HOLADAY, Mayor  
RECEIVED  
CITY CLERK'S OFFICE  
NEWBURYPORT, MA

60 PLEASANT STREET - P.O. BOX  
NEWBURYPORT, MA 01950

978-465-4413 PHONE

978-465-4402 FAX

2015 NOV 20 A 10:58

To: President and Members of the  
City Council

From: Donna D. Holaday, Mayor

Date: November 20, 2015

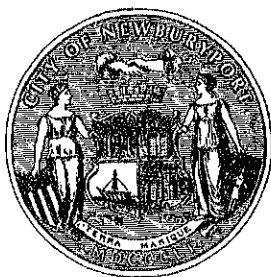
Subject: Appointment

I hereby appoint, subject to your approval, the following named individual as Assistant Harbormaster/Shellfish Constable and Special Police Officer for the purposes of local, State and Federal laws and regulations with respect to waterways, marine activities and boating. This term will expire on December 31, 2017.

Michael Chaisson  
46 Lake Attitash Road  
Amesbury, MA 01913



Appointment #14  
November 30, 2015



# CITY OF NEWBURYPORT

OFFICE OF THE MAYOR  
DONNA D. HOLADAY, Mayor

RECEIVED  
CITY CLERK'S OFFICE  
NEWBURYPORT, MA

60 PLEASANT STREET - P.O. BOX 550  
NEWBURYPORT, MA 01950

978-465-4413 PHONE

978-465-4402 FAX

2015 NOV 20 A 10:58

To: President and Members of the  
City Council

From: Donna D. Holaday, Mayor

Date: November 20, 2015

Subject: Appointment

I hereby appoint, subject to your approval, the following named individual as Assistant Harbormaster/Shellfish Constable and Special Police Officer for the purposes of local, State and Federal laws and regulations with respect to waterways, marine activities and boating. This term will expire on December 31, 2017.

Enrico Caruso  
34 Russett Hill Road  
Haverhill, MA 01830

**END OF CONSENT AGENDA**

**BEGINNING OF REGULAR AGENDA**

**APPOINTMENTS  
SECOND READING**

**MAYOR'S APPOINTMENTS**  
**November 30, 2015**  
**SECOND READING**

**APPOINTMENTS**

<b>15. Peter M. Blaiwas</b>	<b>61 Pleasant St., #717</b>	<b>Commission on Diversity &amp; Tolerance</b>	<b>Dec. 1, 2018</b>
-----------------------------	------------------------------	--	---------------------

**RE-APPOINTMENTS**

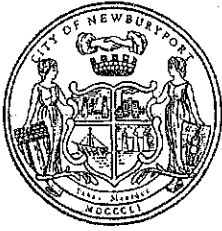
<b>16. Susan Chase</b>	<b>44 Oak Street</b>	<b>Emma Andrews Branch Library Commission</b>	<b>Oct. 30, 2016</b>
<b>17. Elizabeth L. Watson</b>	<b>53 Warren St. # 314</b>	<b>Emma Andrews Branch Library Commission</b>	<b>Oct. 30, 2016</b>
<b>18. Elizabeth Valeriani</b>	<b>29 Oak St.</b>	<b>Emma Andrews Branch Library Commission</b>	<b>Oct. 30, 2016</b>
<b>19. Aine G. Ellrott</b>	<b>43 Purchase St.</b>	<b>Emma Andrews Branch Library Commission</b>	<b>Oct. 30, 2016</b>
<b>20. Donna Conway</b>	<b>27 Marlboro St.</b>	<b>Emma Andrews Branch Library Commission</b>	<b>Oct. 30, 2016</b>
<b>21. Stephen J. Moore</b>	<b>10 N. Atkinson St.</b>	<b>Conservation Commission</b>	<b>Dec. 1, 2018</b>

**In City Council November 9, 2015**

Motion to approve the Consent Agenda as amended by Councillor Herzog, seconded by Councillor Kinsey. So voted.

# ORDERS

**CITY OF NEWBURYPORT**



---

IN CITY COUNCIL

**ORDERED:**

November 9, 2015

**THAT** the City Council of the City of Newburyport approves the following Licensed Contractor application for the 2015 construction year for Street Occupancy work:

Northern Drill Services, Inc.  
130 East Main St.  
Northborough, MA 01532

*Paperwork on file in the City Clerk's office.*

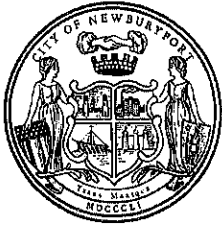
---

Councillor Ari B. Herzog  
Public Utilities Chairperson

**In City Council November 9, 2015**

Motion to table by Councillor Herzog, seconded by Councillor Kinsey. So voted.

CITY OF NEWBURYPORT



---

IN CITY COUNCIL

ORDERED:

November 30, 2015

**THAT** the City Council of the City of Newburyport approves the following Licensed Contractor application for the 2015 construction year for Street Occupancy work:

New England Boring Contractors  
PO Box 165  
Derry, NH 03038

*Paperwork on file in the City Clerk's office.*

---

Councillor Ari B. Herzog  
Public Utilities Chairperson



## CITY OF NEWBURYPORT

---

IN CITY COUNCIL

**ORDERED:**

November 30, 2015

**THAT, The CITY COUNCIL of the City of Newburyport** accepts with gratitude a gift from the Odd Fellows of Newburyport, Quascacunquen Lodge #39, in the form of a portable, battery-powered smoke ejector fan, valued at \$3,500, to be used by the Newburyport Fire Department in accordance with M.G.L. Chapter 44, Section 53A1/2.

---

Councillor Charles F. Tontar  
Chair, Budget & Finance Committee



# Newburyport Fire Department

## *Office of the Fire Chief*

**To:** President and Members of the City Council  
**From:** Chief LeClaire  
**Date:** November 17, 2015  
**Re:** **Gift from Odd Fellows of Newburyport**

---

The Odd Fellows of Newburyport, Quascacunquen Lodge #39, purchased and donated a portable, battery-powered smoke ejector fan, at a cost of \$3,500. This fan will be used on one of the new engines recently purchased by the City. This smoke ejector is used to eject smoke from a building or to inject fresh air into an oxygen-deficient atmosphere.

The benefit to this particular model of smoke ejector is that it is battery-powered. This eliminates the problem of using gasoline-powered fans that contaminate the scene with exhaust emissions.

I am requesting that the City Council vote to accept the donation of the smoke ejector from the Odd Fellows of Newburyport.

As always, I am available to answer any questions or concerns you might have.

***Department Memorandum***

CITY OF NEWBURYPORT



---

IN CITY COUNCIL

ORDERED:

November 30, 2015

**THAT, The CITY COUNCIL of the City of Newburyport** accepts a gift of a 1977 UTI 41' fire/rescue vessel offered to the City of Newburyport by the United States Department of Defense through the Massachusetts Department of Conservation and Recreation to be used by the Newburyport Fire Department in accordance with M.G.L. Chapter 44, Section 53A1/2.

---

Councillor Charles F. Tontar  
Chair, Budget & Finance Committee

# Newburyport Fire Department

## *Office of the Fire Chief*

**To:** Mayor Holaday & Members of the City Council  
**From:** Chief LeClaire  
**Date:** November 16, 2015  
**Re:** Fire Boat – USCG Surplus – Council Acceptance

---

The fire department has taken possession of a 1977 UTI 41' fire/rescue vessel that was offered to us by the US Department of Defense (DoD), through the Massachusetts Department of Conservation and Recreation, Bureau of Forestry and Fire Control. (This is the same process that brought us the 25' Defender boat in 2013.) This boat was offered to us at no charge. I am requesting that the City Council vote to accept this donation from the United States DOD.

The Newburyport Fire Department has the responsibility to protect the vessels that travel our river and dock at the numerous docks and piers along our waterfront. We also have the boom trailer for hazardous materials spills in the river. Our fire protection/environmental protection efforts revolved around the 25' defender that we share with the Harbormaster. As the 25' boat is used for patrol and details, it is not always readily available to the fire department for response to emergencies. It is also undersized for our mission, especially for response to large vessels and does not have the capacity to fight fires in our piers and marinas. However, the 25' boat is extremely fast and is able to get into tight spaces where a larger boat will not go.

On Labor Day weekend, the fire department responded to two large boat fires in and just outside the river. We were forced to respond with two small boats, splitting our firefighting crews between the two. We utilized a small, portable pump to apply water to the fire, but we had no other equipment. The boat is not set up as a fireboat, and it hampers our efforts. It became clear to us and to the State that we needed a larger vessel that was built for our mission.

This 41' UTI vessel was built as a fire boat for the USCG. It is powered by twin Cummins 903 diesel motors and is equipped with an in-line 250 gpm fire pump. It has useable deck space that allows a safer platform for the firefighters to work and space for rescued victims. It features an enclosed cabin and forward compartment for the protection of our personnel when they are operating in inclement weather or rough conditions. The diesel motors were recently serviced and the fire pump is operational. Overall, the vessel is in good condition.

The fire boat is currently on dry land at the EOC on Low Street. It will be restored in the off-season by our personnel and will be painted and lettered as Newburyport FD's Fire Boat. It will be returned to the water and docked in Cashman Park so that is available to respond to emergencies. The USCG has expressed interest in training our personnel on the safe handling of the fire boat, and they are interested in conducting joint training so that we can work together safely and efficiently. The USCG Commander is thrilled that this boat is here and described it as "the best possible platform for our work". We will also be working with the police department so that the dive team can utilize this boat for their exercises and calls.

I am projecting an increase in vehicle maintenance of approximately \$10,000.00 for the first year of operation/training/equipment for this vessel. The members of the fire department have put a lot of hours into the project to date at no charge to the city, and they have offered to perform the restoration as well.

As always, I am available to answer any questions or concerns you might have.

*Department Memorandum*

CITY OF NEWBURYPORT



\_\_\_\_\_  
IN CITY COUNCIL

November 30, 2015

ORDERED:

**Acquisition of Easement for Utility Purposes**

**THAT** the City Council of the City of Newburyport hereby authorizes the Mayor, or her designated representative, to acquire on behalf of the City by gift or purchase, upon such terms and conditions as the Mayor deems in the best interest of the City, except as otherwise provided in this order, a permanent easement for utility purposes, including, without limitation, sewer, water, electrical and communications utilities, in approximately the location depicted as "10' Wide Utility Easement" on a sketch plan entitled "Site/Utilities Plan" dated REV Nov. 20, 2015, and to execute any and all documents and take all related actions necessary or appropriate to carry out the foregoing, or take any other action relative thereto. This authorization is expressly conditioned upon: (1) the City paying no monetary consideration to the grantor other than the nominal amount of one dollar (\$1.00); and (2) securing the utility easement without prejudice or other impact on any existing public rights within the easement area.

\_\_\_\_\_  
Councilor Jared J. Eigerman



CITY OF NEWBURYPORT  
OFFICE OF PLANNING AND DEVELOPMENT

60 PLEASANT STREET • P.O. BOX 550

NEWBURYPORT, MA 01950  
(978) 465-4400 • (978) 465-4452 (FAX)

RECEIVED  
CITY CLERK'S OFFICE  
NEWBURYPORT, MA

2015 NOV 23 P 12:01

DONNA D. HOLADAY  
MAYOR

---

MEMORANDUM

---

TO: NEWBURYPORT CITY COUNCIL  
FROM: GEORDIE VINING, SENIOR PROJECT MANAGER  
SUBJECT: AUTHORIZATION TO SECURE UTILITY EASEMENT FOR HARBORMASTER AND VISITING BOATER FACILITY  
DATE: 11/23/15

We are writing to respectfully request the City Council's approval of an authorization for the Mayor to secure an underground utility easement from New England Development (NED) on the eastern side of the Custom House underneath the parking lot for Oldies Marketplace and the Atkinson Building to serve the new Harbormaster Visiting Boater Facility. NED has recently agreed to allow the easement at no cost to the City at a meeting on 11/13/15. Please see the attached Order and sketch plan.

The City needs to extend a sewer line to provide bathrooms for the general public, staff, and visiting boaters (plus showers for the latter) as well as telecommunications and fire alarm lines back to Water Street for the Harbormaster project. As you may recall, there has been considerable discussion in recent months regarding the routing of the project's underground utilities. During the planning process we pursued essentially three different options: a) routing the utilities underneath the Newburyport Redevelopment Authority East Lot; b) routing the utilities underneath the Waterfront Trust's Custom House Way on the western side of the Custom House; c) routing the utilities underneath the NED parking lot on the eastern side of the Custom House. The NRA was reluctant to allow use of the East Lot due to the lack of a settled plan for renovation; in addition, the NRA East Lot route would have been the longest utility run and would have been complicated by the presence of the Activity and Use Limitation (AUL). We have always viewed the route underneath the NED parking lot as the most direct and inexpensive approach, but NED did not approve the City's various requests due to a concern about restricting future redevelopment of their property (until last week). The Waterfront Trust voted to allow the utilities underneath Custom House Way, and so the project plans reflected this route and we have been working towards a formal "dedication" of the corridor. During recent months, there has been some resistance expressed to the Custom House Way utility route due to concerns about potential archaeological impacts within the Central Waterfront Archaeological District and potential negative impacts to the stressed northwest corner of the Custom House building among other issues. Please note that the U.S. Fish and Wildlife Service as the federal authority determined in its Section 106 review that the project would have "No Adverse Impact" on archaeological or historical resources. However, it would be preferable to route the utilities elsewhere.

