

**POLE HEARING  
APPLICATION AND NOTICE**

National Grid Gas Corrosion Department Donald Doubleday (978)-815-8903

Email: Donald.Doubleday@nationalgrid.com

RECEIVED  
CITY CLERK'S OFFICE  
NEWBURYPORT, MA

2013 FEB 29 A 7:57

**PETITION FOR RECTIFIER POLE AND RECTIFIER LOCATION**

National Grid Gas, 775 Dutton Street, Lowell, Massachusetts 01854

To the City Council of Newburyport Massachusetts

NATIONAL GRID GAS requests permission to locate a rectifier pole and fixtures, including the necessary sustaining and protecting fixtures, at the following public way:

113 115 State Street, Newburyport, Ma

Location approximately as shown on attached plan, along with pictures of the existing installation and approved permit.

Wherefore it prays that after due notice and hearing as provided by law, it be granted a location for and permission to erect and maintain a rectifier pole and rectifier, together with such sustaining and protecting fixtures as it may find necessary, said pole to be erected substantially in accordance with the plan filed herewith marked 113-115 State Street, Newburyport, Ma

On January 4, 2013

NATIONAL GRID GAS

BY \_\_\_\_\_

Corrosion Department

Donald Doubleday 978-815-8903  
Email: Donald.Doubleday@nationalgrid.com

**ORDER FOR RECTIFIER POLE AND RECTIFIER LOCATION**

Questions contact - Emma DelloRusso 978-725-1468

By the City Clerk of Newburyport, Massachusetts.

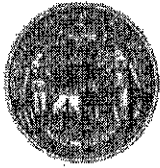
**ORDERED:**

Notice having been given and a 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 of said company dated the 7th day of November 2007.

Said underground electric conduits shall be located substantially in accordance with the plan filed herewith marked- Stanley Tucker Dr, Newburyport, Massachusetts. Plan No. 2401730

The following are the public ways or parts of ways under which the underground electric conduits above referred to may be laid:-

Stanley Tucker Dr    see attached plan



ANTHONY J. FURNARI, DIRECTOR  
ANDREW LAHERTY, DEPUTY DIRECTOR

**CITY OF NEWBURYPORT**  
**DEPARTMENT OF PUBLIC SERVICES**  
16A PERRY WAY  
NEWBURYPORT, MA 01950

**PAID**  
**\$ 100.00**  
CH# 13650

PHONE: 978-465-4463  
FAX: 978-465-1623

**Permit Application for  
Right of Way / Utility / Trench**

*Bring this completed application to DPS at 16A Perry Way to obtain permit*

Name of Applicant: National Grid / Msr Utility Maintenance Phone #: 978-649-0002

Street Address: 209 Pleasant Street City: Dunstable State: MA Zip Code: 01827

Name of Excavator: Msr Utility Maintenance Cell #: 978-375-0014

Street Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Phone #: \_\_\_\_\_ Mass Hoisting License #: HE 129471 License Grade: 2A, 4B Exp Date: 11/12/2012

Name of Property Owner: \_\_\_\_\_ Parcel ID: \_\_\_\_\_

Street Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Phone #: \_\_\_\_\_ Cell #: \_\_\_\_\_

Insurance Certificate #: 3DK0137 Policy Expiration Date: 2/13/2013

Name and Contact Information of Insurer: Colleen 978-459-8681

Name of Competent Person (as defined by 520 CMR 7.02): Matthew Raymond

Description, location and purpose of proposed work: *Please describe location of the proposed work and its purpose (include a description of what is intended to be laid (eg. pipes/cable lines etc.))*

Installation of rectifier, Rectifier pole, And Anode Groundbed.

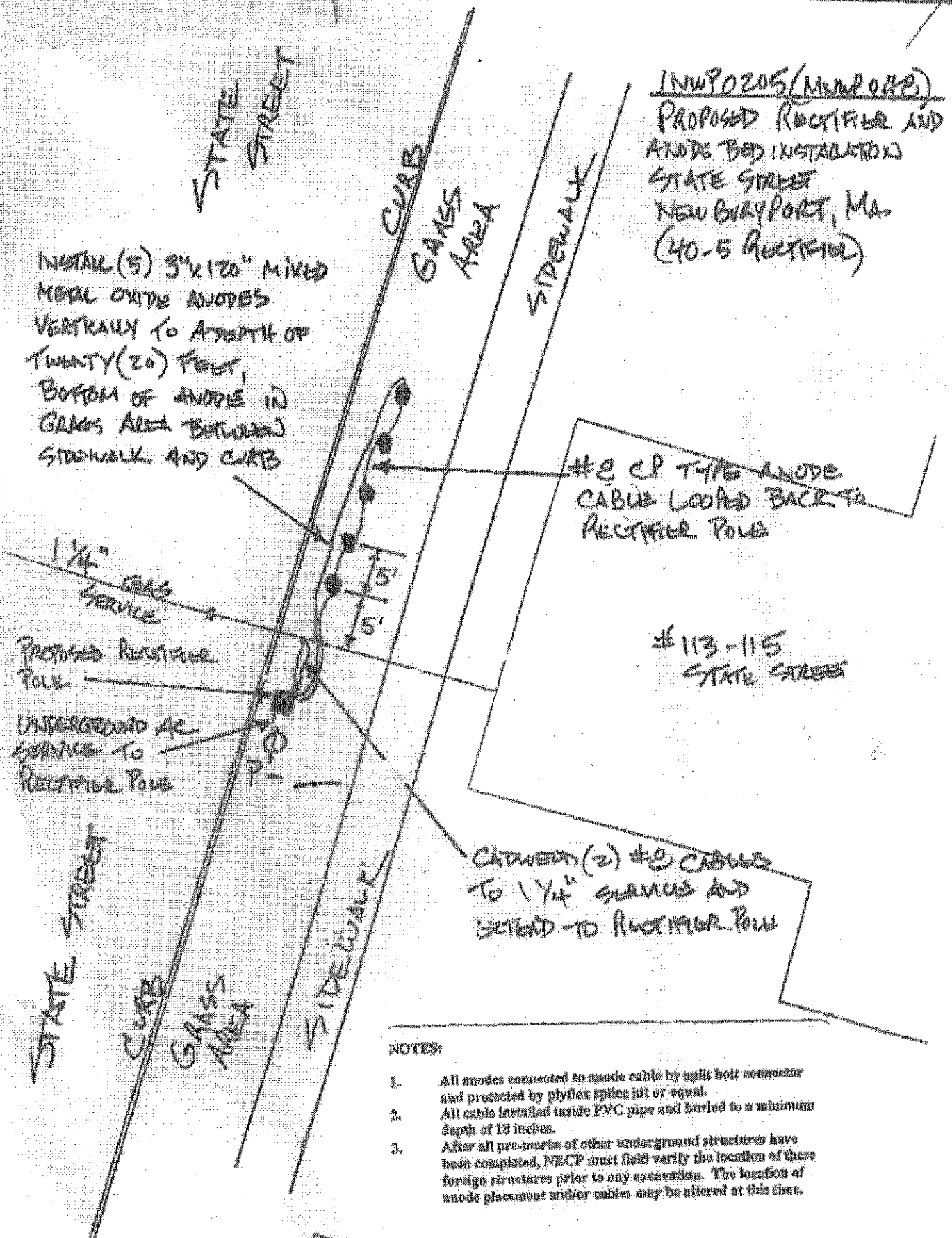
Street to be excavated: 113 State Street Project Loc: (if different): \_\_\_\_\_

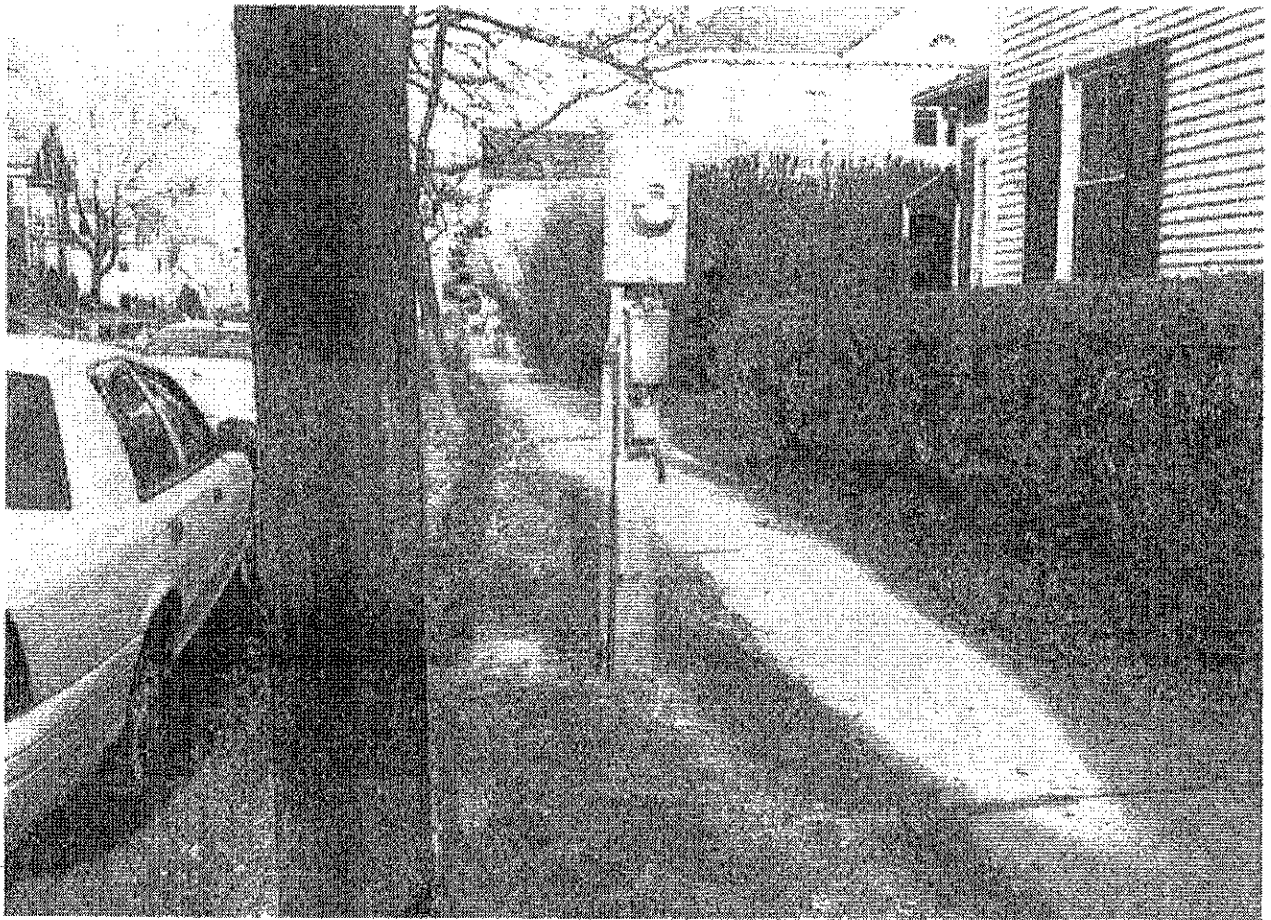
Shoulder & Grass  
Length of Trench/Curb cut: Area ONLY Dig Safe #: 20124100662

Type of Permit Requested: ☒ ROW Opening (Street) ☐ Curb Cut  
☐ ROW Opening (Sidewalk) ☐ ROW Occupancy (Dumpster, staging)  
☐ Water Service (new, repair, replace) ☐ Sewer Service (new, repair, replace)

**No Pavement to be broken**

**APPROVED**





To Whom It May Concern:

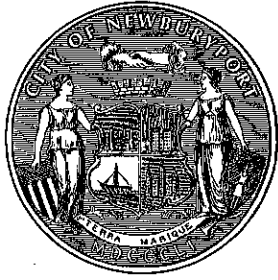
All Petitions and public hearings need to be sent to me in the North Andover office.

Thank You

Maureen Smith  
978 725-1418

National Grid  
1101 Turnpike Street  
Attn: Maureen Smith  
North Andover, Ma 01845

Fax 978 725-1036



# 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

March 5, 2013

Dear Property Owner:

Notice is hereby given that a Public Hearing will be held on the petition of National Grid Gas to locate a rectifier pole and fixtures, including the necessary sustaining and protection fixtures, at 113 -115 State St., Newburyport, MA 01950.

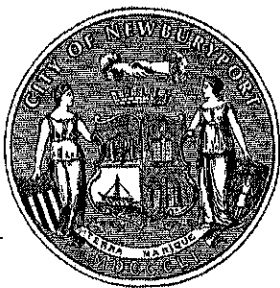
Said meeting will be held on Tuesday, March 26, 2013 at 7:15 PM in the City Council Chamber, City Hall, 60 Pleasant St., Newburyport, MA. At that time, all interested parties will have an opportunity to be heard.

A copy of the plan is enclosed.

Sincerely,

Tricia E. Barker  
Assistant City Clerk





# City of Newburyport

## OFFICE OF THE ASSESSOR

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

**Date:** March 1, 2013

**To:** Richard Jones, City Clerk

**From:** Newburyport Board of Assessors

**Re:** 113-115 State Street – Map: 33 Lot: 47 A/B

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**The following are the abutters of the above described location:**

**Board of Assessors**

33/ 46/ / /  
CENDRON M. - DAY JENNIFER  
CENDRON E NORRINE  
91 HIGH ST  
NEWBURYPORT, MA 01950

33/ 47/A / /  
WINTNER EUGENE B  
SHARON F T/E  
115 STATE ST UNIT 1  
NEWBURYPORT, MA 01950

33/ 47/B / /  
OLSEN MARION G TRUSTEE  
OLSEN LIVING TRUST  
113 STATE ST UNIT 2  
NEWBURYPORT, MA 01950

33/ 48/A / /  
CLEMENTS RAYMOND  
JENNIFER T/E  
117 STATE ST  
NEWBURYPORT, MA 01950

33/ 48/B / /  
MOYER BENJAMIN S  
CATHERINE E T/E  
119 STATE ST UNIT A  
NEWBURYPORT, MA 01950

March 19, 2013

RECEIVED  
CITY CLERK'S OFFICE  
NEWBURYPORT, MA

City Councilors:

2013 MAR 20 A 8:56

We were very happy to learn that you have a hearing scheduled in regard to the rectifier pole that the gas company has implanted in front of our home. Unfortunately you have scheduled this meeting on the second night of Passover, so we will not be able to attend. We are therefore putting our concerns to you in writing.

Our first concern is in regard to the process by which this has happened. We were simply told one day by the gas company that they had to implant the pole in front of our house. We were given no options and no opportunity for input into this decision. While we are pleased that you are now having a hearing in regard to this matter, it would have been much better for the hearing to have occurred before the pole was implanted.

Our second concern of course is for the fixture itself. If you will drive by 115 State St. you'll see that is quite an eyesore. We see it every time we go into our out of our house, as does everyone who visits us, and every time we look out of our window. In addition, should we ever decide to sell our property, the pole will undoubtedly make the property less attractive to prospective buyers and will reduce the property value.

In conclusion, we request that the gas company remove the pole to another location.

Thank you for addressing this matter.

Sincerely,

Sharon and Gene Wintner  
115 State St.



**CITY COUNCIL MEETING AGENDA - VERSION 1**

**March 26, 2013**

**Pole Hearing – 7:15 pm  
Install New Pole National Grid, 113 115 State Street**

**7:30 PM**

- 1. OPENING PRAYER**
- 2. PLEDGE OF ALLEGIANCE**
- 3. CALL TO ORDER**
- 4. LATE FILE ITEMS**
- 5. PUBLIC COMMENT**

**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.

**6. APPROVAL OF MINUTES**

March 12, 2013

(Approve)

**7. TRANSFERS**

1. Mayor Gen'l Fd Free Cash \$3,122.19 to Youth Svcs Kelley School Exp \$3,122.19 (Approve)

**8. COMMUNICATIONS**

1. Letter from Environment Mass. re letter to Gov. Deval Patrick (Public Utilities)
2. Neurofibromatosis Northeast Annual Coast To Cure Sept. 7, 2013 (Public Safety)
3. Andiamo Restaurant Outdoor Seating Application (License & Permits)
4. Retirement Board meeting April 24, 2013 for COLA increase for retirees (Receive & File)
5. Pan-Merrimack Challenge use of City streets June 15, 2013 (Public Safety)
6. Oregano Outdoor Seating Application Renewal (License & Permits)
7. Open Space & Recreation Plan Update – Final Plan (Receive & File)

**END OF CONSENT AGENDA**

**REGULAR AGENDA**

**9. TRANSFERS**

2. Tabled- Green Initiatives Fd \$117,861.47 to Green Initiatives \$117, 861.47 purchase lights
3. Free Cash Transfer Request to Fund Union Contracts

**10. APPOINTMENTS - Second Reading**

**Appointment**

- |                         |                            |                                 |               |
|-------------------------|----------------------------|---------------------------------|---------------|
| 1. William Squillace    | 23 Forest St, Rockport, MA | Finance Director                | March 1, 2016 |
| 2. Jennifer Lamarre     | 185 High Street            | Human Resources Director        | March 1, 2016 |
| 3. Cynthia M. Zabriskie | 87 Lime Street             | Community Preservation Act Com. | April 1, 2015 |

**Confirmatory Appointment**

- |                        |               |                  |               |
|------------------------|---------------|------------------|---------------|
| 4. Joseph Brown        | 6 Cutting Dr. | Waterfront Trust | Dec. 31, 2017 |
| 5. Scott W. Sutherland | 3 Savory St.  | Waterfront Trust | Dec. 31, 2016 |

**11. ORDERS**

1. Resolution Newburyport Youth Council Youth Bill of Rights

**10. ORDINANCES**

1. 2013 Demolition Delay

## 12. COMMITTEE ITEMS

### Budget & Finance

#### *In Committee:*

1. Mid-Year Report
2. DPS-Sewer I/I Reduction Prog. \$100,000 to CIP-Plum Island Alarm Syst \$100,000 \*09/10/2012
3. Mayor Gen Fd Free Cash \$94,000 to School Dept. \$94,000 \*03/12/2013

### General Government

#### *In Committee:*

1. Campaign Finance Reports – Municipal Forms website posting \*05/14/2012
2. Ordinance Review Committee Ordinances to be revised \*01/14/2013

### Joint Education

#### *In Committee:*

1. Letter regarding World War II Memorial Stadium \*10/23/2012
2. NHS Baseball Alumni Assoc. re loss of baseball field \*11/26/2012