The City subsequently received general bids in October for the overall Harbormaster Visiting Boater Facility project and all the bids came in higher than the professional cost estimates and the budget. The City was unable to award a contract at the time, and we are currently conducting an intensive value engineering process so that we can re-bid the project at the beginning of the new year. (Please see the separate City Council memorandum describing the overall value engineering approach for the project.) Based on post-bid interviews with bidders, the premium to be paid for removing and replacing the brickwork along 350' of Custom House Way and the Water Street sidewalk would be significantly higher than anticipated by the City's professional cost estimator. Accordingly, avoiding brickwork will help to significantly reduce project costs. After further

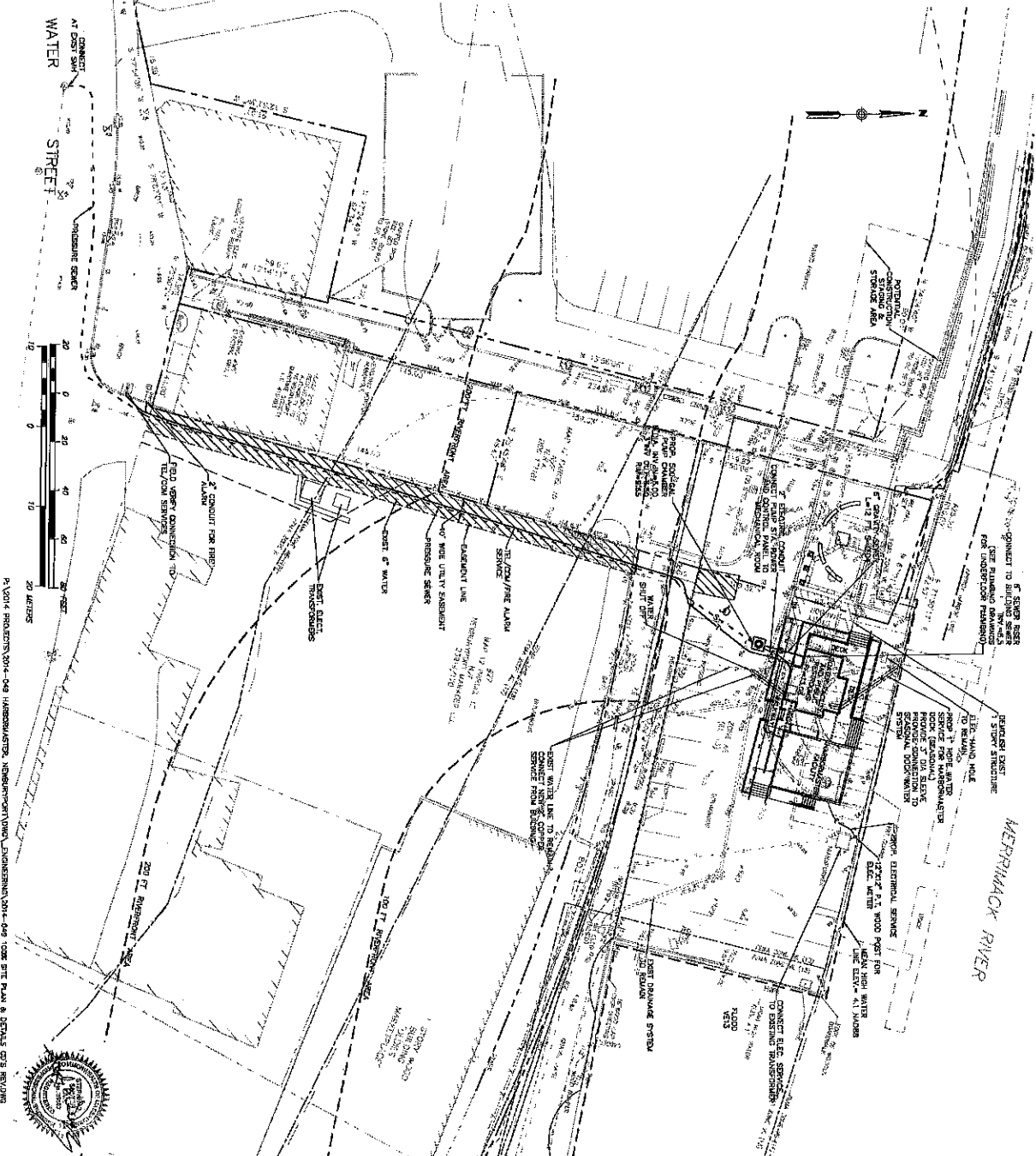
analysis of options for routing the utilities on the eastern side of the Custom House underneath the existing asphalt parking area, we have determined that a sleeved sewer force main can be placed near the existing water line and there is room to place the utilities within the 10' setback of NED's property. There will be no future building within that 10' setback area, and thus a utility easement in that corridor will not impact the private property owner's flexibility for future redevelopment. NED consequently approved the City's revised request for a utility easement. We can also include the existing underground water line that serves the central waterfront in this easement so that future maintenance and rights are clear.

As noted earlier, the routing of the underground utilities and the associated easement is a separate matter from addressing claims regarding "Lower Custom House Way" on the eastern side of the Custom House. Please note that an 11/6/15 title examination by Attorney Edward Rainen on the subject of the Way indicates that the fee of the corridor is owned by the private landowner subject to the rights of the public to use a 110'/85' foot section as a public way and that public rights do not extend to the fish pier or river since the public landing was discontinued in the 19<sup>th</sup> century and sold to a private party. Attorney Rainen indicates that this matter was litigated 90 years ago, and the Land Court determined in 1926 that public rights do not extend all the way to the river and that the matter cannot be re-litigated. Further arguments and proposals about the Way should not be conflated with the separate issue of securing a continuous underground utility easement. In addition, please note that authorizing and obtaining the underground utility easement will have no impact on any existing public rights in the Way.

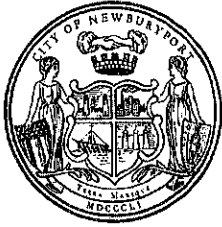
In regard to timeframe, we respectfully request that the City Council approve the authorization to secure the utility easement in its November 30, 2015 and December 14, 2015 meetings. We are finalizing the modification of the bid package in December so that we can re-bid the project after the holidays, make an award in February, and initiate construction in March. A number of contractors have emphasized that the City will receive more favorable bids with a timeframe that avoids construction during winter conditions but allows for the awarding of the contract as early as possible in the calendar year before contractors line up other work for 2016.

Thank you for your consideration.

- GENERAL NOTES**
1. ALL WORK SPECIFIED AS PART OF THIS PROJECT SHALL CONFORM TO THE LATEST EDITIONS OF THE MASSACHUSETTS DEPARTMENT OF HIGHWAYS, DIVISION OF HIGHWAYS, AND THE MASSACHUSETTS DEPARTMENT OF PUBLIC WORKS, DIVISION OF PUBLIC WORKS.
  2. CONTRACTOR TO MAINTAIN WORK AREA IN A CLEAN CONDITION, AND TO REMOVE ALL DEBRIS AND EXCESS MATERIAL FROM THE WORK AREA AS THE WORK PROGRESSES. THE WORK AREA SHALL BE KEPT OPEN TO THE PUBLIC AT ALL TIMES.
  3. ALL UTILITIES SHOWN ON THIS SITE ARE TO BE MAINTAINED IN THEIR EXISTING CONDITION, UNLESS OTHERWISE SPECIFIED.
  4. A TYPICAL 6" CIRCULAR DRAIN SHALL BE MAINTAINED WHERE POSSIBLE. THE CONTRACTOR SHALL MAINTAIN THE EXISTING DRAINAGE SYSTEM, AND SHALL REPAIR OR REPLACE ANY DRAINAGE STRUCTURES THAT ARE DAMAGED OR DESTROYED BY THE WORK.
  5. ALL CROSS SECTIONS SHALL BE MAINTAINED ON ALL PROPOSED SECTIONS.
- UTILITY & DAMAGE NOTES**
1. THE PLAN DOES NOT INDICATE THE EXACT LOCATION AND DEPTH OF ALL UTILITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR LOCATING ALL UTILITIES AND FOR PROTECTING THEM FROM DAMAGE.
  2. CITY OF MANCHESTER UTILITIES DEPARTMENT SHALL BE NOTIFIED OF ALL UTILITIES TO BE EXCAVATED AT LEAST 72 HOURS PRIOR TO THE START OF WORK.
  3. ALL UTILITIES SHOWN ON THIS SITE ARE TO BE MAINTAINED IN THEIR EXISTING CONDITION, UNLESS OTHERWISE SPECIFIED.
  4. THE CONTRACTOR IS RESPONSIBLE FOR REMOVING AND REPAIRING THE EXISTING LOCATION OF ALL PROPOSED UTILITY CONNECTIONS. THE PROPOSED CONNECTIONS SHALL BE MAINTAINED IN THEIR EXISTING CONDITION, UNLESS OTHERWISE SPECIFIED.
  5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL UTILITIES SHOWN ON THIS SITE FROM DAMAGE.
  6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL UTILITIES SHOWN ON THIS SITE FROM DAMAGE.
  7. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL UTILITIES SHOWN ON THIS SITE FROM DAMAGE.
  8. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL UTILITIES SHOWN ON THIS SITE FROM DAMAGE.
  9. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL UTILITIES SHOWN ON THIS SITE FROM DAMAGE.
  10. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL UTILITIES SHOWN ON THIS SITE FROM DAMAGE.
  11. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL UTILITIES SHOWN ON THIS SITE FROM DAMAGE.
  12. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL UTILITIES SHOWN ON THIS SITE FROM DAMAGE.
  13. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL UTILITIES SHOWN ON THIS SITE FROM DAMAGE.
  14. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL UTILITIES SHOWN ON THIS SITE FROM DAMAGE.
  15. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL UTILITIES SHOWN ON THIS SITE FROM DAMAGE.
- DEF. MATERIALS**
1. DOMESTIC WATER SERVICE: 2" HDPE CORP. TUBING TYPE K
  2. SEWAGE WATER SERVICE: 4" HDPE CORP. TUBING TYPE K
  3. ALL WATER LINES SHALL HAVE A MINIMUM OF FIVE (5) FEET OF COVER
  4. SERVICE: 2" HDPE CORP. TUBING TYPE K
  5. SERVICE: 2" HDPE CORP. TUBING TYPE K
  6. SERVICE: 2" HDPE CORP. TUBING TYPE K
  7. SERVICE: 2" HDPE CORP. TUBING TYPE K
  8. SERVICE: 2" HDPE CORP. TUBING TYPE K
  9. SERVICE: 2" HDPE CORP. TUBING TYPE K
  10. SERVICE: 2" HDPE CORP. TUBING TYPE K
  11. SERVICE: 2" HDPE CORP. TUBING TYPE K
  12. SERVICE: 2" HDPE CORP. TUBING TYPE K
  13. SERVICE: 2" HDPE CORP. TUBING TYPE K
  14. SERVICE: 2" HDPE CORP. TUBING TYPE K
  15. SERVICE: 2" HDPE CORP. TUBING TYPE K
  16. SERVICE: 2" HDPE CORP. TUBING TYPE K
  17. SERVICE: 2" HDPE CORP. TUBING TYPE K
  18. SERVICE: 2" HDPE CORP. TUBING TYPE K
  19. SERVICE: 2" HDPE CORP. TUBING TYPE K
  20. SERVICE: 2" HDPE CORP. TUBING TYPE K
  21. SERVICE: 2" HDPE CORP. TUBING TYPE K
  22. SERVICE: 2" HDPE CORP. TUBING TYPE K
  23. SERVICE: 2" HDPE CORP. TUBING TYPE K
  24. SERVICE: 2" HDPE CORP. TUBING TYPE K
  25. SERVICE: 2" HDPE CORP. TUBING TYPE K
  26. SERVICE: 2" HDPE CORP. TUBING TYPE K
  27. SERVICE: 2" HDPE CORP. TUBING TYPE K
  28. SERVICE: 2" HDPE CORP. TUBING TYPE K
  29. SERVICE: 2" HDPE CORP. TUBING TYPE K
  30. SERVICE: 2" HDPE CORP. TUBING TYPE K
  31. SERVICE: 2" HDPE CORP. TUBING TYPE K
  32. SERVICE: 2" HDPE CORP. TUBING TYPE K
  33. SERVICE: 2" HDPE CORP. TUBING TYPE K
  34. SERVICE: 2" HDPE CORP. TUBING TYPE K
  35. SERVICE: 2" HDPE CORP. TUBING TYPE K
  36. SERVICE: 2" HDPE CORP. TUBING TYPE K
  37. SERVICE: 2" HDPE CORP. TUBING TYPE K
  38. SERVICE: 2" HDPE CORP. TUBING TYPE K
  39. SERVICE: 2" HDPE CORP. TUBING TYPE K
  40. SERVICE: 2" HDPE CORP. TUBING TYPE K
  41. SERVICE: 2" HDPE CORP. TUBING TYPE K
  42. SERVICE: 2" HDPE CORP. TUBING TYPE K
  43. SERVICE: 2" HDPE CORP. TUBING TYPE K
  44. SERVICE: 2" HDPE CORP. TUBING TYPE K
  45. SERVICE: 2" HDPE CORP. TUBING TYPE K
  46. SERVICE: 2" HDPE CORP. TUBING TYPE K
  47. SERVICE: 2" HDPE CORP. TUBING TYPE K
  48. SERVICE: 2" HDPE CORP. TUBING TYPE K
  49. SERVICE: 2" HDPE CORP. TUBING TYPE K
  50. SERVICE: 2" HDPE CORP. TUBING TYPE K
  51. SERVICE: 2" HDPE CORP. TUBING TYPE K
  52. SERVICE: 2" HDPE CORP. TUBING TYPE K
  53. SERVICE: 2" HDPE CORP. TUBING TYPE K
  54. SERVICE: 2" HDPE CORP. TUBING TYPE K
  55. SERVICE: 2" HDPE CORP. TUBING TYPE K
  56. SERVICE: 2" HDPE CORP. TUBING TYPE K
  57. SERVICE: 2" HDPE CORP. TUBING TYPE K
  58. SERVICE: 2" HDPE CORP. TUBING TYPE K
  59. SERVICE: 2" HDPE CORP. TUBING TYPE K
  60. SERVICE: 2" HDPE CORP. TUBING TYPE K
  61. SERVICE: 2" HDPE CORP. TUBING TYPE K
  62. SERVICE: 2" HDPE CORP. TUBING TYPE K
  63. SERVICE: 2" HDPE CORP. TUBING TYPE K
  64. SERVICE: 2" HDPE CORP. TUBING TYPE K
  65. SERVICE: 2" HDPE CORP. TUBING TYPE K
  66. SERVICE: 2" HDPE CORP. TUBING TYPE K
  67. SERVICE: 2" HDPE CORP. TUBING TYPE K
  68. SERVICE: 2" HDPE CORP. TUBING TYPE K
  69. SERVICE: 2" HDPE CORP. TUBING TYPE K
  70. SERVICE: 2" HDPE CORP. TUBING TYPE K
  71. SERVICE: 2" HDPE CORP. TUBING TYPE K
  72. SERVICE: 2" HDPE CORP. TUBING TYPE K
  73. SERVICE: 2" HDPE CORP. TUBING TYPE K
  74. SERVICE: 2" HDPE CORP. TUBING TYPE K
  75. SERVICE: 2" HDPE CORP. TUBING TYPE K
  76. SERVICE: 2" HDPE CORP. TUBING TYPE K
  77. SERVICE: 2" HDPE CORP. TUBING TYPE K
  78. SERVICE: 2" HDPE CORP. TUBING TYPE K
  79. SERVICE: 2" HDPE CORP. TUBING TYPE K
  80. SERVICE: 2" HDPE CORP. TUBING TYPE K
  81. SERVICE: 2" HDPE CORP. TUBING TYPE K
  82. SERVICE: 2" HDPE CORP. TUBING TYPE K
  83. SERVICE: 2" HDPE CORP. TUBING TYPE K
  84. SERVICE: 2" HDPE CORP. TUBING TYPE K
  85. SERVICE: 2" HDPE CORP. TUBING TYPE K
  86. SERVICE: 2" HDPE CORP. TUBING TYPE K
  87. SERVICE: 2" HDPE CORP. TUBING TYPE K
  88. SERVICE: 2" HDPE CORP. TUBING TYPE K
  89. SERVICE: 2" HDPE CORP. TUBING TYPE K
  90. SERVICE: 2" HDPE CORP. TUBING TYPE K
  91. SERVICE: 2" HDPE CORP. TUBING TYPE K
  92. SERVICE: 2" HDPE CORP. TUBING TYPE K
  93. SERVICE: 2" HDPE CORP. TUBING TYPE K
  94. SERVICE: 2" HDPE CORP. TUBING TYPE K
  95. SERVICE: 2" HDPE CORP. TUBING TYPE K
  96. SERVICE: 2" HDPE CORP. TUBING TYPE K
  97. SERVICE: 2" HDPE CORP. TUBING TYPE K
  98. SERVICE: 2" HDPE CORP. TUBING TYPE K
  99. SERVICE: 2" HDPE CORP. TUBING TYPE K
  100. SERVICE: 2" HDPE CORP. TUBING TYPE K



# CITY OF NEWBURYPORT



\_\_\_\_\_  
IN CITY COUNCIL

**ORDERED:**

**Order**

**That the City Council of the City of Newburyport** hereby orders, pursuant to Code Section 13-166, that no person shall park any vehicle on the following streets or portions thereof as follows:

Street: High Street  
Restriction: Northerly side for a distance of forty (40) feet from Kent Street running in an easterly direction. Also, northerly side for a distance of twenty (20) feet from Kent Street running in an westerly direction.

\_\_\_\_\_  
Councillor Robert J. Cronin



CITY OF NEWBURYPORT



---

IN CITY COUNCIL

ORDERED:

November 30, 2015

**THAT**, \$52,500 is appropriated to complete the Newburyport Senior Community Center Construction Project, including the payment of all costs incidental and related thereto, to be funded by a gift from the Friends of the Newburyport Council on Aging in accordance with M.G.L. Chapter 44, Section 53A.

---

Councillor Charles F. Tontar  
Chair, Budget & Finance Committee

CITY OF NEWBURYPORT



---

IN CITY COUNCIL

ORDERED:

November 30, 2015

**THAT** the CITY COUNCIL of the CITY OF NEWBURYPORT approves the attached list of sidewalks as identified by the Department of Public Services as active and marked throughout the City of Newburyport

**AND** that the City Clerk and Department of Public Services maintain this list, available to the public

**AND** further post this list on the city website.

---

Councillor Robert J. Cronin  
Public Safety Chair

**City of Newburyport - DPS  
Pavement Marking Program  
Crosswalk Handwork Locations**

**Season : 2015**

Inspected	Inter- section Number	Street	Intersection Street / Landmark / Address	Inter- section Leg	Material	Length of x- walk bars	Number of x-walk bars	Stop Line F/H/N	Stop Line Width
1	1	Highland Ave	Toppans Lane	W	TH	6'	6	H	12"
2	2	Jackson St	Woodland St	E	TH	6'	5	H	12"
3	3	Collins St	Jackson St	S	TH	6'	5	H	12"
4	4	Jackson St	Oakland St	W	TH	6'	5	H	12"
5	5	Carlton St	Jackson St	S	TH	6'	5	H	12"
6	6	Carlton St	Woodland St	E	TH	6'	5	H	12"
7	7	Stanley Ave	Forrester St	W	TH	6'	7	H	12"
8	8	Stanley Ave	Ashland St	E	TH	6'	7	H	12"
9	9	Adams St	Jefferson St	W	TH			H	12"
10	10	Christopher St	Jefferson St	W	TH			H	12"
11	11	Purchase St	Lime St	E		6'	7	H	12"
12	12	Charles St	Purchase St	N		6'	7	H	12"
13	13	Salem St	Purchase St	N		8'	4	F	12"
14	20	Cottage Ct	Pond St	E	TH	6'	6	H	12"
15	21	Hillside Ave	Pond St	E	TH	6'	5	H	12"
16	22	Hill St	Pond St	E	TH	8'	10	H	12"
17	23	Pond St	Greenleaf St	N	TH	8'	8	H	24"
18	23	Pond St	Greenleaf St	S	TH	8'	7	H	24"
19	23	Greenleaf St	Pond St	E	TH	8'	12	H	24"
20	23	Greenleaf St	Pond St	W	P			H	12"
21	24	Pond St	Front of CVS parking lot		P			none	
22	25	Pond St	High St	S	P			H	12"
23	26	Johnson St	Middle School Driveway	N	P			none	
24	26	Middle School Driveway	Johnson St	W	P			H	12"
25	27	Summit Pl	Toppans Lane	E	P			H	12"
26	28	Toppans Lane	Highland Ave	N	P			none	
27	28	Parker St	State St	E	P			H	24"
28	29	Brown St	State St	E	P			H	12"
29	29	Greenleaf St	State St	W	P			H	12"
30	29	State St	Greenleaf St	N	TH	10'	11	none	
31	32	Graf Rd	Parker St/Mulliken	N	TH			H	24"
32	32	Parker St	Graf Rd/Mulliken	E	TH			H	24"

**City of Newburyport - DPS  
Pavement Marking Program  
Crosswalk Handwork Locations**

Inspected	Inter- section Number	Street	Intersection Street / Landmark / Address	Inter- section Leg	Material	Length of x- walk bars	Number of x-walk bars	Stop Line F/H/N	Stop Line Width
33	32	Parker St	Graf Rd/Mulliken	S	TH			H	24"
34	32	Mullikan Way	Graf Rd/Parker	W	TH			H	24"
35	33	Parker St	Rail Trail Crossing		TH	14'	5		
36	35	Opportunity Way	Malcolm Hoyt Dr	E	TH			H	24"
37	36	Malcolm Hoyt Dr	Hale St	S	TH			H	24"
38	37	High St	3 Roads	E	P			H	12"
39	38	High St	Plummer Ave	W	P			none	
40	38	Plummer Ave	High St	N	P			none	
41	38	Cutting Dr	High St	S	P			H	12"
42	39	Upland Rd	High St	N	P			H	12"
43	40	High St	Myrtle Ave	W	P			none	
44	40	Myrtle Ave	High St	S	P			H	12"
45	41	Highlawn Terr	High St	S	P			none	
46	41	Jefferson St	High St	N	TH			none	
47	42	High St	New Bresnahan School Driveway	S	P			H	12"
48	42	New Bresnahan School Driveway	High St	E	P			none	
49	43	Brooks Ct	High St	S	P			H	12"
50	44	Ashland St	High St	N	P			H	12"
51	44	High St	Ashland St	E	P			none	
52	45	High St	No Atkinson St	S	P			none	
53	45	No Atkinson St	High St	S	P			H	12"
54	46	Forrester St	High St	N	P			H	12"
55	47	High St	Willow Ave	W	P			none	
56	47	Willow Ave	High St	N	P			H	12"
57	47	Columbus Ave	High St	S	P			H	12"
58	48	Chapel St	High St	N	P			H	12"
59	48	High St	Chapel St	E	P			none	
60	49	High St	Woodland St	E	P			none	
61	49	Woodland St	High St	N	P			H	12"
62	49	Rawson Ave	High St	S	P			none	
63	50	High St	The Rawson House	M	P			none	
64	51	Lafayette St	High St	S	P			H	12"
65	52	Arlington St	High St	S	P			H	12"

**City of Newburyport - DPS  
Pavement Marking Program  
Crosswalk Handwork Locations**

Inspected	Inter- section Number	Street	Intersection Street / Landmark / Address	Inter- section Leg	Material	Length of x- walk bars	Number of x-walk bars	Stop Line F/H/N	Stop Line Width
66	53	High St	Oakland St	W	P			none	
67	54	Oakland St	High St	N	P			H	12"
68	55	Tyng St	High St	N	P			H	12"
69	56	High St	Toppans Lane	W	P			none	
70	56	Toppans Lane	High St	S	P			H	12"
71	57	Broad St	High St	N	P			H	12"
72	57	High St	Broad St	E	P			none	
73	58	Carter St	High St	N	P			H	12"
74	59	Highschool D.W.	High St	S	P			F	12"
75	60	Summit Pl	High St	S	P			H	12"
76	61	Kent St	High St	N	P			H	12"
77	61	High St	Kent St	E	P			none	
78	62	High St	Johnson St	W	P			none	
79	62	Johnson St	High St	S	P			H	12"
80	63	Buck St	High St	N	P			H	12"
81	64	Dexter Lane	High St	S	P			H	12"
82	64	Olive St	High St	N	P			H	12"
83	65	Boardman St	High St	N	P			H	12"
84	65	High St	Boardman St	E	P			none	
85	66	Carey Ave	High St	S	P			H	12"
86	67	High St	Winter St	N	P			none	
87	67	Winter St	High St	E	P			F	12"
88	68	Summer St	High St	N	P			none	
89	68	Vernon Ct	High St	S	P			F	12"
90	69	High St	Market St	E	P			none	
91	69	Market St	High St	N	P			H	12"
92	70	Auburn St	High St	S	P			H	12"
93	71	Court St	High St	N	P			H	12"
94	72	High St	Green St	E	P			H	12"
95	72	Green St	High St	N	TH				
96	73	High St	Park St	W	TH	10'	8	none	
97	73	Park St	High St	N	TH	8'	5	none	
98	74	Eppa Way	High St	S	TH	8'	7	H	12"
99	75	Eppa Way	Pond St	N	TH			H	24"
100	76	High St	State St	E	P			H	12"
101	76	High St	State St	W	P			H	12"
102	76	State St	High St	N	P			H	12"
103	76	State St	High St	S	P			H	12"
104	77	Fruit St	High St	N	P			none	

**City of Newburyport - DPS  
Pavement Marking Program  
Crosswalk Handwork Locations**

Inspected	Inter- section Number	Street	Intersection Street / Landmark / Address	Inter- section Leg	Material	Length of x- walk bars	Number of x-walk bars	Stop Line F/H/N	Stop Line Width
105	78	Wills Lane	High St	S	P			H	12"
106	79	Tremont St	High St	N	P			H	12"
107	80	High St	Federal St	N	P			none	
108	80	Federal St	High St	W	P			H	12"
109	81	High St	Lime St	E	P			none	
110	81	Lime St	High St	N	P			H	12"
111	82	Parson St	High St	N	P			H	12"
112	82	Coffins Ct	High St	S	P			H	12"
113	83	Allens St	High St	N	P			H	12"
114	84	Bromfield St	High St	N	P			H	12"
115	84	High St	Bromfield St	W	P			F	24"
116	85	Barton St	High St	N	P			H	12"
117	86	Marlboro St	High St	N	P			H	12"
118	87	Beacon Ave	Lincoln St	N	P			none	
119	87	Lincoln St	Beacon Ave	W	P			H	12"
120	88	Beacon Ave	Oak St	N	P			H	24"
121	88	Beacon Ave	Oak St	S	P			H	24"
122	88	Oak St	Beacon Ave	W	P			H	24"
123	88	Oak St	Beacon Ave	E	P			H	24"
124	89	Oak St	Reilly Ave	N	TH			H	24"
125	89	Oak St	Reilly Ave	S	TH			H	24"
126	89	Reilly Ave	Oak St	W	TH			H	24"
127	89	Reilly Ave	Oak St	E	TH			H	12"
128	90	Purchase St	Bromfield St	W	P			H	
129	90	Purchase St	Bromfield St	E	P			H	
130	90	Bromfield St	Purchase St	S	P			none	
131	91	Purchase St	Franklin St	W	TH	8'	5	H	12"
132	92	Milk St	Bromfield St	W	P			F	12"
133	92	Hancock St	Bromfield St	E	P			H	12"
134	92	Bromfield St	Milk St	S	P			none	
135	93	Chestnut St	Bromfield St	E	P			H	12"
136	93	Bromfield St	Prospect St	N	P			none	
137	93	Prospect St	Bromfield St	W	P			H	12"
138	94	Prospect St	Lime St	W	P			H	12"
139	94	Prospect St	Lime St	E	P			H	12"
140	94	Lime St	Prospect St	N	P			H	12"
141	94	Lime St	Prospect St	S	P			H	12"
142	95	Lime St	Milk St	N	P			H	12"
143	95	Lime St	Milk St	S	P			H	12"

**City of Newburyport - DPS  
Pavement Marking Program  
Crosswalk Handwork Locations**

Inspected	Inter- section Number	Street	Intersection Street / Landmark / Address	Inter- section Leg	Material	Length of x- walk bars	Number of x-walk bars	Stop Line F/H/N	Stop Line Width
144	95	Milk St	Lime St	E	P			none	
145	95	Milk St	Lime St	W	P			H	12"
146	96	Treatment plant	#115 Water St	E	TH			none	12"
147	97	Federal St	Liberty St	N	P			none	
148	97	Liberty St	Federal St	W	P			H	12"
149	98	Orange St	Federal St	W	TH	8'	6	H	12"
150	99	Federal St	Middle St	N	P			none	
151	99	Middle St	Federal St	W	P			H	12"
152	100	Federal St	Milk St	N	P			none	
153	101	Federal St	Prospect St	N	P			none	
154	101	Prospect St	Federal St	W	TP/TH			F	12"
155	102	Fruit St	Prospect St	S	P			F	24"
156	102	Prospect St	Fair St	W	P			F	24"
157	103	Temple St	Fair St	E	P			F	12"
158	103	Temple St	Fair St	W	TH	6'	5	none	
159	103	Fair St	Temple St	N	TH	6'	5	none	
160	103	Fair St	Temple St	S	TH	6'	7	none	
161	104	Orange St	Fair St	E	P			F	12"
162	105	Charter St	Fair St	W	TH	6'	5	F	12"
163	106	Spring St	Fair St	E	P			H	12"
164	107	Essex St	Fair St	W	P			none	
165	108	Fair St	Middle St	N	P			H	12"
166	108	Fair St	Middle St	S	P			H	12"
167	108	Middle St	Fair St	E	P			H	12"
168	108	Middle St	Fair St	W	P			F	12"
169	109	Liberty St	Fair St	W	P			H	12"
170	109	Liberty St	Fair St	E	P			H	12"
171	110	Prospect St	Brown School Playground	M	P			none	
172	114	Water St	Madison St	E	P			none	
173	115	Water St	Neptune St	E	P			none	
174	116	Water St	Harrison St	E	P			none	
175	116	Harrison St	Water St	S	P			H	12"
176	117	Water St	at #172 Water St	M	P			none	
177	118	Water St	Bromfield St	E	P			none	
178	118	Bromfield St	Water St	S	P			H	12"
179	119	Franklin St	Water St	S	P			F	12"
180	120	Salem St	Water St	S	P			none	
181	121	Charles St	Water St	S	P			H	12"

**City of Newburyport - DPS  
Pavement Marking Program  
Crosswalk Handwork Locations**

Inspected	Inter- section Number	Street	Intersection Street / Landmark / Address	Inter- section Leg	Material	Length of x- walk bars	Number of x-walk bars	Stop Line F/H/N	Stop Line Width
182	121	Water St	Charles St	E	P			none	
183	122	Water St	Lime St	W	P				
184	122	Water St	Lime St	E	P				
185	122	Lime St	Water St	S	P				
186	123	Federal St	Water St	S	P			H	12"
187	124	Independent St	Water St	S	P			none	
188	125	Highland Ave	Rawson Ave	E	P			H	12"
189	126	Rawson Ave	Lois St	N	P			H	24"
190	127	No Atkinson St	New Bresnahan School Driveway	S	P			none	
191	127	New Bresnahan School Driveway	No Atkinson St	W	P			H	12"
192	128	New Bresnahan School Access Rd	400'W of No Atkinson St		P			none	
193	129	New Bresnahan School Access Rd	exit from parking lot	S	P			H	12"
194	130	New Bresnahan School Access Rd	continues into parking lot		p			none	
195	131	New Bresnahan School Access Rd	at Murphy Ave exit		P			none	
196	132	Murphy Ave	Norman Ave	N	P			none	
197	132	Norman Ave	Murphy Ave	E	P			H	12"
198	141	Mulliken Way	Midblock	M	P			none	
199	151	Daniel Lucy Way	Storey Ave	N	P			H	12"
200	154	Curzon Mills Rd	Muadslay Park	M	P			none	
201	155	Curzon Mills Rd	Hoyts Ln	E	P			none	
202	156	Curzon Mills Rd	front of #89	M	P			none	
203	169	Auburn St	80'S of High St	M	P			none	
204	171	Auburn St	Pond St	W	P			H	12"
205	172	Washington St	Summer St	E	P			H	12"
206	172	Summer St	Washington St	N	P			none	
207	172	Summer St	Washington St	S	P			H	12"
208	173	Washington St	Winter St	W	P			H	12"
209	173	Winter St	Washington St	N	P			F	12"
210	173	Winter St	Washington St	S	P			none	
211	174	Winter St	Clipper City Rail Trail	M	P			none	
212	175	Washington St	Broadman St	W	P			H	12"
213	175	Washington St	Broadman St	E	P			H	12"
214	175	Broadman St	Washington St	S	P			H	12"
215	176	Olive St	Washington St	N	P			H	12"
216	176	Olive St	Washington St	S	P			H	12"
217	176	Washington St	Olive St	E	P			H	12"
218	176	Washington St	Olive St	W	P			H	12"
219	177	Buck St	Washington St	N	P			H	12"