### License & Permits

### Neighborhoods & City Services

#### *In Committee:*

1. Amend Ord. 3-27 Animals, dogs, Licensing of dogs and kennels \*06/25/2012

### Planning & Development

#### *In Committee:*

1. Communication regarding Zoning Changes on Storey Avenue \*05/29/2012
2. Order Cushing Park land transfer to Mayor for Municipal Parking \*06/25/2012
3. ORD Ch. 16 Sec.5 Local Historic District \*09/24/2012
4. ORD Ch. 5 Article X Building Demolition \*09/24/2012
5. Request for Discontinuance of Westerly Side of Harnch's Way \*11/13/2012
6. Revising Demolition Delay \*11/26/2012
7. Downtown Historic District/Demolition Control District \*11/26/2012

### Public Safety

#### *In Committee:*

1. Amend Ord. 10-9 Miscellaneous offenses – use or consumption of marijuana \*11/28/2011
2. Amend Ord. 13-180 Parking Resident Harris St. \*01/30/2012
3. Community Giving Tree of Boxford donation box \*04/30/2012
4. Order Yankee Homecoming Parade \*06/25/2012
5. Parking, Russell Terrace, No Parking, 50 feet from Storey Ave \*08/27/2012
6. ORD Ch. 2 Sec.358 Fingerprint Criminal History Checks \*09/24/2012
7. Central Congregational Church Chocolate Tour May 4, 2013 \*02/25/2013

### Public Utilities

#### *In Committee:*

1. Letter regarding Transfer Request for Streetlight Acquisition \*03/12/2013

### Rules Committee

## 13. GOOD OF THE ORDER

## 14. ADJOURNMENT

## CONSENT AGENDA

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# CITY COUNCIL MEETING MINUTES - VERSION 1

March 12, 2013

7:30 PM

Council President O'Brien called the meeting to order at 7:30 pm. A moment of silence was held. 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, Earls, Heartquist, Herzog, Hutcheson, Jones, Sullivan and O'Brien. 10 present, 1 absent (Derrivan).

## **1. LATE FILES – Communication #6 and Order #2.**

**Motion to waive the rules and allow the late file by Councillor Jones, seconded by Councillor Connell. So voted.**

## **2. PUBLIC COMMENT**

1. Ann Ormond

38 R Merrimac Street

Chamber of Commerce

## **CONSENT AGENDA**

## **3. APPROVAL OF MINUTES**

February 25, 2013

(Approve)

## **4. TRANSFERS**

1. Mayor/Assessor Overlay Surplus \$40,000 to Assessor Revaluation \$40,000

(Approve)

2. Auditor Insurance Claims RSV APP \$1,170 to Nbpt Tree Commission Fd \$1,170

(Approve)

3. Mayor Gen Fd Free Cash \$7,725.45 to Emma Andrews Lib. Comm. Ctn \$7,725.45

(Approve)

4. Mayor Gen Fd Free Cash \$94,000 to School Dept. \$94,000

(B&F)

## **5. COMMUNICATIONS**

1. Nbpt Youth Hockey Tag Day March 16, 2013

(Approve)

2. Nat'l Multiple Sclerosis Society 2013 Walk April 6, 2013

(Public Safety)

**Removed by Councillor Cronin – already acted on.**

3. Greater Nbpt Chamber of Commerce 2013 festivals/events

(Public Safety)

**Removed by Councillor Cronin.**

4. American Diabetes Tour de Cure May 19, 2013

(Public Safety)

**Removed by Councillor Cronin – already acted on.**

5. Merrimack Valley Planning Commission City financial requirement FY2014

(Receive & File)

## **6. APPOINTMENTS - First Reading**

### **Appointment**

1. William Squillace 23 Forest St, Rockport, MA Finance Director March 1, 2016

2. Jennifer Lamarre 185 High Street Human Resources Director March 1, 2016

3. Cynthia M. Zabriskie 87 Lime Street Community Preservation Act Com. April 1, 2015

## **END OF CONSENT AGENDA**

**Motion to approve the Consent Agenda as amended by Councillor Jones, seconded by Councillor Cameron. 10 yes, 1 absent (Derrivan). So voted.**

## **REGULAR AGENDA**

## **7. COMMUNICATIONS**

3. Greater Nbpt Chamber of Commerce 2013 festivals/events

**Motion to approve by Councillor Cronin, seconded by Councillor Cameron. 10 yes, 1 absent (Derrivan). So voted.**

**6. Late file – Letter regarding Transfer Request for Streetlight Acquisition**

**Motion to refer to Public Utility by Councillor Herzog, seconded by Councillor Cameron. So voted.**

## 8. APPOINTMENTS - Second Reading

### Re-Appointment

4. Patricia Lawrence 16 Washington St.

Board of Health

February 1, 2016

Motion to approve second reading by Councillor Cronin, seconded by Councillor Jones. Roll call vote, 10 yes, 1 absent (Derrivan). So voted.

## 9. ORDERS

1. Resolution Earth Hour

Motion to approve by Councillor Cameron, seconded by Councillor Connell. So voted.

2. Late File – Opposition to Global Oil's proposal and any other land method of ethanol transport

Motion to approve by Councillor Herzog, seconded by Councillor Connell. Roll call vote, 1 yes (Herzog), 9 no, 1 absent (Derrivan). So voted.

## 10. COMMITTEE ITEMS

### Budget & Finance

#### In Committee:

1. Mid-Year Report

2. DPS-Sewer I/I Reduction Prog. \$100,000 to CIP-Plum Island Alarm Syst \$100,000 \*09/10/2012

3. Free Cash \$132,393.78 to Fund Union Contracts \$132, 393.78 \*01/14/2013

Motion to remove from committee by Councillor Cameron, seconded by Councillor Hutcheson. Motion to approve in the amount of \$130,363.40 by Councillor Cameron, seconded by Councillor Hutcheson. Roll call vote, 5 yes, 4 no (Earls, Herzog, Jones, Sullivan), 1 present (O'Brien). Motion failed.

4. Retirement Board Fiscal Year 2014 Appropriations

\*02/25/2013

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

### License & Permits

#### In Committee:

1. Yankee Homecoming 2013

\*02/11/2013

Motion to remove from committee by Councillor Earls, seconded by Councillor Connell. Motion to approve by Councillor Earls, seconded by Councillor Connell. So voted.

2. Port Taxi - Taxi Company License Renewal

\*02/11/2013

Motion to remove from committee by Councillor Earls, seconded by Councillor Connell. Motion to approve by Councillor Earls, seconded by Councillor Jones with the Dodge vehicle subject to inspection. So voted.

3. Outdoor Seating Renewal Purple Onion

\*02/25/2013

Motion to remove from committee by Councillor Earls, seconded by Councillor Jones. Motion to approve by Councillor Earls, seconded by Councillor Connell with tables and chairs locked up as last year. So voted.

### Public Safety

#### In Committee:

1. Amend Ord. 10-9 Miscellaneous offenses – use or consumption of marijuana

\*11/28/2011

2. Amend Ord. 13-180 Parking Resident Harris St.

\*01/30/2012

3. Community Giving Tree of Boxford donation box

\*04/30/2012

4. Order Yankee Homecoming Parade

\*06/25/2012

5. Parking, Russell Terrace, No Parking, 50 feet from Storey Ave

\*08/27/2012

6. ORD Ch. 2 Sec.358 Fingerprint Criminal History Checks

\*09/24/2012

7. Nate Bibaud 5K race to recover June 30, 2013

\*02/11/2013

Motion to remove from committee by Councillor Cronin, seconded by Councillor Jones. Motion to approve by Councillor Cronin, seconded by Councillor Connell. So voted.

8. Central Congregational Church Chocolate Tour May 4, 2013

\*02/25/2013

9. National Multiple Sclerosis Society Annual Walk, April 6, 2013

\*02/25/2013



**Public Utilities**

***In Committee:***

1. Green Initiatives Fd \$117,861.47 to Green Initiatives \$117,861.47

*\*02/11/2013*

**Motion to remove from committee by Councillor Herzog, seconded by Councillor Connell. Motion to approve by Councillor Herzog, seconded by Councillor Connell. Motion to table by Councillor Jones, seconded by Councillor Cronin. So voted.**

**11. GOOD OF THE ORDER**

Councillor Heartquist spoke about the devastation on Plum Island and requested Councillors sign a letter from the Plum Island Property Owner's Association to Governor Deval Patrick.

Councillor O'Brien thanked Councillor Earls for running the last Council meeting and thanked Josiah Welch for his 45 years of service on the Library Board.

**12. ADJOURNMENT**

**Motion to adjourn at 9:21pm by Councillor Cronin, seconded by Councillor Connell. So voted.**

## TRANSFERS



Transfer #1  
March 26, 2013

**City of Newburyport**  
**FY 2013**  
**BUDGET TRANSFER REQUEST**

RECEIVED  
CITY CLERK'S OFFICE  
NEWBURYPORT, MA  
2013 MAR 20 P 2:33

**Department:** Mayor

**Submitted by:** Mayor Holaday

**Date Submitted:** 3/20/2013

**Transfer From:**

Account Name	General Fund - Free Cash	YTD Bal:	\$ 1,871,426.78
Account Number:	01-35900	Trans In:	\$ -
Amount:	\$3,122.19	Trans Out	\$ 370,524.22
Why are Funds Available:	The Mass Dept of Revenue has certified Free Cash for FY 2013 at \$2,241,951		
Funds are available for any legal expenditure with the recommendation of the Mayor and a majority vote of the City Council.			