**City of Newburyport - DPS  
Pavement Marking Program  
Crosswalk Handwork Locations**

Inspected	Inter- section Number	Street	Intersection Street / Landmark / Address	Inter- section Leg	Material	Length of x- walk bars	Number of x-walk bars	Stop Line F/H/N	Stop Line Width
220	177	Buck St	Washington St	S	P			H	12"
221	177	Washington St	Buck St	E	P			H	12"
222	177	Washington St	Buck St	W	P			H	12"
223	178	Washington St	Kent St	E	P			H	12"
224	179	Kent St	Munroe St	N	P			none	
225	179	Munroe St	Kent St	W	P			H	12"
226	180	Merrill St	Russia St	N	TH			F	12"
227	180	Russia St	Merrill St	W	TH			H	12"
228	180	Russia St	Merrill St	E	TH			H	12"
229	181	Merrill St	Congress St	N	TH			F	12"
230	181	Congress St	Merrill St	W	TH			none	
231	182	Buck St	Congress St	S	P			H	12"
232	183	Munroe St	Warren St	E	P			H	12'
233	183	Munroe St	Warren St	W	P			H	12"
234	183	Warren St	Munroe St	N	P			H	12"
235	183	Warren St	Munroe St	S	P			H	12"
236	184	Munroe St	Carter St	E	P			H	12"
237	184	Munroe St	Carter St	W	P			H	12"
238	184	Carter St	Munroe St	N	P			H	12"
239	184	Carter St	Munroe St	S	P			H	12"
240	185	Munroe St	Broad St	E	P			H	12"
241	185	Munroe St	Broad St	W	P			H	12"
242	185	Broad St	Munroe St	N	P			H	12"
243	185	Broad St	Munroe St	S	P			H	12"
244	186	Munroe St	Tyng St	E	P			H	12"
245	186	Munroe St	Tyng St	W	P			H	12"
246	186	Tyng St	Munroe St	N	P			H	12"
247	186	Tyng St	Munroe St	S	P			H	12"
248	188	Plummer Ave	Christopher St	S	P			none	
249	190	Ferry Rd	Spofford St	W	P			H	24"
250	190	Spofford St	Ferry Rd	N	P			H	24"
251	191	Briggs Ave	Ferry Rd	S	P			H	12"
252	191	Ferry Rd	Briggs Ave	W	P			none	
253	192	Azelea Rd	Ferry Rd	S	P			H	12"
254	192	Ferry Rd	Azelea Rd	W	P			none	
255	193	Main St	at Bridge Entrance	M	TH			none	
256	194	Moseley Woods Entrance	Rotary	W	TH			H	12"
257	194	Spofford St	Rotary	S	TH			none	
258	194	Moseley Ave	Rotary	S	TH			none	
259	194	Merrimac St	Rotary	E	TH			none	
260	194	Main St	Rotary	N	TH			none	
261	197	Ferry Rd	Storey Ave/High St	W	P			H	12"

**City of Newburyport - DPS  
Pavement Marking Program  
Crosswalk Handwork Locations**

Inspected	Inter- section Number	Street	Intersection Street / Landmark / Address	Inter- section Leg	Material	Length of x- walk bars	Number of x-walk bars	Stop Line F/H/N	Stop Line Width
262	198	Moseley Ave	Storey Ave	W	P			H	12"
263	199	Moulton St	Moseley Ave	N	P			H	12"
264	200	Donner St	Merrimac St	W	P			none	
265	201	Merrimac St	Pioneer Field West	M	TH			none	
266	201	Merrimac St	Pioneer Field East	M	TH			none	
267	202	Plummer Ave	Merrimac St	S	P			none	
268	203	Jefferson St	Merrimac St	N	P			H	12"
269	203	Jefferson St	Merrimac St	S	TH			H	12"
270	203	Merrimac St	Jefferson St	W	P			none	
271	204	Merrimac St	Mersen Building west	M	P			none	
272	204	Merrimac St	Mersen Building west	M	P			none	
273	206	Merrimac St	Butler St	E	P			none	
274	209	Oakland St	Merrimac St	S	P			H	12"
275	209	Merrimac St	Oakland St	W	P			none	
276	210	Merrimac St	Tyng St	E	P			none	
277	210	Tyng St	Merrimac St	S	P			H	12"
278	211	Merrimac St	Broad St	S	P			none	
279	211	Broad St	Merrimac St	E	P			H	12"
280	212	Cashman Park	at main boat ramp / near shack		P			none	
281	213	Warren St	Merrimac St	W	P			none	
282	214	Kent St	Merrimac St	S	P			H	24"
283	214	Merrimac St	Kent St	W	P			none	
284	215	Merrill St	Merrimac St	S	TH			none	
285	216	Merrimac St	Broadman St	W	P			none	
286	217	Merrimac St	at #129 Merrimac St	M	P			none	
287	218	Merrimac St	Summer St	E	P			none	
288	218	Summer St	Merrimac St	N	P			none	
289	218	Summer St	Merrimac St	S	P			H	12"
290	219	Market St	Merrimac St	S	P			H	12"
291	220	Titcomb St	Merrimac St	S	P			H	12"
292	220	Merrimac St	Titcomb St	W	P			none	
293	220a	NRA lot west	in lot		P			none	
294	221	Green St	Merrimac St	S	P			F	12"
295	221	Merrimac St	Green St	E	P			H	24"
296	221a	Merrimac St	Visitors Booth to NRA Lot East						
297	222	Green St Parking Lot Entrance	Merrimac St	S	TH			H	12"
298	223	Merrimac St	Visitors Booth	M	P			none	
299	224	Merrimac St	Fire Station Theater	M	P			H	24"
300	225	Merrimac St	State St	E	P			H	12"

**City of Newburyport - DPS  
Pavement Marking Program  
Crosswalk Handwork Locations**

Inspected	Inter- section Number	Street	Intersection Street / Landmark / Address	Inter- section Leg	Material	Length of x- walk bars	Number of x-walk bars	Stop Line F/H/N	Stop Line Width
301	226	Liberty St	State St	E	P			F	12"
302	226	State St	Liberty St	S	P			none	
303	227	Middle St	State St	E	P			none	
304	227	State St	Middle St	M	P			none	
305	228	Essex St	State St	E	P			F	12"
306	229	Pleasant St	State St	W	P			none	
307	229	State St	Pleasant St	N	P			F	12"
308	229	State St	Pleasant St	S	P			none	
309	230	Charter St	State St	E	TH	8'	6	none	
310	231	Temple St	State St	E	TH	8'	5	F	12"
311	231	State St	Temple St	N	P			none	
312	231	Prince Pl	State St	S	P			none	
313	232	Prospect St	State St	E	P			none	
314	232	Harris St	State St	W	P			F	12"
315	232	State St	Prospect St	S	P			none	
316	233	Garden St	State St	E	P			H	12"
317	234	Harris St	Green St	E	TH			none	
318	234	Washington St	Green St	W	TH			H	12"
319	234	Green St	Harris St	N	TH			none	
320	235	Pleasant St	Green St	E	P			F	12"
321	235	Pleasant St	Green St	W	P			none	
322	235	Green St	Pleasant St	N	TH			none	
323	235	Green St	Pleasant St	S	TH			F	12"
324	236	Green St Parking Lot Entrance	Green St	E	TH			H	12"
325	237	Unicorn St	Pleasant St	N	TH			H	12"
326	239	Pleasant St	Market St	E	P			F	24"
327	240	Market St	Washington St	N	P			H	12"
328	240	Market St	Washington St	S	P			H	12"
329	240	Washington St	Market St	E	P			H	12"
330	240	Washington St	Market St	W	P			H	12"
331	241	Titcomb St	Washington St	N	P			F	12"
332	241	Washington St	Court St	E	P			none	
333	241	Court St	Washington St	S	P			H	12"
334	242	Graf Skating Rink	Low St	N	P			H	12"
335	243	Heritage House	Low St	N	P			H	12"
336	244	Low St	Graf Rd	W	TH			H	24"
337	244	Low St	Graf Rd	E	TH			H	24"
338	244	Graf Rd	Low St	S	TH			H	24"
339	245	Perry Way	Low St	S	TH			H	24"
340	245	Low St	Jefferson St	W	P			none	
341	245	Jefferson St	Low St	N	P			H	12"

**City of Newburyport - DPS  
Pavement Marking Program  
Crosswalk Handwork Locations**

Inspected	Inter-section Number	Street	Intersection Street / Landmark / Address	Inter-section Leg	Material	Length of x-walk bars	Number of x-walk bars	Stop Line F/H/N	Stop Line Width
342	246	Nock Middle School Parking Lot Entrance	Low St	N	P			H	12"
343	247	Nock Middle School Front Door Entrance	Low St	N	P			none	
344	248	Nock Middle School Front Door Entrance	Low St	N	P			none	
345	248	Nock Middle School Front Door Exit	Low St	N	P			none	
346	249	Low St	Toppans Ln	W	P			H	12"
347	249	Toppans Ln	Low St	N	P			H	12"
348	250	Zabriske Dr	Low St	N	P			H	12"
349	251	Low St	Coltin St	E	P			none	
350	252	Wallace Brashaw Way	Low St	N	P			H	12"
351	253	Hunter Dr	Low St	N	P			H	12"
352	254	Court Farm Rd	Low St	N	P			H	12"
353	255	No Atkinson St	Low St	N	P			H	12"
354	255	Low St	No Atkinson St	E	P			none	
355	256	Murphy Ave	Low St	N	P			H	12"
356	257	Avon St	Low St	N	P			H	12"
357	258	Brisette Ave	Low St	N	P			H	12"
358	259	Stickney Ave	Low St	N	P			H	12"
359	260	Williamson AVE	Low St	N	P			H	12"
360	261	Plum Island Parking Lot			P				

**LEGEND**

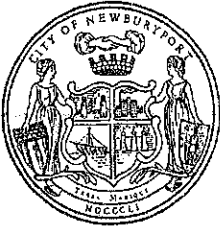
<b>Material:</b>	<b>Stop Lines:</b>
P = Paint	H = Half
TH = Thermoplastic	F = Full
TP = Tape	
EP = Epoxy	

**Special Notes:**

Stop lines should be installed completely across street onto the DYCL.  
All locations are crosswalk location, unless noted in the NOTES column.

Version 2 09/25/2015

CITY OF NEWBURYPORT



\_\_\_\_\_  
IN CITY COUNCIL

ORDERED:

November 30, 2015

**THAT** the City of Newburyport erects the following signage at/near the Crow Lane recycling center:

"Use of the recycling center is at your own risk. The City of Newburyport is not responsible for any damage to your vehicle while using this facility."

"Absolutely no dumping—violators will be prosecuted to the fullest extent of the law."

New signage that will replace and update existing signs noting days and hours of operation.

\_\_\_\_\_  
Councilor Barry N. Connell

## Memorandum

To: Mayor Holaday  
City Council  
From: Molly Ettenborough  
Date: November 17, 2015  
Re: Signage for Crow Lane

Please find below and attached information regarding signage needed for the Crow Lane Recycling and Yard Waste Centers as well as Crow Lane.

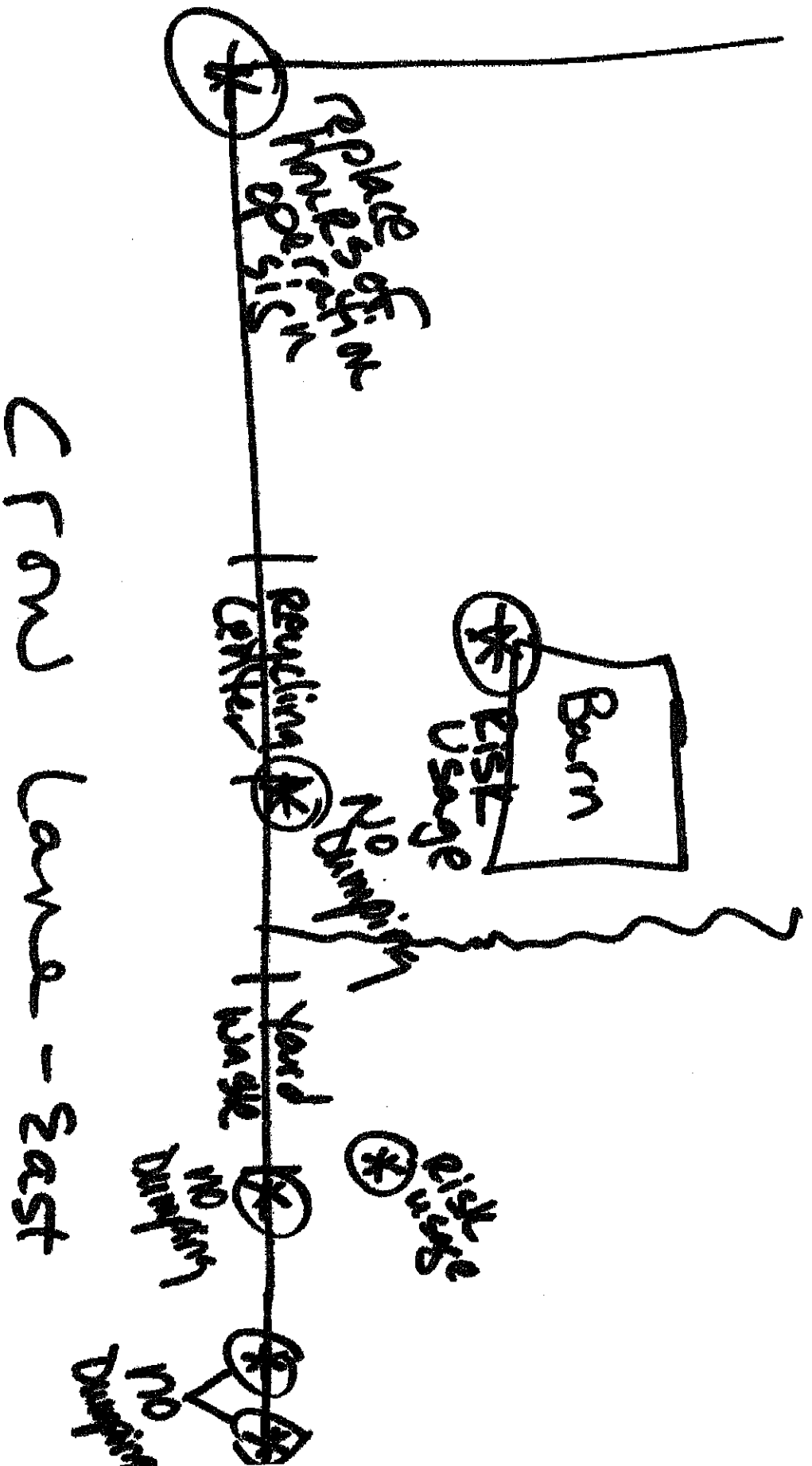
1. In an effort to minimize liability for any issues at either site we would like to post a sign at each facility stating (this verbiage was written and approved by the Mayor's office) :
  - *Use of the recycling center is at your own risk. The City of Newburyport is not responsible for any damage to your vehicle while using this facility.*
2. As a first step to end illegal dumping of trash, construction debris, and other debris on Crow Lane area, we would like to put up signs (The Newburyport Police Dept. recommended signage as a first step to end the dumping problem and to give them and others reasons to site violations) saying:
  - *Absolutely no dumping—violators will be prosecuted to the fullest extent of the law.*
3. New signage that will replace and update existing signs noting days and hours of operation.