**Transfer To:**

Account Name	Youth Services - Kelley School Exp.	YTD Bal:	\$ 1,455.19
Account Number:	01542007-57843	Trans In:	\$ -
Amount:	\$3,122.19	Trans Out	\$ -
Why are Funds Required:	The fuel oil tank at the Kelley School Youth Center required cleaning and maintenance which was not anticipated this year.		

**Transfer To:**

Account Name		YTD Bal:	\$ -
Account Number:		Trans In:	\$ -
Amount:		Trans Out	\$ -
Why are Funds Required:			

Donna D. Holaday, Mayor  
William B. Squillace, Auditor  
City Council Approval: (Stamp)

*Donna D. Holaday*  
*William B. Squillace*

Date: 3/20/13  
Date: 3/20/13

## COMMUNICATIONS

Dear Governor Patrick,

We, the undersigned, as leaders in Green Communities, write to thank you for being a national leader in solar energy policies. Your work has made an enormous difference for Massachusetts. And we write to ask that you move quickly to push solar to the next level by committing to getting solar on 50,000 roofs by 2020 and 150,000 roofs by 2030.

Unfortunately, Massachusetts still relies too heavily on dirty energy; 90 percent of our energy still comes from dirty sources that put our health and our environment at risk. Thanks to your leadership we have come a long way in both energy efficiency and converting to renewable sources, but there is still more we must do.

Solar is on the upswing. In 2012 alone 110.68 megawatts (mW) were installed, bringing us to a total of 205 mW of installed solar in the Commonwealth. This progress means we are rapidly nearing your goal of getting 250 mW of solar installed by 2017. This is certainly great news for the Commonwealth and provides you with the opportunity to push the state even farther: we need 1 gigawatt of installed solar by 2017.

This new goal will strengthen Massachusetts' position as a leader in solar energy. As you well know, solar energy is wildly popular both with the public and with the industry. In addition it will drastically reduce our global warming emissions- in their entire life cycle (including production), solar installations produce less than one-eighth of the greenhouse gas emissions that coal produces.

Pushing the Commonwealth to 1 gigawatt by 2017 will solidify your legacy as the "Clean Energy" Governor for years to come.

Thank you for the work you have already done to bring clean energy to Massachusetts. Please continue to lead the way by resetting Massachusetts' goal to 1 GW of installed solar by 2017, enabling us to get solar on 50,000 roofs by 2020 and 150,000 roofs by 2030. We look forward to working with you on this matter.

Sincerely,

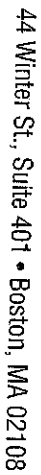
*All information about this campaign should be included in the letter. Please feel free to contact me with any questions.*

*Danielle Falzon*

*danielle@environmentmassachusetts.org*

*617-747-4368*

RECEIVED  
CITY CLERK'S OFFICE  
NEWBURYPORT, MA  
2013 MAR -4 P 1:29

[illegible][illegible]



## Neurofibromatosis, Northeast

9 Bedford Street ~ Burlington, MA 01803

781-272-9936 ~ [info@nfincne.org](mailto:info@nfincne.org)

[www.nfincne.org](http://www.nfincne.org)

Communication #2

March 26, 2013

Committee

Kate Duff & Dan McKee  
Co-Chairpersons

Michelle Donovan  
John Duff  
Megan Duff  
Jill Tozza Feeney  
Peter Gentile  
Tracy Kelley  
Chanda McKee  
Kevin McKelvey  
Alex Powers  
Elaine Powers  
Melissa White

2013 MAR -7 P 1:09

March 6, 2013

Richard B. Jones  
City Clerk  
City Hall  
60 Pleasant Street  
Newburyport, MA 01950

Dear Richard,

On behalf of Neurofibromatosis Northeast, I am seeking permission to include Newburyport on the route for the third Annual Coast to the Cure bike ride to benefit Neurofibromatosis Northeast. Coast to the Cure takes place on Saturday, September 7, 2013. The ride starts and finishes at Stage Fort Park in Gloucester. The event consists of three prescribed routes (25, 62 and 100 miles) encompassing 18 communities: Beverly, Ipswich, Wenham, Hamilton, Essex, Manchester, Georgetown, Groveland, North Andover, Boxford, Middleton, Topsfield, Rowley, Haverhill, Amesbury, Merrimac, Newbury and Newburyport.

I can assure you that all participants will wear helmets, travel in an organized fashion on public roads, never on private property, and will obey the rules of the road. The cyclists will leave Stage Fort Park in staggered starts beginning at 7am. We anticipate approximately 50 riders in total travelling in packs of 3-6 people over a period of two hours through your community. The following Newburyport streets are on the 100 mile route: Merrimac, Moulton, Kent, Water and Ocean.

It would be greatly appreciated if you could include our request in an upcoming City Council agenda.

Proceeds from the event benefit Neurofibromatosis Northeast and support our mission of finding a cure and treatment for neurofibromatosis by promoting scientific research, creating awareness, and supporting those who are affected by NF.

Please don't hesitate to contact me. I can be reached at (781) 272-9936 or [snathan@nfincne.org](mailto:snathan@nfincne.org).

Thanks so much for your consideration.

Sincerely,

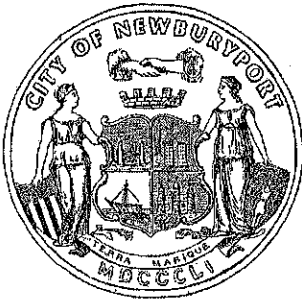
Sonja Nathan  
Director of Special Events

Neurofibromatosis, Northeast is a 501(c)(3) tax-exempt organization

An advocate for NF patients and families since 1988

2/27/alteration

Communication #3  
March 26, 2013



RECEIVED  
CITY CLERK'S OFFICE  
NEWBURYPORT, MA

NEW FILING X  
RENEW     

Application 2013 MAR 13 A 11:55

Food Establishment Outdoor Seating on Public Property

Date: 3/12/13

Name of Business Owner: Tim Rogers

Name of Property Owner: Dean Behrend

Business Name: Andiamo Restaurant + Bar

Business Address: 24 Winter St. Business Telephone: 978 255 4341

Number of Tables Requested: 10 Dimensions: 28 x 28 Material: ALUMINIUM

Number of Chairs Requested: 36 Dimensions: 18 x 16 Material: ALUMINIUM

☐ Applicant requests approval of outdoor seating for the sole purpose of food consumption.

☒ Applicant requests approval of outdoor seating for food *and* alcohol consumption.

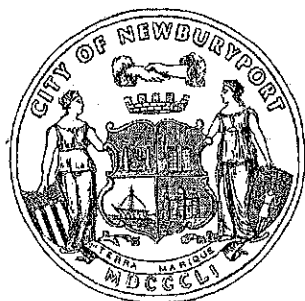
### Application Requirements

Please submit the following documents with the completed application to:

City Clerk's Office  
Newburyport City Hall  
PO Box 550  
60 Pleasant Street  
Newburyport, MA 01950

- 1) Applicants must provide evidence of liability insurance to the City Clerk with minimum coverage in the amount of one million dollars, naming the City of Newburyport as co-insured. This insurance coverage must be in force for the duration of the approved period.
- 2) 8 1/2 x 11 sketch of outdoor seating detailing:  
a) measurements of tables and chairs  
b) total width of sidewalk and c) distance between proposed seating and sidewalk





## Application

### Food Establishment Outdoor Seating on Public Property (continued)

---

- 3) obstacles such as streetlights, signs, trees, benches, and garbage barrels.
- 4) Applicants seeking approval of outdoor seating for food and alcohol consumption must also submit:
  - a) Written and dated approval of the Newburyport License Commission for the outdoor service of alcohol, including the information and sketch used for the basis of the License Commission approval.
  - b) 8 ½ x 11 sketch of outdoor seating cited above must also include a depiction and information on the placement, dimensions, and materials used to create a demarcated area for the service of alcohol.

#### **RELEASE AND INDEMNITY AGREEMENT TO ENCUMBER A PUBLIC WAY**

I, the undersigned Applicant or Duly Authorized Agent, hereby agree to RELEASE, DISCHARGE, and HOLD HARMLESS, the City of Newburyport, a municipal corporation of the Commonwealth of Massachusetts, and its officers, employees, agents, and servants from all actions, causes of action, claims, demands, damages, costs, loss of services, expenses and compensation associated with the undersigned's use of the public way as described herein.

  
\_\_\_\_\_  
Signature of Business Owner



# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

3/7/2013

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

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

PRODUCER MTM Insurance Associates 1320 Osgood Street  North Andover MA 01845	CONTACT NAME: Victoria Lowes, CISR PHONE (A/C, No. Ext): (978) 681-5700 FAX (A/C, No.): (978) 681-5777 E-MAIL ADDRESS: vickiel@mtminsure.com
INSURED EMNIC Inc dba Andiamo C/O Bean & Bean 3 Graf Road Newburyport MA 01950	INSURER(S) AFFORDING COVERAGE INSURER A: Preferred Mutual Ins Co NAIC # 15024 INSURER B: Hartford Fire & Casualty Group INSURER C: INSURER D: INSURER E: INSURER F:

## COVERAGES

CERTIFICATE NUMBER: 12-13 Master List

REVISION NUMBER:

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

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR		BOP0100709487	8/20/2012	8/20/2013	EACH OCCURRENCE \$ 2,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 50,000 MED EXP (Any one person) \$ 10,000 PERSONAL & ADV INJURY \$ 2,000,000 GENERAL AGGREGATE \$ 4,000,000 PRODUCTS - COMPIOP AGG \$ 4,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input type="checkbox"/> LOC					
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input checked="" type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS		BOP0100709487	8/20/2012	8/20/2013	COMBINED SINGLE LIMIT (Ea accident) \$ 2,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
	UMBRELLA LIAB EXCESS LIAB DED RETENTION \$	<input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS-MADE				EACH OCCURRENCE \$ AGGREGATE \$
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N <input type="checkbox"/>	08WECK6991	9/10/2012	9/10/2013	WC STATUTORY LIMITS OTHER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000
A	Property Coverage		BOP0100709487	8/20/2012	8/20/2013	Business Personal Property \$350,000 Deductible \$1,000

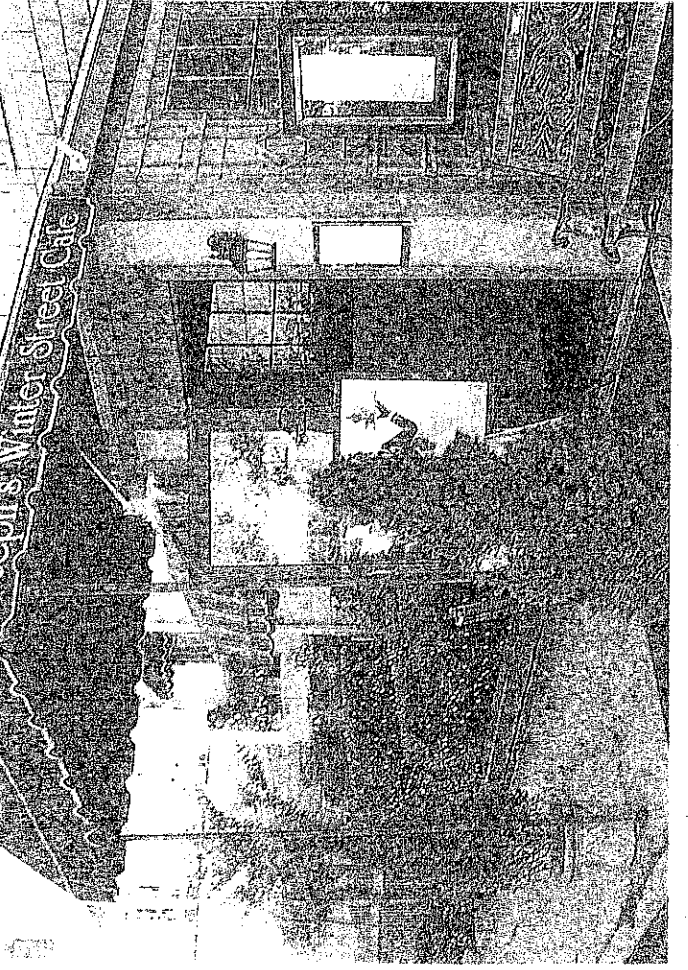
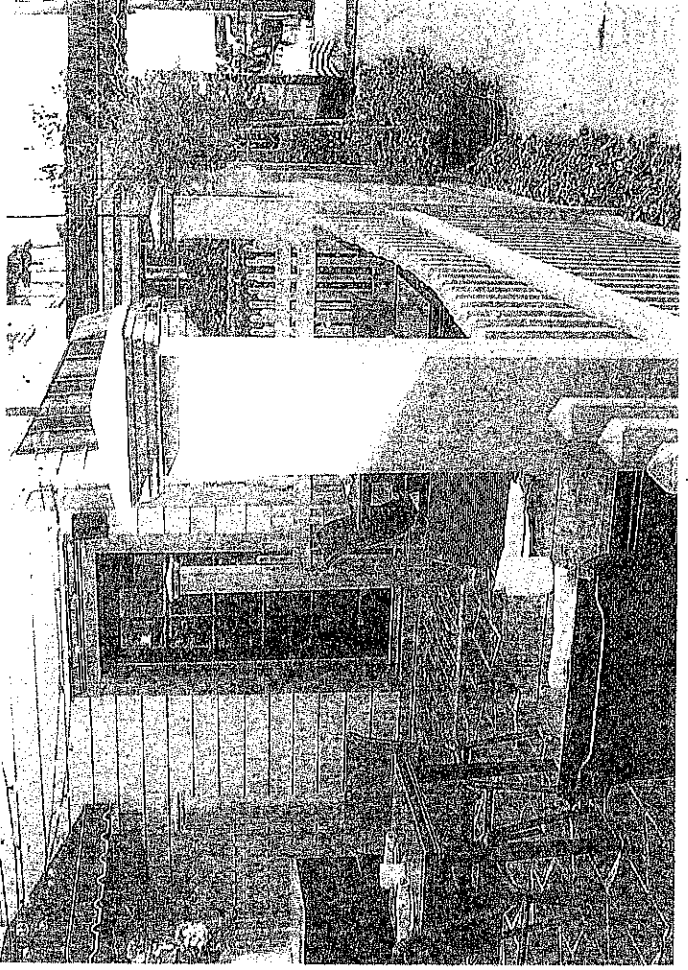
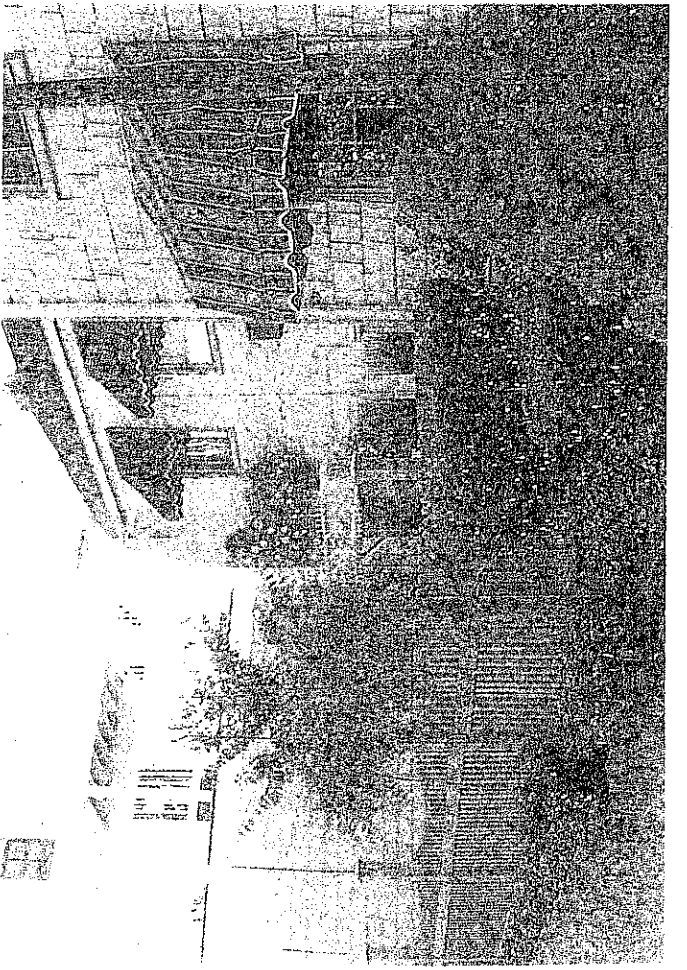
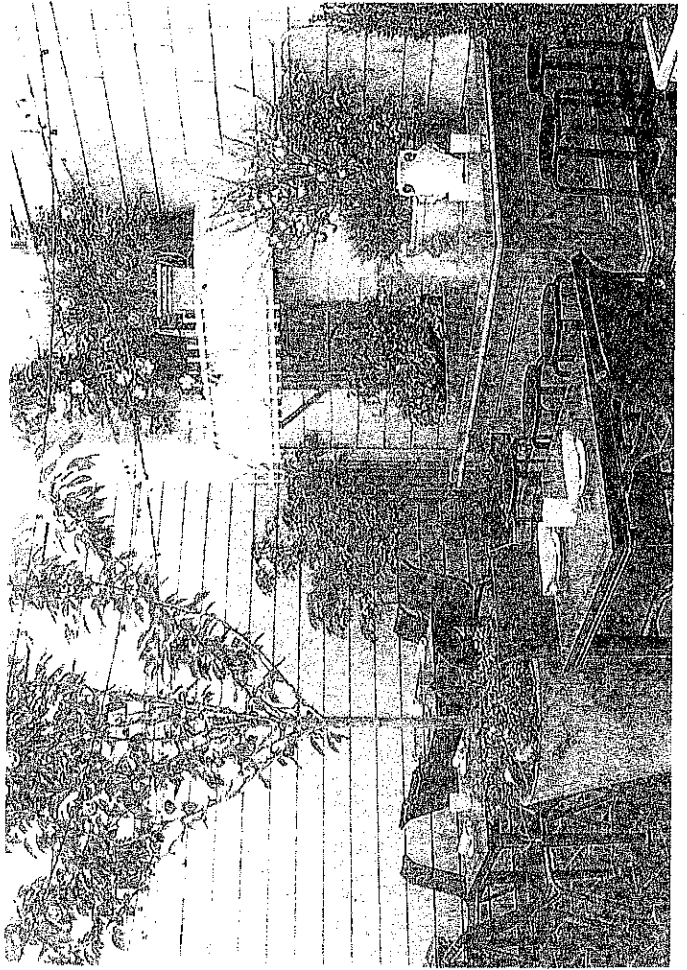
DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)  
Additional Insured: City of Newburyport