The costs of these signs and posts will be covered by solid waste fees that currently exist in the solid waste fee account. Several quotes have been received and the total cost is less than \$1,000.00

Attached please find a rough sketch of where the signs will be placed.

Thank you for your consideration and looking forward to your prompt response in order to minimize the issues we are currently having.

# \* proposed sign locations



CITY OF NEWBURYPORT



\_\_\_\_\_  
IN CITY COUNCIL

ORDERED:

November 30, 2015

**THAT** the City Council of the City of Newburyport on behalf of the City accepts with gratitude the donation of \$90,000.00 from the Mayor Gayden W. Morrill Charitable Foundation, funds to be used as indicated in a letter to Mayor Dona D. Holaday from Robert D. Morrill, Trustee, dated November 10, 2015.

\_\_\_\_\_  
Councillor Thomas F. O'Brien



**ROBERT D. MORRILL  
8396 SW SNAPDRAGON COURT  
STUART, FLORIDA 34997**

November 10, 2015

Hon. Donna D. Holaday, Mayor  
City of Newburyport  
60 Pleasant Street  
Newburyport, Massachusetts 01950

Re: Morrill Foundation Funding Directive

Dear Madam Mayor,

This letter is to advise the City that the trustees have deliberated over the projects presented at the City Hall Meeting on September 18, 2015 where we reviewed options for properly allocating the \$90,000.00 available for distribution in 2016.

We would like to personally note the time and attention provided by Mrs. Lise Reid and the additional support and professionalism of Mr. David A. Leonard throughout this summer, in supporting our efforts to better understand the proposed projects.

We are in agreement on the following with certain noted stipulations:

1. Atwood Park Improvement Project - \$6,800.00 for pavers, \$3,300.00 for plantings, and \$4,400.00 for 2 benches. Total allocation \$14,500.00.
2. Senior Community Center - \$10,000.00 to complete the raised working garden and seating area.
3. Cushing Park Improvement Project - Noted under Phase 2 - \$2,000.00 Kent St. hedge, and \$6,000.00 new planting strips. Total allocation \$8,000.00.
4. Belleville Improvement Society - \$27,000.00 Atkinson Common Heritage Tree Project.
5. Belleville Improvement Society - Atkinson Common - \$3,300.00 for the completion of the Lily Pond Project and lighting.
6. Newburyport Art Association - Phase 2 hardscape - \$2,600.00 for four (4) granite seats, \$17,000.00 for large stone center circle and main flagging walkways, and \$7,600.00 toward cobble walkway. Total Allocation \$27,200.00.

The trustees have reviewed the YWCA of Greater Newburyport request to reallocate a portion of the \$5,000.00 originally provided in 2014 for purchasing two benches which were damaged beyond repair during the winter of 2014 -2015 season. We understand the situation and grant the reallocation of necessary funds for this request with the balance held for future approved needs.

Due to weather conditions and other unavoidable delays much of the previously allocated funds have not been utilized. It is understood that the monies will be utilized as previously directed when the projects proceed to completion.

I know that the City Council will have to formally accept these funds at its December meeting. After notification of their acceptance to all trustees, and the turn of the year, The Mayor Gayden W. Morrill Charitable Foundation will send a check to the City.

In the meantime, we hope that all in Newburyport will have a wonderful Thanksgiving, a Blessed Christmas, and a safe, joyous, and prosperous New Year.

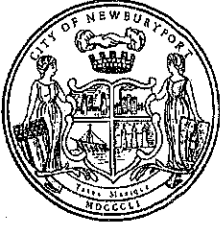
Sincerely,

A handwritten signature in cursive script, appearing to read "Robert D. Morrill".

Robert D. Morrill

cc: James Agrippa Morrill, James Astle Morrill, Mary Haslinger, Lise Reid, Robert R. Uhlig, Kimberly Turner, Geordie Vining, Jack Grady, Peter Demaranville.

# CITY OF NEWBURYPORT



---

IN CITY COUNCIL

**ORDERED:**

November 24, 2015

**THAT** the City Council of the City of Newburyport hereby authorizes the installation of a light pole and lighting fixture on the public way proximate to 53 Curzon Mill Road, Newburyport.

---

Council President Thomas F. O'Brien

# CITY OF NEWBURYPORT



---

IN CITY COUNCIL

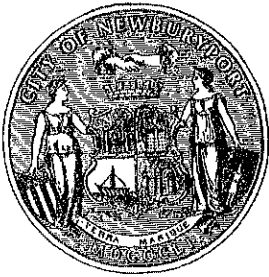
ORDERED:

November 24, 2015

**THAT** the City Council of the city of Newburyport accepts the provisions of Chapter 41 § 108P of the General Laws which provides additional compensation up to \$1,000 annually for the City's Treasurer/Collector if the same maintains a certification as a certified Massachusetts Treasurer and/or Collector.

---

Councillor Charles F. Tontar



CITY OF NEWBURYPORT  
OFFICE OF THE MAYOR  
DONNA D. HOLADAY, MAYOR

60 PLEASANT STREET - P.O. BOX 550  
NEWBURYPORT, MA 01950  
978-465-4413 PHONE  
978-465-4402 FAX


To: President and Members of the City Council  
From: Donna D. Holaday, Mayor  
Date: November 24, 2015  
Subject: local adoption of M.G.L. c. 41, §108P

---

Attached hereto is an order requesting that the City adopt M.G.L. c. 41, §108P, which provides additional compensation up to \$1,000 annually for the City's Treasurer/Collector if s/he maintains certification as a certified Massachusetts Treasurer and/or Collector. As part of the negotiations with Teamsters Local 170 Department Heads Union, I have agreed to unequivocally support and promote adoption of this local option for Newburyport.

Having a Certified Municipal Treasurer/Collector is an important component of ensuring the highest professionalism for any person serving in this critical role within our City government. A Municipal Treasurer/Collector who has achieved this credential is one who has committed to a professional code of ethics, attained requisite experience in government finance, successfully completed over one-hundred (100) hours of training over three (3) years and passed a certification examination. In order to maintain certification, there are annual refresher training requirements that must be met.

Adoption of this statute is an overt commitment by the City to recognize and value attainment of a meaningful municipal finance credential by any person appointed as our City's Treasurer/Collector.



THE 189<sup>TH</sup> GENERAL COURT OF  
THE COMMONWEALTH OF MASSACHUSETTS

[Home](#) [Glossary](#) [FAQs](#)  
  
[Options](#) 30

[Massachusetts Laws](#)
[Bills](#)
[State Budget](#)
[People](#)
[Committees](#)
[Reports](#)
[Educate & Engage](#)
[Events](#)
[MyLegislature](#)

[Home](#)
[Bills & Laws](#)
[Laws](#)
[General Laws](#)
[PART I](#)
[TITLE VII](#)
[CHAPTER 41](#)
[Section 108P](#)

**Massachusetts Laws**

[Massachusetts Constitution](#)

[General Laws](#)

[Session Laws](#)

[Rules](#)

**General Laws**

**PART I      ADMINISTRATION OF THE GOVERNMENT**

**TITLE VII      CITIES, TOWNS AND DISTRICTS**

**CHAPTER 41      OFFICERS AND EMPLOYEES OF CITIES, TOWNS AND DISTRICTS**

**Section 108P      Additional compensation for collectors or treasurers**

[Print Page](#)

[NEXT](#)

[PREV](#) [NEXT](#)

[PREV](#) [NEXT](#)

[PREV](#) [NEXT](#)

Section 108P. In any city, town or district that accepts this section, a collector or a treasurer who has completed the necessary courses of study and training and has been awarded a certificate by the Massachusetts Collectors and Treasurers Association as a certified Massachusetts municipal collector or a certified Massachusetts municipal treasurer or a certified Massachusetts district treasurer, shall receive as compensation from such city, town or district, in addition to the regular annual compensation paid by such city, town or district for services in such office, an amount equal to 10 per cent of such regular annual compensation, but not more than \$1,000 per year. A collector or treasurer who has been awarded both certificates referred to above shall receive such additional compensation for only one such certificate. In order to qualify for such additional compensation, a collector or treasurer shall submit to the mayor or the board of selectmen of such city or town, or the governing board of a district proof of the award of either or both such certificates. The additional compensation provided in this section shall be prorated for any 12 month period in which an eligible person does not hold the office of collector or treasurer for 12 consecutive months. Such additional compensation shall be discontinued when certification is discontinued or withdrawn.

[Show / Hide Site Map](#)

[Mass.gov](#) | [Site Map](#) | [Site Policy](#) | [Contact Us](#)

Copyright © 2015 The General Court, All Rights Reserved

## Requirements for Members to Apply for Initial Treasurer or Collector Certification

Successful candidates will be certified as Municipal Treasurer or Municipal Collector, whichever is applicable. To be eligible to make application, a member must meet the following Basic Requirements. He or she must:

Be an incumbent Municipal Treasurer for the Treasurer's Exam, or incumbent Collector for the Collector's Exam, or incumbent District Treasurer for the Treasurer's Exam, with a minimum of one year in that office by May 31 (application deadline).

Be a "full, unlimited" member (Treasurer/Collector) of the Massachusetts Collectors and Treasurers Association for at least three years at time of Certification. This means that an individual must have been in office as a Municipal Collector and/or Treasurer or District Treasurer for a minimum of three years by September 1 of the year in which he or she applies for Certification, **OR**

Be a "full, unlimited" member of the Massachusetts Collectors and Treasurers Association for at least one year at time of Certification (by Sept 1) and have had at least five years prior service as an officially appointed Assistant Treasurer or Assistant Collector.

Believe in and practice Code of Ethics of this Association. \*

Comply with all requirements of the Preliminary Application for Certification Test (PACT), submit same and have same approved, prior to examination.

### Standards for Certification:

An applicant, in addition to meeting the Basic Requirements as per above, must attain a total of at least 100 points -- 50 points in each of the following categories: **Course Requirement Category** - participation in entire Certification program and satisfactory completion (pass examination) of Certification course. Applicant receives 50 points for meeting this requirement. **Experience Category** - Applicant must additionally accumulate a minimum of 50 points as follows, but is not permitted to use the same time more than once.

Experience	Points Credited	Max Allowed
Experience as Massachusetts Collector or Treasurer, or District Treasurer as of September 1, depending on the office for which Certification is being applied.	10 per year	50
Experience as appointed Assistant Treasurer or Assistant Collector as of September 1, depending on the office for which Certification is being applied.	10 per year	50
Additional experience (full-time equivalency) in Municipal Treasurer's or Collector's or District Treasurer's office, other than time considered above.	2 per year	10
Other administrative position (full-time equivalency) in local, Federal, State or County government, as determined by Certification Board.	2 per year	10
Bachelor Degree at an Accredited College or University or	20 points	20
Associate Degree from Accredited Institution	10 points	10
Related course at a certified university or college	1 per course	5

## **\*Code of Ethics**

Collectors and Treasurers have special responsibilities based upon the importance of their position in our society and upon the unique role which they play in Government.

Professional responsibility is more than simple honesty and good faith; conflicting demands frequently are asserted on a Collector's and Treasurer's conscience. Resolution of such conflict is often not simple. The purpose of the Code of Ethics is primarily to establish ethical and professional guidelines for members of the Massachusetts Collectors and Treasurers Association.

### **Code**

Members should:

Perform the duties of their office in a manner consistent with statutory requirements, without advocacy for, or accommodation of, any particular interest, being factual, objective, unbiased and honest in all actions, and taking care that every service conforms to the highest professional standards

1. Maintain at all times, a courteous and respectful attitude in relations with taxpayers, public officials and the public generally and require a similar attitude on the part of all subordinates.
2. Conduct all activities in a manner that will reflect credit upon the member, other members and the Massachusetts Collectors and Treasurers Association.
3. Use no Massachusetts Collectors and Treasurers Association designation unless duly authorized to do so by the Association and claim no qualifications which are not factual or which may be subject to erroneous interpretation.
4. Never accept anything of substantial value from any person when the member knows that the offer is for the purpose of influencing his action as a public official and never accept anything of substantial value if it is prohibited by the Conflict of Interest Law of the Commonwealth [Chapter 268A].
5. Never improperly disclose confidential information.
6. Cooperate with the Massachusetts Collectors and Treasurers Association and its officers in all matters; including, but not limited to, the investigation, censure, discipline, or expulsion of members who, by their conduct, prejudice the professional status or the reputation of the Massachusetts Collectors and Treasurers Association and its members.
7. Conform in all respects to this Code of Ethics, the By-Laws of the Massachusetts Collectors and Treasurer Association and the State Conflict of Interest Law as the same may be amended from time to time



# CITY OF NEWBURYPORT



IN CITY COUNCIL

November 30, 2015

ORDERED:

THAT the City Council of the City of Newburyport hereby amends the following fines and fees:

## USE OF PUBLIC PROPERTY

<b>Brown School</b>	<b>Commercial or Private Rental</b>	<b>Non- Commercial (Funds Raised)</b>	<b>Non- Commercial (No Funds Raised)</b>
<b><u>Weekday Rates:</u></b> Monday-Thursday 8:00am-10:00pm, Friday 8:00am 4:00pm			
Gymnasium	\$25/hr	\$20/hr	\$0/hr
Multipurpose Room	\$35/2 hrs	\$30/2 hrs	\$0/hr
Art Room	\$35/2 hrs	\$30/2 hrs	\$0/hr
Rec Room	\$35/2 hrs	\$35/2 hrs	\$0/hr
Pre-School Room	\$35/2 hrs	\$35/2 hrs	\$0/hr
Party rental	\$250/3 hrs	\$250/3 hrs	\$250/3 hrs
Set-up/access to reserved space prior to event	\$35/hr	\$35/hr	\$0/hr

## **Weekend Rates (minimum of 2 hours):** Friday 4:00pm-Monday 7:00am

Gymnasium	\$50/hr	\$40/hr	\$30/hr
Multipurpose Room	\$60/2 hrs	\$50/2 hrs	\$40/2 hr
Art Room	\$60/2 hrs	\$50/2 hrs	\$40/2 hr
Rec Room	\$60/2 hrs	\$50/2 hrs	\$40/2 hr
Pre-School Room	\$60/2 hrs	\$50/2 hrs	\$40/2 hr
Party rental	\$250/3 hrs	\$250/3 hrs	\$250/3 hrs
Set-up/access to reserved space prior to event	\$35/hr	\$35/hr	\$35/hr

<b>City Hall Auditorium</b>	<b><u>Commercial or Private Rental</u></b>	<b><u>Non- Commercial (Funds Raised)</u></b>	<b><u>Non- Commercial (No Funds Raised)</u></b>
<b><u>Weekday Rates:</u></b> Monday-Thursday 8:00am-10:00pm, Friday 8:00am-4:00pm			
Auditorium	\$75/hr	\$50/hr	\$0/hr
Set-up/access to reserved space prior to event	\$35/hr	\$35/hr	\$0/hr

**Weekend Rates (minimum of 2 hours):** *Friday 4:00pm-Monday 7:00am*

Auditorium	\$125/hr	\$75/hr	\$50/hr
Set-up/access to reserved space prior to event	\$35/hr	\$35/hr	\$35/hr

**PARKING**

Hourly fee for use of paid parking lots as referenced in Sec. 13-181 of the Newburyport Code of Ordinances from \$0.50 per hour to \$1.00 per hour.

**FINANCE**

Demand fee for delinquent payment of motor vehicle excise and real estate taxes from \$5.00 once per year to \$15.00 once per year.

Abutter's list with labels issued by the Office of Assessor from \$10.00 to \$15.00 per list.

**PUBLIC SERVICES**

Full burial fee (summer) from \$450.00 per burial to \$550.00 per burial.

Weekend burial/cremation additional fee from \$200.00 to \$300.00.

Street opening/trench permit from \$100.00 flat fee to a \$100 excavation fee plus \$2.00/sq. ft.

Curb cut from \$10.00/ft to a \$100.00 application review fee and requirement that the owner performs the work.

Right of Way Occupancy from \$50.00 to \$100.00.

Fee for special events (trash handling, staging) \$45/hr per DPS employee (new fee)

**CITY CLERK**

Amendments to vital records from \$20.00 to \$25.00.

Marriage licenses from \$25.00 to \$30.00.

Business certificates from \$30.00 to \$35.00.

Auctioneer license from \$25.00 to \$30.00.

Raffle permit from \$20.00 to \$25.00.

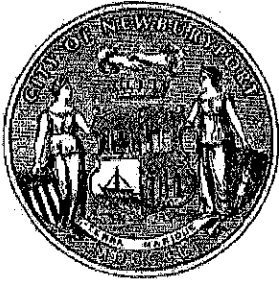
Class II Auto Sales from \$50.00 to \$75.00.

**OTHER TAXES/FEES**

Room Occupancy Tax (Local Option) from 4.00% to 6.00%.

Councilor Charles F. Tontar

Councilor Bruce L. Vogel



CITY OF NEWBURYPORT  
OFFICE OF THE MAYOR

DONNA D. HOLADAY

60 PLEASANT STREET • P.O. BOX 550

NEWBURYPORT, MA 01950

(978) 465-4413 • (978) 465-4402 (FAX)

WWW.CITYOFNEWBURYPORT.COM

RECEIVED  
CITY CLERK'S OFFICE  
NEWBURYPORT, MA

2015 NOV 23 P 12:01

TO: President and Members of the City Council

FROM: Heather Rowe  
Ethan Manning

DATE: November 20, 2015

RE: Ad Hoc Fee Committee Update

---

In November of 2014, an Ad Hoc Fee Committee was established with representatives from the City Council and School Committee, to review all of the City and School Department fees and fines being charged for various services and violations. Councilors Tontar, Vogel and Connell are representing the City Council and School Committee members Cole and deKanter are representing the School Committee. Staff assistance to this committee is being provided by School Superintendent representative Nancy Lysik and Administration representatives Heather Rowe, Ethan Manning, Roseann Robillard and Michael Bartlett.

The committee met over the summer and as recently as November 18<sup>th</sup> to review information submitted by City departments regarding their current fees and fines. A form was developed for departments to organize their information and compare Newburyport's fees with the following surrounding communities: Amesbury, Andover, Gloucester, Ipswich, Marblehead, North Andover, North Reading and Portsmouth.

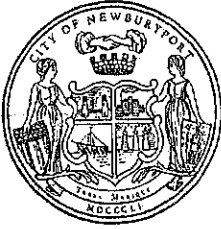
The committee has put forward fee and fine amendments for the November 30, 2015 meeting of the City Council in the form of an order and in the form of ordinance changes for those fees set by local ordinance. At this time, the committee is recommending that the Council consider amendments to fees and fines for use of public property, paid parking in municipal parking lots, Treasurer/Collector and Assessor services, delinquent tax payment demand fee, animal control, DPS Highway Division services, City Clerk fees, and the room occupancy tax rate. All of the recommendations are encompassed in one order before you with the exception of the animal control recommendations which are in the form of three separate ordinance changes.

The work of the committee will continue into 2016, as more information is provided by departments then reviewed and vetted through the committee. It is likely that more fee and fine amendments will be forthcoming in the next Council session. The City now has one working draft of a comprehensive list of fees and fines which did not exist before. Once the work of the committee is complete, the Administration will publish this information which will be beneficial not only for the public so that they can access the information in one place, it will also facilitate more streamlined, comprehensive and timely reviews of fees and fines.

CC: Mayor Donna D. Holaday  
School Committee Member Steven Cole  
School Committee Member Nicholas deKanter  
Nancy Lysik

# ORDINANCES

# CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

October 13, 2015

## **AN ORDINANCE TO AMEND CHAPTER 9 ENTITLED LICENSES, PERMITS AND BUSINESS REGULATIONS**

Be it ordained by the City Council of the City of Newburyport as follows:

<b>Chapter 9</b>	Licenses, Permits and Business Regulations
<b>Article VII</b>	Transient Vendors, Hawkers and Peddlers
<b>Division 2</b>	Hawkers and Peddlers
<b>Section 9-158</b>	Business prohibited between certain hours

### **DELETE:**

Sec. 9-158. - Business prohibited between certain hours

No hawker or peddler shall sell or offer for sale any goods, wares or merchandise, including publications, magazines and books or solicit subscriptions for publications, magazines or books in the city between the hours 9:00 p.m. and 8:00 a.m.

### **ADD:**

Sec. 9-158. - Business prohibited between certain hours and in certain area

No hawker or peddler shall sell or offer for sale any goods, wares or merchandise, including publications, magazines and books or solicit subscriptions for publications, magazines or books in the city between the hours 5:00 p.m. and 9:00 a.m. Furthermore, at all times, no hawker or peddler shall sell or offer for sale any goods, wares or merchandise within the Downtown Overlay District, as defined under appendix A (zoning ordinance) of the Newburyport Code unless a license is granted by the City Council.

---

Councillor Jared J. Eigerman

**In City Council October 13, 2015**

Motion to refer to Public Safety by Councillor Cronin, seconded by Councillor Kinsey. So voted.

**In City Council November 9, 2015**

Motion to remove by Councillor Cronin, seconded by Councillor Tontar. So voted. Motion to approve 1<sup>st</sup> reading and printing with the amendment of the hours to 5pm to 9am by Councillor Cronin, seconded by Councillor Tontar. Roll call vote, 9 yes, 1 no (Herzog), 1 absent (Heartquist). So voted.

# CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

November 30, 2015

## AN ORDINANCE TO AMEND FEES FOR NUISANCE ISSUES RELATED TO DOGS

Be it ordained by the City Council of the City of Newburyport as follows:

**Chapter 3**                      Animals  
**Article II**                    Dogs

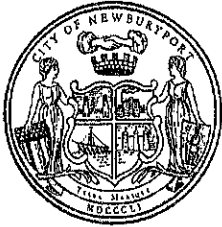
Amend Section 3-28(b) regarding nuisance issues, with deletions ~~double-stricken through~~, and additions double-underlined:

- (b) Animal behavior which constitutes a nuisance includes, but is not limited to the following; vicious disposition, molesting passersby or passing vehicles (including bicycles, etc.), attacking persons or domestic animals, damaging or soiling public or private property, barking, whining, or howling in an excessive, continuous, or untimely fashion shall be subject to the following fine schedule, upon investigation of the animal control officer or a police officer.
- (1) First offense .....~~\$15.00~~ \$25.00
  - (2) Second offense .....~~25.00~~ \$50.00
  - (3) Third and subsequent offenses .....~~50.00~~ \$100.00

\_\_\_\_\_  
Councilor Charles F. Tontar

\_\_\_\_\_  
Councilor Bruce L. Vogel

# CITY OF NEWBURYPORT



IN CITY COUNCIL

November 30, 2015

## ORDERED:

### AN ORDINANCE TO AMEND FEES FOR ANIMAL CONTROL

Be it ordained by the City Council of the City of Newburyport as follows:

**Chapter 3**                      Animals  
**Article II**                    Dogs

Amend Section 3-27 regarding licensing of dogs and kennels, with deletions ~~double-stricken through~~, and additions double-underlined:

#### Sec. 3-27. - Licensing of dogs and kennels.

- (a) All dogs six (6) months old or older must be licensed and tagged. Licensing will be done in the office of the city clerk. The owner or keeper of any dog in the city shall obtain a license by April first of each year. The license fees for dogs shall be as follows:
- (1) Neutered males and spayed females .....\$10.00
  - (2) Unneutered males and unspayed females .....~~15.00~~ \$20.00
- Senior citizens (aged 65 and over) who show proof of age shall be entitled to a license without paying said fee provided however any applicable late fees shall apply.
- Any blind, deaf or mobility impaired person who is the owner or keeper of a dog trained to guide and assist him/her shall receive a license and no fee shall be charged. Also, dogs between six (6) months and one (1) year of age, placed for training as guide dogs, shall also receive a license at no fee, provided satisfactory evidence is presented that the dog was placed by an organization which supplies such guide dogs.
- (b) Kennel license fees shall be as follows:
- (1) Four (4) dogs .....~~\$30.00~~ \$40.00
  - (2) Five (5) to ten (10) dogs .....~~50.00~~ \$60.00
  - (3) Ten (10) or more dogs .....~~100.00~~ \$110.00
- (c) The owner or keeper of an unlicensed dog after June first shall be fined ~~ten~~ twenty-five dollars (~~\$10.00~~ \$25.00) per dog in addition to the license fee. The owner or keeper of an unlicensed dog after July first shall be fined ~~fifteen~~ fifty dollars (~~\$15.00~~ \$50.00) per dog in addition to the license fee. The owner or keeper of an unlicensed dog after August first shall be fined ~~twenty~~ seventy-five dollars (~~\$25.00~~ \$75.00) per dog in addition to the license fee. All monies collected for licenses and fines shall be retained by the city.

Councilor Charles F. Tontar

Councilor Bruce L. Vogel

# CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

November 30, 2015

## AN ORDINANCE TO AMEND FINES FOR DOGS ON PLUM ISLAND

Be it ordained by the City Council of the City of Newburyport as follows:

**Chapter 4**                      Boats, Docks and Waterways  
**Article III**                  Beaches

Amend Section 4-101(e) regarding use of Plum Island, with deletions ~~double-stricken through~~, and additions double-underlined:

### **Sec. 4-101(e). - Regulations for the use of the beach at Plum Island.**

- (e) The owner or person in control of a dog or any other animal shall not allow the dog or other animal to be on any part of the public beach between May 15 and September 15 of each year. Each such offense shall be punishable by a fine of ~~twenty-five~~ fifty dollars (~~\$25.00~~ \$50.00)

\_\_\_\_\_  
Councilor Charles F. Tontar

\_\_\_\_\_  
Councilor Bruce L. Vogel



## COMMITTEE ITEMS

## **NEIGHBORHOOD & CITY SERVICES**

RECEIVED  
CITY CLERK'S OFFICE  
NEWBURYPORT, MA

2015 NOV -3 A 11:18

Beth Horne  
13 Moseley Place  
Newburyport, MA 01950

Councilor Bruce Vogel  
Newburyport City Hall  
Pleasant Street  
Newburyport, MA 01950

October 30, 2015

Dear Councilor Vogel,

The Commission for Diversity (CDT) was established as a Newburyport municipal commission in 2005 "to promote and support a sense of welcome, inclusion and worth for all and the elimination of prejudice, intolerance, discrimination and acts of hate in our community".\*

This fall CDT is committed to learning more about the needs and experiences of transgendered people. We do this aware that transgendered people routinely experience discrimination in the work place and in the marketplace. We intend for Newburyport to have the supports in place which will allow all to experience the deep welcome described in the city's policy. Several communities in Massachusetts have added language to their city policy which makes it clear that they welcome transgender people. We desire to do this as well and would change our policy to better reflect Newburyport's commitment to inclusion as well as the city's intent to uphold the law.

At our October meeting, the CDT voted unanimously to recommend to the City Council the following change to Section 1 of the City's ordinance which created the CDT.

*It is the policy of the City of Newburyport to uphold the human rights of all persons in Newburyport and the free exercise and enjoyment of any rights and privileges secured by the Constitutions and laws of the United States and the Commonwealth of Massachusetts. This policy shall ensure equal opportunity to each person regardless of race, color, religious creed, national origin, sex, age, ancestry, sexual orientation, gender identity and expression, marital, family or military status, source of income or disability where unlawful discrimination exists in housing, employment, education, public accommodations, City services, insurance, banking, credit and health care.*

Please let me know if you need additional information. We have collected and have readily available educational materials on the transgendered population.

Members of the CDT would like to attend the City Council meeting which considers this change. Please let me know of the date of the meeting.

Many thanks for the work that you and all the City Councilor's do to make Newburyport a place where all feel welcomed and can move freely throughout the city without discrimination.

Sincerely,

Beth Horne  
Commission for Diversity and Tolerance.

\*From the policy statement included in Section 1 of the commission's originating ordinance.

# CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

November 16, 2015

## AN ORDINANCE TO AMEND CHAPTER 2 ENTITLED ADMINISTRATION

Be it ordained by the City Council of the City of Newburyport as follows:

<b>Chapter 9</b>	Administration
<b>Article III</b>	Boards, Committees, Commissions
<b>Division 6</b>	Commission on Diversity and Tolerance
<b>Section 2-125a</b>	Policy of the City of Newburyport

### DELETE:

**Section 2-125a**                      Policy of the City of Newburyport

*It is the policy of the City of Newburyport to promote and support a sense of welcome, inclusion, and worth for all and the elimination of prejudice, intolerance, discrimination, and acts of hate in our community.*

### ADD:

**Section 2-125a**                      Policy of the City of Newburyport

*It is the policy of the City of Newburyport to uphold the human rights of all persons in Newburyport and the free exercise and enjoyment of any rights and privileges secured by the Constitutions and laws of the United States and the Commonwealth of Massachusetts. This policy shall ensure equal opportunity to each person regardless of race, color, religious creed, national origin, sex, age, ancestry, sexual orientation, gender identity and expression, marital, family or military status, source of income or disability where unlawful discrimination exists in housing, employment, education, public accommodations, City services, insurance, banking, credit and health care.*

---

Councillor Bruce L. Vogel

**In City Council November 16, 2015**

Motion to refer to Neighborhoods and City Services by Councillor Vogel, seconded by Councillor Cameron.  
So voted.

## **PUBLIC SAFETY**

# CITY OF NEWBURYPORT



IN CITY COUNCIL

June 29, 2015

ORDERED:

## AN ORDINANCE ENTITLED AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED TRAFFIC AND MOTOR VEHICLES.

Be it ordained by the City Council of the City of Newburyport as follows:

Chapter 13: Traffic and Motor Vehicles  
Article IV: Specific Street Schedules  
Division 6: Stopping, Standing and Parking  
Sec. 13-175: Same – Two hours

No person shall park a vehicle for longer than two (2) hours between the hours of 9:00 a.m. and 6:00 p.m. of any day except Sundays and holidays in the following described streets or parts thereof:

Add the following:

Street	Extent
North Atkinson	Both sides from the High Street for a distance of 80 feet.

Councillor Charles F. Tontar

Councillor Larry G. Giunta, Jr.

rebe CT  
TO PS LG

# CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

September 15, 2015

AN ORDINANCE TO AMEND CHAPTER 13 (TRAFFIC AND MOTOR VEHICLES) OF THE MUNICIPAL CODE

Be it ordained by the City Council of the City of Newburyport as follows:

Chapter 13	Traffic and Motor Vehicles
Article 4	Specific Street Schedules
Division 4	Stop Intersections
Section 13-136	Designated

*Insert the following new row into the table regarding Fair Street, as follows, with deletions ~~double-stricken-through~~, and additions double-underlined:*

<u>Fair</u>	<u>At the intersection of Fair and Liberty Streets, for all directions</u>
-------------	--

*Amend all four existing rows in the table regarding Liberty Street, as follows, with deletions ~~double-stricken-through~~, and additions double-underlined:*

Liberty	<del>At the corner of Liberty and Federal Streets to regulate traffic going east on Liberty Street.</del> <u>At the intersection of Liberty and Fair Streets, for all directions.</u>
Liberty	<del>At the corners of Fair and Liberty Streets to regulate traffic going easterly and westerly on Liberty Street.</del>
Liberty	<del>Northeast corner at intersection with Fair Street.</del>
Liberty	Northeast and southeast corners at intersection with State Street.