## CERTIFICATE HOLDER

## CANCELLATION

City of Newburyport Newburyport City Hall City Clerk's Office PO Box 550 60 Pleasant St Newburyport, MA 01950	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.  AUTHORIZED REPRESENTATIVE  L Mancinelli, CIC/VIC <i>Laurie C Mancinelli</i>
--	---

## A2.1



*Newburyport Retirement Board*  
60 Pleasant Street, City Hall  
Newburyport, MA 01950

RECEIVED  
CITY CLERK'S OFFICE  
NEWBURYPORT, MA

2013 MAR 20 A 9:55

Board Members

*Attorney Vincent Malgieri, Chairman*  
*J. Paula Fowler, Elected*  
*Joseph Spaulding, Elected*  
*William Squitlace, City Auditor*  
*Alexander Kravchuk, Appointee*

Telephone

(978) 465-6619

FAX

(978) 462-4042

*Laurie Burton, Executive Director*

*LaurieBurton@NewburyportRetirement.org*

March 20, 2013

To: President and Members of the City Council

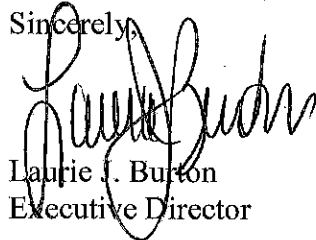
From: Newburyport Retirement Board

Re: Retirement Board Meeting for the Purpose of Voting on C.O.L.A. for Retirees

Per the provisions of Section 51 of Chapter 127 of the Acts of 1999, we are hereby notifying you that the Newburyport Retirement Board will be holding a meeting in the Mayor's conference room on the second floor at City Hall at 10:00 A.M. on April 24, 2013.

The Retirement Board, at this meeting, will address the election of paying a Cost of Living Adjustment of up to 3% to the Retirees for F/Y 2014, pursuant to Chapter 32, Section 103 and Chapter 127, Section 51 of the Acts of 1999.

Sincerely,



Laurie J. Burton  
Executive Director

**Barry Connell**

36 Woodland Street • Newburyport, MA • 01950

RECEIVED  
CITY CLERK'S OFFICE  
NEWBURYPORT, MA  
01950

2013 MAR 20 A 10:00

March 15, 2013

Honorable Thomas O'Brien, President  
Newburyport City Council  
City Hall  
Newburyport, MA 01950

Dear President O'Brien,

I am writing to request the use of the Clipper City Rail Trail and City streets on June 15, 2013, for the second annual Pan-Merrimack Challenge cycling event. The sponsoring organization is the Riverside Rockets, a team of twenty amateur athletes who share a common purpose; to raise \$100,000 in the greater Newburyport area for cancer research at the Dana Farber Cancer Institute. In August, our team will ride in the Pan-Mass Challenge, which raised \$37 million in its 2012 campaign.

Each of us has a different reason for riding. Some of us are cancer survivors, some of us have family members or friends fighting cancer, and some are riding to remember someone who has lost their fight. But we are all determined to raise funds together, to train together, and ride 190 miles together on August 2<sup>nd</sup> and 3<sup>rd</sup> to demonstrate that commitment.

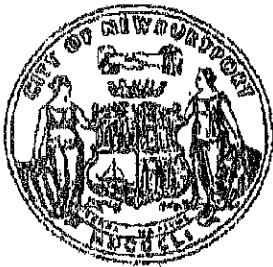
We have submitted our route to the police departments of Newburyport and other communities along the cycling route, each of which has offered to assist us in street crossings and policing the fifty-mile course. We stand ready to answer any questions you may have, and urge you to join your neighbors and participate.

Thank you for your consideration.

Sincerely,



Barry Connell



## City of Newburyport

## Application

## Food Establishment Outdoor Seating on Public Property

RECEIVED  
CITY CLERK'S OFFICE  
NEWBURYPORT, MA  
RENEW ~~X~~  
2013 MAR 20 A 10:41Date: 3/18/13Name of Business Owner: Claude EliasName of Property Owner: Newburyport DevelopmentBusiness Name: Oregano PizzeriaBusiness Address: 116 Pleasant StBusiness Telephone: 978-462-5013Number of Tables Requested: 5 Dimensions: 40" Round Material: Red IronNumber of Chairs Requested: 20 Dimensions: " Material: Red Iron

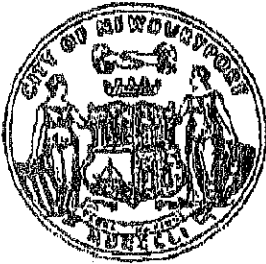
- ☐ Applicant requests approval of outdoor seating for the sole purpose of food consumption.
- ☒ Applicant requests approval of outdoor seating for food and alcohol consumption.

Application Requirements

Please submit the following documents with the completed application to:

City Clerk's Office  
Newburyport City Hall  
PO Box 550  
60 Pleasant Street  
Newburyport, MA 01950

- 1) Applicants must provide evidence of liability insurance to the City Clerk with minimum coverage in the amount of one million dollars, naming the City of Newburyport as co-insured. This insurance coverage must be in force for the duration of the approved period.
- 2) 8 1/2 x 11 sketch of outdoor seating detailing:  
a) measurements of tables and chairs  
b) total width of sidewalk and c) distance between proposed seating and sidewalk




## Application

Food Establishment Outdoor Seating on Public Property  
(continued)

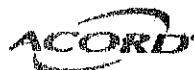
- 3) obstacles such as streetlights, signs, trees, benches, and garbage barrels.
- 4) Applicants seeking approval of outdoor seating for food and alcohol consumption must also submit:
  - a) Written and dated approval of the Newburyport License Commission for the outdoor service of alcohol, including the information and sketch used for the basis of the License Commission approval.
  - b) 8 1/2 x 11 sketch of outdoor seating cited above must also include a depiction and information on the placement, dimensions, and materials used to create a demarcated area for the service of alcohol.

**RELEASE AND INDEMNITY AGREEMENT TO ENCUMBER A PUBLIC WAY**

I, the undersigned Applicant or Duly Authorized Agent, hereby agree to RELEASE, DISCHARGE, and HOLD HARMLESS, the City of Newburyport, a municipal corporation of the Commonwealth of Massachusetts, and its officers, employees, agents, and servants from all actions, causes of action, claims, demands, damages, costs, loss of services, expenses and compensation associated with the undersigned's use of the public way as described herein.

  
Signature of Business Owner





# CERTIFICATE OF LIABILITY INSURANCE

OREGA-1

OP ID: CA

DATE (MM/DD/YYYY)

03/12/13

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

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PRODUCER  
Chase & Lunt LLC  
P O Box 590  
47 State Street  
Newburyport, MA 01960  
Marcos W. Shaner

978-462-4434

978-465-6204

CONTACT

NAME:

PHONE

(A/C No. Ext.):

E-MAIL

ADDRESS:

FAX

(A/C No.):

INSURER(S) AFFORDING COVERAGE

NAIC #

INSURER A: Peerless Insurance Co.

INSURER B: Massachusetts Retail Merchants

INSURER C:

INSURER D:

INSURER E:

INSURER F:

INSURED  
Oregano's  
c/o Medical Laser Technologies  
264 North Broadway  
Salem, NH 03079

## COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

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

INSURER	TYPE OF INSURANCE	ADDL SUBR	POLICY NUMBER	POLICY EFF	POLICY EXP	LIMITS
LT		INSR WVD		(MM/DD/YYYY)	(MM/DD/YYYY)	
A	GENERAL LIABILITY					
	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY		CBP8417968	04/01/12	04/01/13	EACH OCCURRENCE \$ 1,000,000
	<input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR					DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000
	<input checked="" type="checkbox"/> Liq Liab \$1,000,0					MED EXP (Any one person) \$ 5,000
	GEN'L AGGREGATE LIMIT APPLIES PER:					PERSONAL & ADV INJURY \$ 1,000,000
	<input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC					GENERAL AGGREGATE \$ 2,000,000
	AUTOMOBILE LIABILITY					PRODUCTS - COMPIOP AGG \$ 2,000,000
	<input type="checkbox"/> ANY AUTO					
	<input type="checkbox"/> ALL OWNED AUTOS	<input type="checkbox"/> SCHEDULED AUTOS				COMBINED SINGLE LIMIT (Ea accident) \$
	<input type="checkbox"/> HIRED AUTOS	<input type="checkbox"/> NON-OWNED AUTOS				BODILY INJURY (Per person) \$
	UMBRELLA LIAB	<input type="checkbox"/> OCCUR				BODILY INJURY (Per accident) \$
	EXCESS LIAB	<input type="checkbox"/> CLAIMS-MADE				PROPERTY DAMAGE (Per accident) \$
	DED	RETENTION \$				
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY		0140050318551	01/01/12	01/01/13	EACH OCCURRENCE \$
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)	<input type="checkbox"/> Y <input type="checkbox"/> N				AGGREGATE \$
	If yes, describe under DESCRIPTION OF OPERATIONS below					
						<input checked="" type="checkbox"/> WC STA U- TORY LIMITS <input type="checkbox"/> OTH- ER
						E.L. EACH ACCIDENT \$ 100,000
						E.L. DISEASE - EA EMPLOYEE \$ 100,000
						E.L. DISEASE - POLICY LIMIT \$ 500,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)  
Coverage applies to outdoor seating.

## CERTIFICATE HOLDER

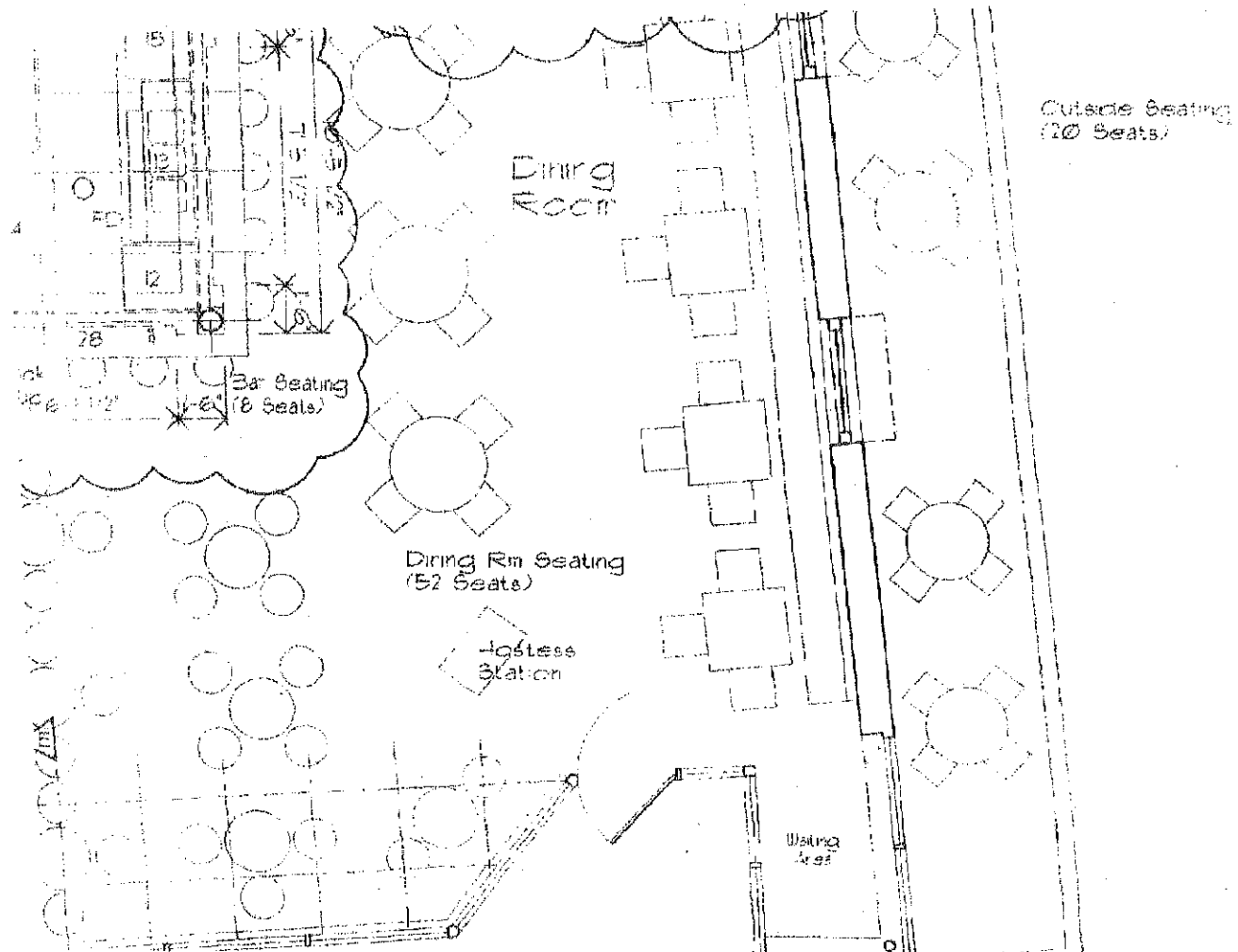
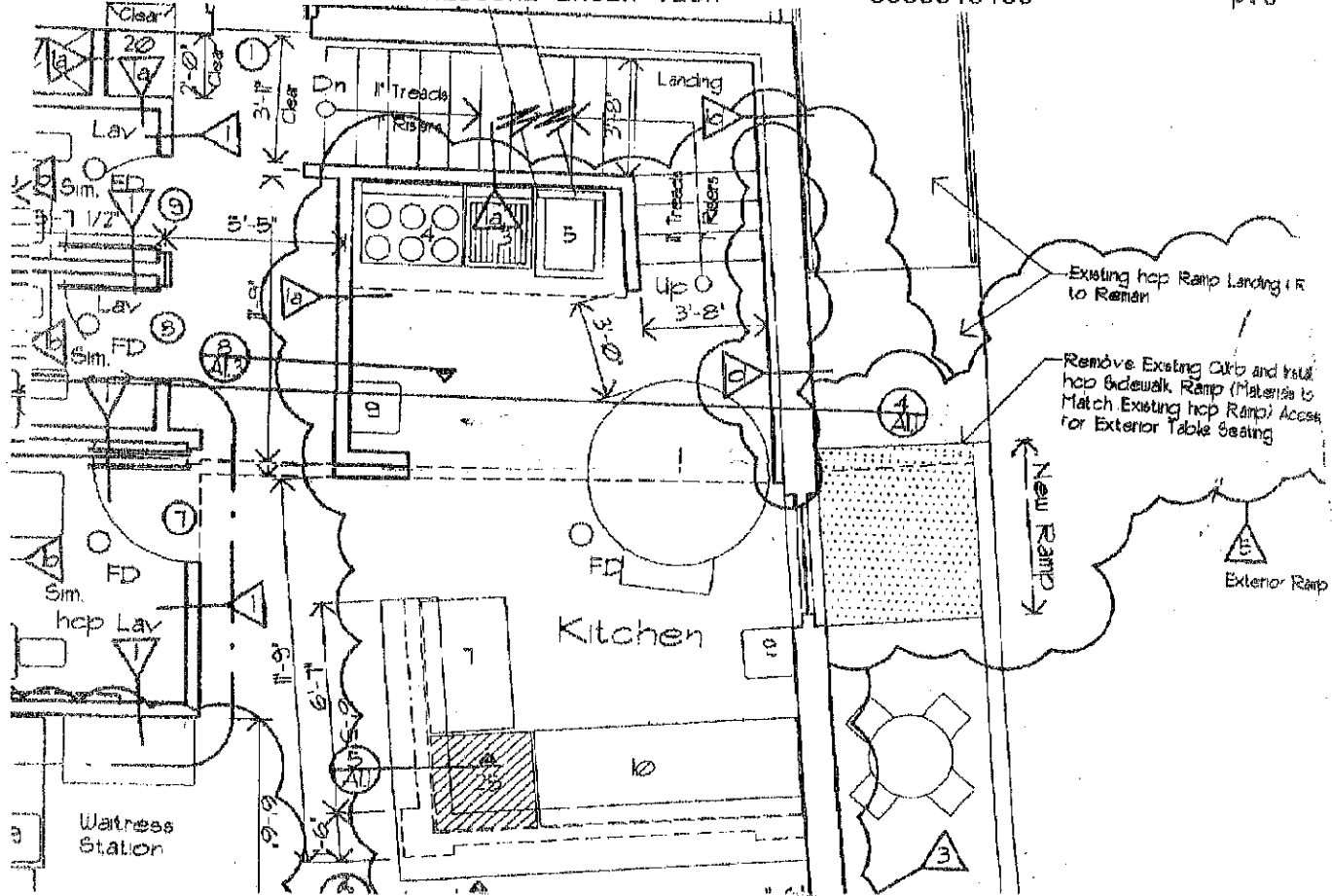
## CANCELLATION

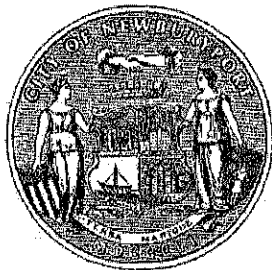
City of Newburyport  
60 Pleasant Street  
Newburyport, MA 01960