Councillor Jared J. Eigerman

In City Council September 15, 2015

Motion to refer to Public Safety by Councillor Eigerman, seconded by Councillor Cameron. So voted.



## CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

September 15, 2015

AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED TRAFFIC AND MOTOR VEHICLES

Be it ordained by the City Council of the City of Newburyport as follows:

Chapter 13	Traffic and Motor Vehicles
Article 4	Specific Street Schedules
Division 6	Stopping, Standing and Parking
Section 13-168	Parking restricted on certain streets

***Amend:***

No person shall park any vehicle on the following streets or portions of streets as indicated below:

Street	Extent
Pauline Street	Both sides for its entirety.

Councillor Allison Heartquist

*Refa  
PS  
PH/BC*

# CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

October 13, 2015

AN ORDINANCE TO AMEND CHAPTER 13 (TRAFFIC AND MOTOR VEHICLES) OF THE MUNICIPAL CODE

Be it ordained by the City Council of the City of Newburyport as follows:

Chapter 13	Traffic and Motor Vehicles
Article 4	Specific Street Schedules
Division 6	Stopping, Standing and Parking
Section 13-168	Parking restricted on certain streets.

*Add to the row of the table regarding Harrison Street, as follows,*

Harrison	No parking on both sides from a point 210 feet north of Purchase Street to Purchase Street
----------	--

*Add a row to the table regarding Purchase Street, as follows,*

Purchase	No parking on the southerly side of Purchase Street for a distance of 50 feet running in a westerly direction from the Rail Trail crosswalk; No parking on both sides of Purchase Street for a distance of 25 feet running in an easterly direction from the Rail Trail crosswalk.
----------	---

Councillor Allison Heartquist

Reber 15 + committee  
PMT  
SU  
4/4c  
whole



CITY OF NEWBURYPORT  
OFFICE OF PLANNING AND DEVELOPMENT

60 PLEASANT STREET • P.O. BOX 550  
NEWBURYPORT, MA 01950  
(978) 465-4400 • (978) 465-4452 (FAX)

DONNA D. HOLADAY  
MAYOR

---

MEMORANDUM

---

TO: NEWBURYPORT CITY COUNCIL  
FROM: GEORDIE VINING, SENIOR PROJECT MANAGER  
SUBJECT: CLIPPER CITY RAIL TRAIL PHASE II: PARKING RESTRICTIONS FOR PUBLIC SAFETY  
DATE: 9/28/15

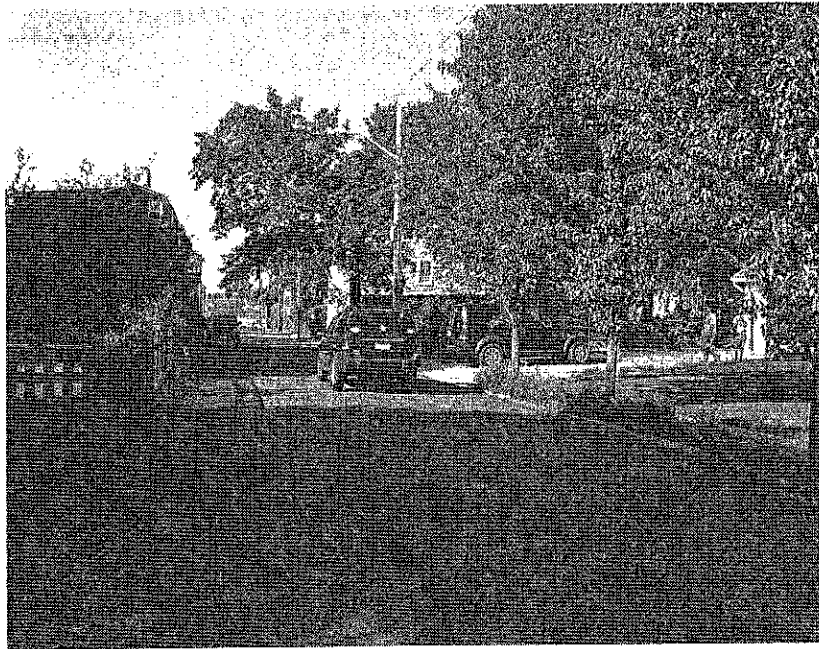
We are writing to respectfully request the City Council's approval of parking restrictions on a portion of Harrison Street, as well as around a crosswalk at Purchase Street, in order to promote public safety as part of the establishment of the Clipper City Rail Trail Phase II.

The plans for the Clipper City Rail Trail Phase II include on-street parking restrictions along both sides of the upper 210 feet of Harrison Street, as well as around the crosswalk at Purchase Street. Objectives include opening sight lines as much as possible, avoiding potential conflicts between parked cars and bicyclists, discouraging parked vehicles from constricting the functional width of the narrow street, and facilitating access by emergency vehicles.

The City has developed the design of the Clipper City Rail Trail Phase II over the course of more than three years. During this time, there have been more than 45 public meetings on the project, as well as scores of individual meetings with abutters and interested citizens. We hosted two neighborhood public meetings with Ward 1 City Councilor Heartquist on site at Harrison and Purchase Streets on 9/26/13 and 8/28/14 regarding the alignment and details of the Rail Trail as well as proposed on-street parking restrictions. The residences in this area generally have ample off-street parking available, and the substantial majority of the neighborhood is supportive of the proposed on-street parking restrictions to promote public safety for motorists, bicyclists, and pedestrians.

Harrison Street is a quiet residential street with a low volume of traffic and an abundant amount of parking. A generation ago, the alignment of the old City Branch Railroad cut diagonally across the street. Federal and state guidelines, however, recommend minimizing the length of crosswalks, and the long diagonal crossing would promote too much mixing of pedestrians with vehicular traffic. Instead, as designed by the City's professional consultant and reviewed by the City's DPS, Fire Department, Police Department, and City Clerk as well as multiple divisions within MassDOT, the Rail Trail will take the form of a new sidewalk and road "connector" for bicyclists in this vicinity. The existing sidewalks do not extend all the way to the intersection with Purchase Street, and the Rail Trail project will install a new 5.5 foot sidewalk with a raised curb along the western side of Harrison Street to provide pedestrians a safe and separated route, particularly children and families. In order to accommodate the new sidewalk, the currently wider upper 210 feet of Harrison Street will be narrowed to 18 feet and the rest of the street will remain 20+ feet. There are a number of precedents in Newburyport of similarly narrow, two-way, functional residential streets that are approximately 18 feet wide or

even less – e.g., Madison Street, School Street, Ship Street, Russia Street, etc. By law, bicyclists are allowed to use the street along with motor vehicles, and bicyclists using the Rail Trail will be routed on to 150 feet of Harrison Street, although young children may bicycle on the sidewalk, through signage and pavement markings. This is the approach recommended by the American Association of State Highway Traffic Officials (AASHTO) for such situations, including the guideline that street parking is removed or restricted in areas of critical width to provide improved safety.



*Portion of Harrison Street looking north*

The Rail Trail plans also call for restricting parking approximately 50 feet west and 25 feet east of the crosswalk at Purchase Street in order to maintain open sight lines. Note that the project includes the installation of high-visibility pedestrian crossing signs as well as advance warning signs 100 feet away from the crosswalks in both directions of vehicle travel. (Please see the attached Traffic Sign and Pavement Markings plan sheet.)

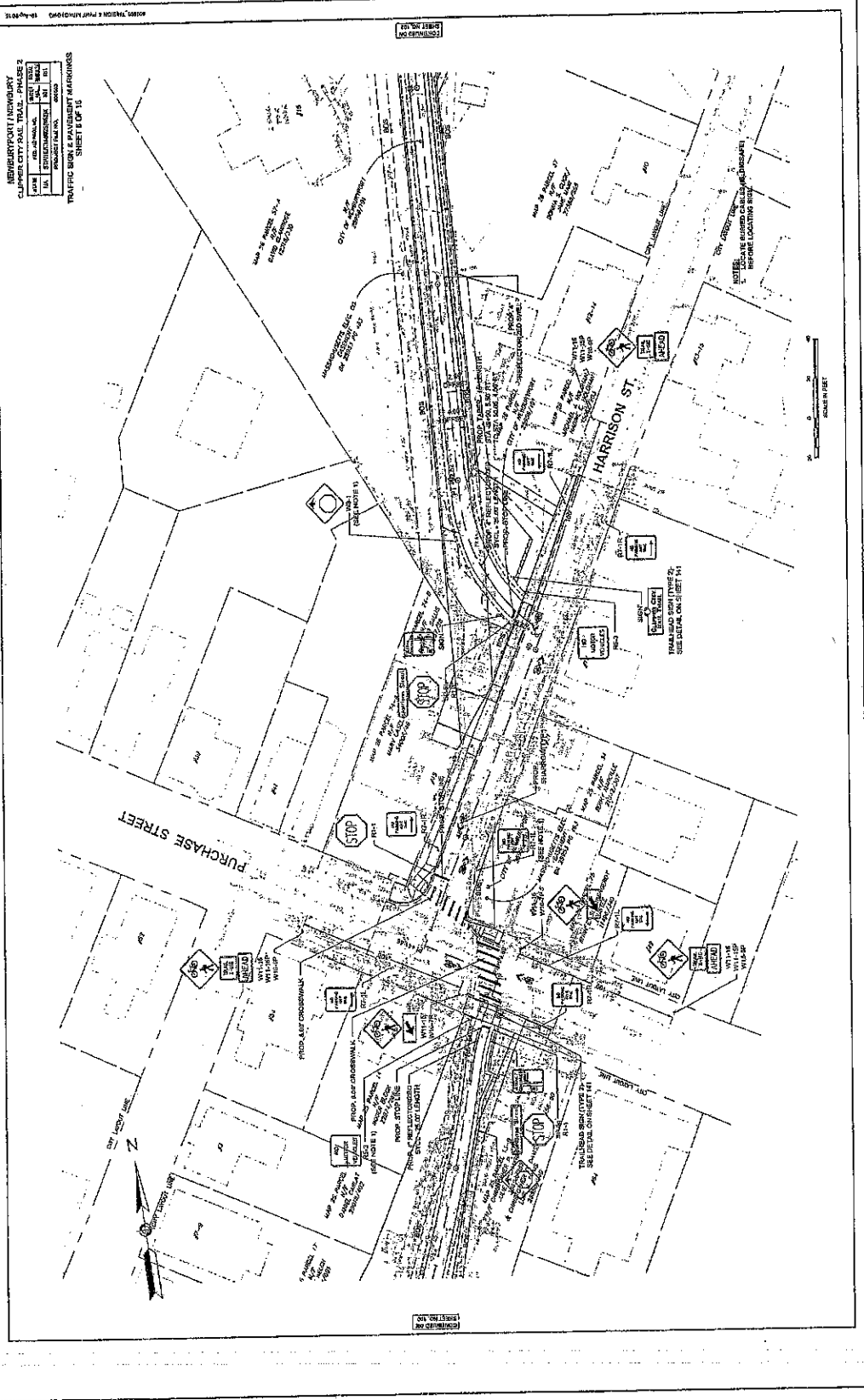
We respectfully request that you approve an amendment to the table in Ordinance 13-168 "Parking Restrictions on Certain Streets" to include:

- *Harrison Street – no parking on both sides from a point 210 feet north of Purchase Street to Purchase Street*
- *Purchase Street – no parking 50 feet west and 25 feet east of the Rail Trail crosswalk in both directions of vehicle travel at the Harrison Street intersection*

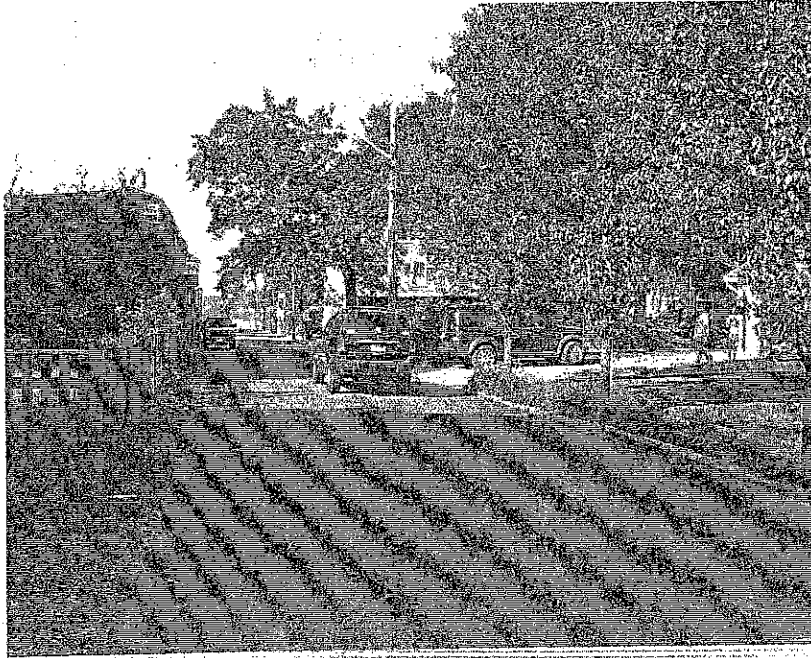
Thank you for your consideration.

NEWBURYPORT / NEWBURY  
CLIPPER CITY RAIL TRAIL - PHASE 2  
TRAFFIC SIGN & PLACEMENT DIAGRAMS  
SHEET 6 OF 15

ITEM	NO.	DESCRIPTION	QTY	UNIT
1	1	STOP SIGN	1	EA
2	1	YIELD SIGN	1	EA
3	1	WALKWAY SIGN	1	EA
4	1	WALKWAY SIGN	1	EA
5	1	WALKWAY SIGN	1	EA
6	1	WALKWAY SIGN	1	EA
7	1	WALKWAY SIGN	1	EA
8	1	WALKWAY SIGN	1	EA
9	1	WALKWAY SIGN	1	EA
10	1	WALKWAY SIGN	1	EA
11	1	WALKWAY SIGN	1	EA
12	1	WALKWAY SIGN	1	EA
13	1	WALKWAY SIGN	1	EA
14	1	WALKWAY SIGN	1	EA
15	1	WALKWAY SIGN	1	EA
16	1	WALKWAY SIGN	1	EA
17	1	WALKWAY SIGN	1	EA
18	1	WALKWAY SIGN	1	EA
19	1	WALKWAY SIGN	1	EA
20	1	WALKWAY SIGN	1	EA
21	1	WALKWAY SIGN	1	EA
22	1	WALKWAY SIGN	1	EA
23	1	WALKWAY SIGN	1	EA
24	1	WALKWAY SIGN	1	EA
25	1	WALKWAY SIGN	1	EA
26	1	WALKWAY SIGN	1	EA
27	1	WALKWAY SIGN	1	EA
28	1	WALKWAY SIGN	1	EA
29	1	WALKWAY SIGN	1	EA
30	1	WALKWAY SIGN	1	EA
31	1	WALKWAY SIGN	1	EA
32	1	WALKWAY SIGN	1	EA
33	1	WALKWAY SIGN	1	EA
34	1	WALKWAY SIGN	1	EA
35	1	WALKWAY SIGN	1	EA
36	1	WALKWAY SIGN	1	EA
37	1	WALKWAY SIGN	1	EA
38	1	WALKWAY SIGN	1	EA
39	1	WALKWAY SIGN	1	EA
40	1	WALKWAY SIGN	1	EA
41	1	WALKWAY SIGN	1	EA
42	1	WALKWAY SIGN	1	EA
43	1	WALKWAY SIGN	1	EA
44	1	WALKWAY SIGN	1	EA
45	1	WALKWAY SIGN	1	EA
46	1	WALKWAY SIGN	1	EA
47	1	WALKWAY SIGN	1	EA
48	1	WALKWAY SIGN	1	EA
49	1	WALKWAY SIGN	1	EA
50	1	WALKWAY SIGN	1	EA
51	1	WALKWAY SIGN	1	EA
52	1	WALKWAY SIGN	1	EA
53	1	WALKWAY SIGN	1	EA
54	1	WALKWAY SIGN	1	EA
55	1	WALKWAY SIGN	1	EA
56	1	WALKWAY SIGN	1	EA
57	1	WALKWAY SIGN	1	EA
58	1	WALKWAY SIGN	1	EA
59	1	WALKWAY SIGN	1	EA
60	1	WALKWAY SIGN	1	EA
61	1	WALKWAY SIGN	1	EA
62	1	WALKWAY SIGN	1	EA
63	1	WALKWAY SIGN	1	EA
64	1	WALKWAY SIGN	1	EA
65	1	WALKWAY SIGN	1	EA
66	1	WALKWAY SIGN	1	EA
67	1	WALKWAY SIGN	1	EA
68	1	WALKWAY SIGN	1	EA
69	1	WALKWAY SIGN	1	EA
70	1	WALKWAY SIGN	1	EA
71	1	WALKWAY SIGN	1	EA
72	1	WALKWAY SIGN	1	EA
73	1	WALKWAY SIGN	1	EA
74	1	WALKWAY SIGN	1	EA
75	1	WALKWAY SIGN	1	EA
76	1	WALKWAY SIGN	1	EA
77	1	WALKWAY SIGN	1	EA
78	1	WALKWAY SIGN	1	EA
79	1	WALKWAY SIGN	1	EA
80	1	WALKWAY SIGN	1	EA
81	1	WALKWAY SIGN	1	EA
82	1	WALKWAY SIGN	1	EA
83	1	WALKWAY SIGN	1	EA
84	1	WALKWAY SIGN	1	EA
85	1	WALKWAY SIGN	1	EA
86	1	WALKWAY SIGN	1	EA
87	1	WALKWAY SIGN	1	EA
88	1	WALKWAY SIGN	1	EA
89	1	WALKWAY SIGN	1	EA
90	1	WALKWAY SIGN	1	EA
91	1	WALKWAY SIGN	1	EA
92	1	WALKWAY SIGN	1	EA
93	1	WALKWAY SIGN	1	EA
94	1	WALKWAY SIGN	1	EA
95	1	WALKWAY SIGN	1	EA
96	1	WALKWAY SIGN	1	EA
97	1	WALKWAY SIGN	1	EA
98	1	WALKWAY SIGN	1	EA
99	1	WALKWAY SIGN	1	EA
100	1	WALKWAY SIGN	1	EA



be narrowed to 18 feet and the rest of the street will remain 20+ feet. There are a number of precedents in Newburyport of similarly narrow, two-way, functional residential streets that are approximately 18 feet wide or even less – e.g., Madison Street, School Street, Ship Street, Russia Street, etc. By law, bicyclists are allowed to use the street along with motor vehicles, and bicyclists using the Rail Trail will be routed on to 150 feet of Harrison Street, although young children may bicycle on the sidewalk, through signage and pavement markings. (Please see the attached Traffic Sign and Pavement Markings plan sheet.) This is the approach recommended by the American Association of State Highway Traffic Officials (AASHTO) for such situations, including the guideline that street parking is removed or restricted in areas of critical width to provide improved safety.



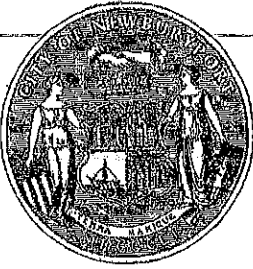
*Portion of Harrison Street looking north*

Along similar lines, the Rail Trail plans call for restricting parking approximately 50 feet west and 25 feet east of the crosswalk at Purchase Street, and 30 feet to either side of the crosswalks at Hancock and Chestnut Streets in order to maintain open sight lines. Note that the project includes the installation of high-visibility pedestrian crossing signs as well as advance warning signs 100 feet away from the crosswalks in both directions of vehicle travel. (Please see the attached Traffic Sign and Pavement Markings plan sheet.)

We plan to request that the City Council approve an amendment to the table in Ordinance 13-168 "Parking Restrictions on Certain Streets" to include:

- *Harrison Street – no parking on both sides from a point 210 feet north of Purchase Street to Purchase Street*
- *Purchase Street – no parking 50 feet west and 25 feet east of the Rail Trail crosswalk in both directions of vehicle travel at the Harrison Street intersection*

Thank you for your consideration.



CITY OF NEWBURYPORT

OFFICE OF THE MAYOR  
DONNA D. HOLADAY, MAYOR

60 PLEASANT STREET - P.O. BOX

NEWBURYPORT, MA 01950

978-465-4413 PHONE

978-465-4402 FAX

RECEIVED  
CITY CLERK'S OFFICE  
2015 OCT 20 P 2:00

To: President and Members of the City Council

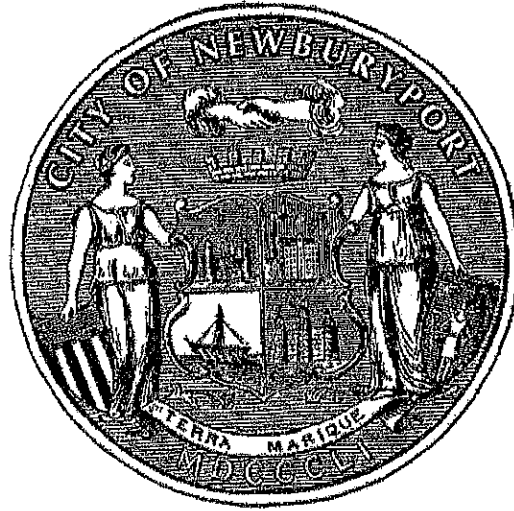
From: Donna D. Holaday, Mayor

Date: October 20, 2015

Subject: Snow and Ice Plan 2015-2016

Earlier this year, the City Council asked that the Department of Public Services (DPS) submit a plan on how snow and ice are dealt with by the department. Removal of snow and ice from our public ways is one of the most critical jobs of our DPS Highway Division during the winter months. Through the coordinated work of DPS employees and plowing contractors, 70 miles of public roadways are attended to during unfavorable weather conditions every season. We welcome this opportunity to outline how the department handles snow and ice conditions and look forward to providing any additional information that Council members may require.

ps



*City of Newburyport*  
*Department of Public Services*  
**SNOW AND ICE PLAN**  
**2015 / 2016 Season**

Donna D. Holaday, Mayor

Anthony J. Furnari, Director

Wayne S. Amaral, Deputy Director



## **INTRODUCTION**

The City of Newburyport takes great pride in making our public roadways as safe as possible under the worst of winter conditions. Keeping our public ways safe and accessible during snow and ice events is of highest priority in order to reduce the likelihood of personal injury to the general public, automobile accidents and property damage. The City's goal is to quickly open the streets and make them passable so that essential vehicular traffic can safely negotiate roadways. Residents can help us do this by working together.

## **SNOW EMERGENCY PARKING BAN**

The City of Newburyport implements a snow emergency parking ban when it is predicted that we will receive three or more inches of snow accumulation. If there is a parking ban in effect, it will appear on the City's website [www.cityofnewburyport.com](http://www.cityofnewburyport.com). To get email notifications from the website be sure to select the "Notify Me" button on the front page and sign up.

In addition, flashing blue lights will be activated throughout the city at the following locations:

**March's Hill at Bromfield St.**

**Route 113 at Route 95 Bridge**

**Route 113 at Hoyt's Lane**

**Water St. at Shandel Dr.**

**Market Square,**

**Spofford St. and Merrimac St.**

**Storey Ave, Ferry Rd and Mosley Ave Intersection**

**Malcolm Hoyt Dr. at Parker St.**

**High St. @ State St.**

**Route 1 Rotary and State St.**

**Merrimac, Moseley and Spofford (Roundabout)**

**Storey Ave. across from Daniel Lucy Way.**

You may also contact The Department of Public Services (978-465-4464) or the Snow Emergency Information Line (978-463-0472 ext. 1797) to find out the status of the parking ban. Parking regulations are strictly enforced to ensure that streets remain accessible for snowplows, fire apparatus and other emergency vehicles. **Any vehicle that impedes the snow removal process will be ticketed and towed.**

## **ALTERNATIVE DESIGNATED PARKING AREAS**

The City of Newburyport offers alternative designated parking areas for on-street cars that include the following: Green Street Municipal Lot, Cashman Park (off Merrimac Street), Cushing Park (Washington Street) NRA Waterfront Lots East and West, Hales Court Lot (corner of Hales Court and Prince Place) and State Street Lot (corner of Harris Street and State Street).

**PLEASE NOTE:** All vehicles must be removed from the above listed lots within 24 hours following the cancellation of the snow emergency (weekends included) or vehicles will be ticketed and towed at the owner's expense.

**SNOW EMERGENCY CANCELLATION** information can be obtained by checking [www.cityofnewburyport.com](http://www.cityofnewburyport.com) or calling the Snow Emergency Information Line at 978-463-0472, ext. 1797 or contacting the Department of Public Services at 978-465-4464.

DPS will do its best to lift the city-wide Snow Emergency parking restriction as soon as possible. The city-wide parking restriction will only be lifted when the DPS Director or Deputy Director determine that on-street parking will not cause a public safety issue to emergency response vehicles. We may seek advice from the City Marshal or Fire Chief to assist us in making this determination.

On some narrow streets, the DPS may post temporary no parking signs after the snow emergency has been lifted in order to maintain a safe and adequate vehicle travel lane. Many of these streets are located in Wards 1, 2 and 3. We will evaluate these streets on a daily basis to see if these signs may be removed once the roadway has an adequate travel lane width.

## **SNOW PLOWING**

The following is a general description of how the Department of Public Services plows snow from city streets.

### **Step 1.** Pretreatment (1"-2" of accumulated snow)

When a snowstorm begins, the department responds by pretreating the main roads. This serves two purposes: to keep traffic safely moving and to prevent the snow from bonding to the pavement. If the snow event is less than 2" or 3" inches of accumulated snow. We may halt operation after all the roads have been pretreated and evaluate if additional treatment is required.

### **Step 2.** Snow clearing (2" or greater)

Snow plowing begins when snow accumulates or is predicted to be two (2) or more inches. Over 48 city and privately operated pretreatment and snow clearing vehicles/equipment may be dispatched to respond to a snow emergency. DPS crews and private contractors will continue to plow until the snow event ends. We will continue to monitor the conditions of the roadways and determine if additional snow clearing

equipment is needed or if equipment may need to be reassigned to another section of the city.

### **Step 3. Post storm clean-up and clearing**

Once the snow event has concluded, DPS conducts our city wide final snow clearing operation. This operation includes one last round of snow clearing and general cleanup to make the roadways safe for vehicular and pedestrian traffic. This operation may take days or weeks, depending on total amount snow accumulation. DPS will prioritize this operation based on the following in order of importance.

1. Main streets and school routes are treated to achieve the safest possible conditions.
2. Inclines and major intersections are treated to improve safety.
3. Flat streets are treated only if icy conditions exist.
4. Downtown and other business areas treated and snow removal may take place if needed.
5. Snow piles at intersections are pulled away from the corners to improve sight lines for existing vehicles. Snow may need to be removed judiciously from these intersections. Snow may be removed from narrow streets to improve the access for emergency and public service vehicles. Snow removal is time consuming and labor intensive; the DPS Director or Deputy Director will prioritize these streets solely based on public safety.
6. Lack of parking is not a safety issue. Nevertheless, if time, staffing and funds allow, we may clear snow from other narrow streets. These streets are determined from input from the Mayor's Office, City Councilors, residents, and emergency agencies.

**SAFETY REMINDER:** When driving, please stay 200 feet behind any snowplow and NEVER pass a plow truck. Visibility is not good for the snowplow operator.

### **SIDEWALKS**

The removal of the snow and ice from sidewalks is the responsibility of tenants, occupants and property owners. The City of Newburyport clears designated sidewalks following each storm, but only after all of the roads has been cleared. These sidewalks are in the downtown areas, surrounding schools and other city-owned property.

The City's Code of Ordinances (Sec. 12-52) requires tenants, occupants and property owners to remove snow and ice from their bordering sidewalks within six hours after the snow ceases to fall if it ceases to fall in the daytime and before 12:00 noon if it ceases to fall in the nighttime. If a property owner/occupant neglects to do so, he/she shall be fined \$50. Violations of this section may be enforced by any police officer, the health director or his designees.

### **DRIVEWAYS**

DPS tries to minimize the amount of snow that gets plowed across driveways, but snow plows cannot "go around" driveways. Plow blades cannot be lifted as they pass by a driveway. Unfortunately, snow will be

plowed into driveways as we perform curb-to-curb plowing. You may wish to clear your driveway several times during the storm or wait until the storm and plowing activities have ended.

**Snowplowing, shoveling, or throwing snow back onto the street when clearing driveways, yards, roofs or sidewalks is prohibited by City Ordinance Sec. 12-7 and violators can be fined \$50.**

Please note that this plan is always a work in progress. As we learn from our experiences and technology changes, we may find different ways to conduct pretreatment, snow clearing and snow removal with greater efficiency and lower cost.

## **PUBLIC UTILITIES**

CITY OF NEWBURYPORT



IN CITY COUNCIL

October 26, 2015

ORDERED:

**AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED TRAFFIC AND MOTOR VEHICLES.**

**Chapter 13** Traffic and Motor Vehicles  
**Article IV** Specific Street Schedules  
**Division 6** Stopping, Standing and Parking  
**§ 13-179** Handicapped Parking

No person without a duly authorized handicapped vehicle registration or placard, as described in MGL, Chapter 90, § 2, shall park in the following described parking space as designated by signs and symbols:

*ADD:*

**Franklin Street**

One (1) space in front of 18 Franklin Street

Councillor Allison Heartquist

# CITY OF NEWBURYPORT



IN CITY COUNCIL

October 26, 2015

ORDERED:

## AN ORDER PURSUANT TO SECTION 166 OF CHAPTER 13 (TRAFFIC AND MOTOR VEHICLES) OF THE MUNICIPAL CODE PURSUANT

Be it ordained by the City Council of the City of Newburyport as follows:

Chapter 13	Traffic and Motor Vehicles
Article 4	Specific Street Schedules
Division 6	Stopping, Standing and Parking
Section 13-171	Service zones.

*Amend the table to insert a new row, as follows, with deletions ~~double-stricken-through~~, and additions double-underlined:*

State	<u>Easterly side at 151-155 State Street (Map 34, Lot 13),</u> <u>directly opposite from 176 State Street (Map 36, Lot 43)</u>
-------	---

Councillor Jared J. Eigerman