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

James J. Harbitt III





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  
2013 MAR 20 P 3:04

## MEMORANDUM

TO: **Honorable members of the City Council**

FROM: **Andrew Port, Director of Planning & Development**

CC: **Donna D. Holaday, Mayor**

RE: **Open Space & Recreation Plan Update - Final Plan**

DATE: **March 5<sup>th</sup>, 2013**

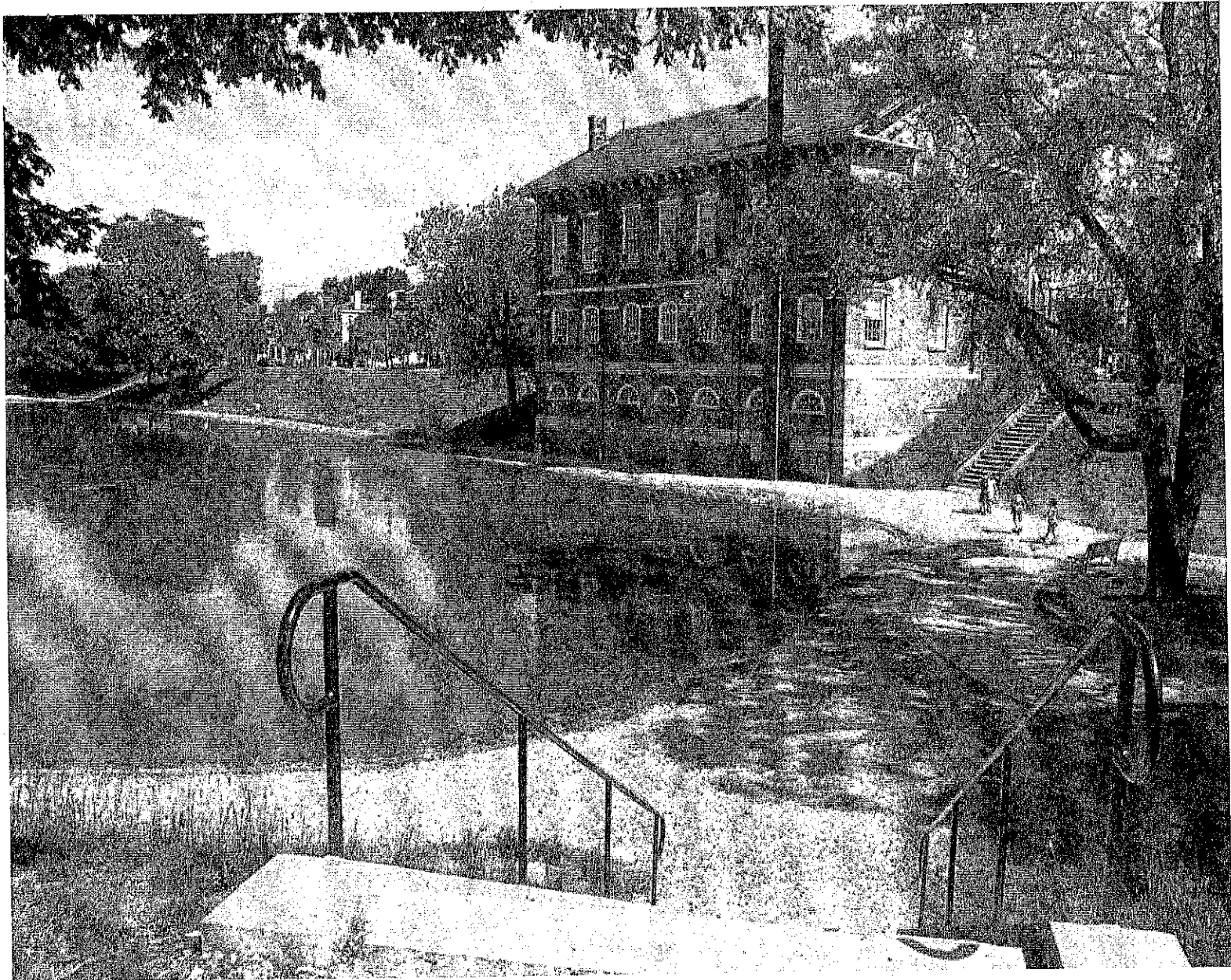
As you know the Office of Planning & Development is responsible for conducting long-range planning studies and preparing comprehensive plans to address city-wide issues in compliance with state standards. During the past year we have worked with the local firm Brown Walker Planners, Inc. to prepare a comprehensive update to Newburyport's previous (expired) Open Space & Recreation Plan. The planning process consisted of a series of public and focus group meetings, an online survey, and update to the entire report (including maps and all sections required by the state). The final approved plan can be seen, in its entirety, on the City website at the following URL:

<http://www.nbpt.us/Planning/osrp.html>

For your convenience, I have attached hereto several sections of the new plan which may be of immediate interest (and which you may find useful on a more frequent basis):

1. Cover Page
2. Acknowledgements
3. Table of Contents *[provides a quick outline of the plan elements]*
4. Section 1: Plan Summary
5. Section 2: Introduction
6. Section 8: Goals & Objectives
7. Section 9: Seven-Year Action Plan *[the state requires an odd seven-year timeline for plan implementation]*
8. Map 12: City-wide Open Space Inventory *[11x17 reference map]*

We trust that this information will assist you in prioritizing funding (and other activities) in the coming years. Please do not hesitate to contact me if you have questions regarding this, or any other, planning initiatives.



# **City of Newburyport Open Space and Recreation Plan**

**September 2012**

# Acknowledgements

Donna D. Holaday, Mayor

**Parks Commission**

Bob Uhlig, Chair

Sean Harrington

Sean Perkins

Steve Sawyer

Karen Popken

**Open Space Committee**

Mary Harbaugh, Chair

Michael Dissette

Michael Frey

George Blaxter

Elizabeth Marcus

Larry McCavitt

Dave Viale

**Office of Planning and Development**

Andrew R. Port, AICP, Director of Planning & Development

Lise Reid, Parks Administrator

Geordie Vining, Senior Project Manager

Julia Godtfredsen, Conservation Administrator

Emily Wentworth, Planning & Zoning Administrator

Consulting assistance provided by Brown Walker Planners, Inc.

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## Section 1: Plan Summary

This Plan continues the ongoing efforts by the city of Newburyport to enhance and protect its natural areas and to provide and maintain accessible parks and recreational areas for the enjoyment of the City's residents, workforce, and visitors.

A plan's success is most effectively measured by how much of it is implemented. Since the city's last plan was completed in 2005, the city of Newburyport has completed the following actions to support protection and management of the city's open spaces and recreation areas:

- Protected Coffin's Island, Wet Meadows, Cooper North (Common Pasture)
- Negotiated with farmers to hay the fields at Cooper North and Wet Meadows and developed management plans to protect the conservation/agricultural values of these areas
- Protected property abutting Maudslay State Park along the Artichoke River
- Completed Clipper City Rail Trail (Phase 1) and section of Harborwalk through Cashman Park
- Purchased land from Guilford Transportation/B&M Railroad and secured several other easements to extend the Rail Trail / Harborwalk (Phase 2)
- Created Little River Nature Trail and worked with Parker River Clean Water Association to enhance the trail
- Established a part-time Parks Administrator position
- Started program for off-leash dog hours at select city parks
- Renovated and improved fields at Cashman Park, Pioneer League Park, Woodman Park and resurfaced courts at Cashman Park
- Added restroom at PI Beach
- Resurfaced playgrounds at Inn Street and Cashman and added amenities at Jason Sawyer Playground
- Renovated Brown Square and completed improvements to Bartlet Mall / Frog Pond
- Striped bike lanes on Plum Island Turnpike and refurbished bike lanes on High Street
- Renovated one grandstand at the High School stadium
- Collaborated with Amesbury and Salisbury to obtain a commitment from Mass DOT to include a multi-use path as part of the renovation of the I-95 Whittier Bridge

Building on these positive achievements, the 2012 Open Space and Recreation Plan includes a revised Seven-Year Action Plan (Section 9). Significant contributions from the city's Open Space Committee, Parks Commission, and Office of Planning and Development have assisted the planning consultants to complete the updated demographics and community setting (Section 3) to provide a context for planning recommendations. A survey, two public meetings, focus group discussions, and stakeholder interviews have informed the development of the action plan and have

provided indispensable local knowledge for the updated inventories (Sections 4 and 5) and identification of issues and analysis of needs (Section 7).

The community vision (Section 6), goals and supporting objectives (Section 8) provide a framework for the action steps that will guide the city over the next 5 to 10 years.

- Goal 1: Protect lands of public conservation and recreational interest including the city's defining scenic heritage landscapes and areas that support essential wildlife habitat and ecosystems, water protection, flood management, and a variety of recreational activities.
- Goal 2: Maintain a high quality of parks and recreation areas that are safe, attractive, and provide a range of active and passive (informal) recreational opportunities for all residents and visitors.
- Goal 3: Improve awareness of public open space and recreation areas.

The Action Plan provides a work plan to guide those responsible for open space and recreation management and land acquisition in the city. The Plan identifies responsible parties and partners, potential funding sources (where applicable), and priority (high, medium, low).

- To focus land protection efforts, the plan identifies key remaining large, contiguous open space areas that represent heritage landscapes and critical wildlife habitat.
- To encourage wholesome and healthful recreational opportunities, the plan identifies opportunities for improving management of existing parks and recreation areas as well as expanding trail networks and increasing recreational program offerings.
- To support clean air, clean water, and improved quality of life now and in the future, the plan identifies opportunities for coordinating land and water supply protection efforts, strengthening land use regulations and guidelines, and support related private, regional, and state initiatives.

## Section 2: Introduction

### Statement of Purpose

This updated plan continues the ongoing work by the city's Open Space Committee, Parks Commission, and the Office of Planning and Development to guide open space protection and recreation area management. It builds on previous open space planning efforts completed in 1999 and 2005 and lays out a work plan for the next seven years.

The plan helps to ensure that the city remains eligible for state funding for open space preservation and park improvement projects including Parkland Acquisitions and Renovations for Communities (PARC), Local Acquisitions for Natural Diversity (LAND), and the federal Land and Water Conservation Fund, which are administered by the Massachusetts Executive Office of Energy and Environmental Affairs.

### Planning Process and Public Participation

The city's previous open space and recreation plans have been produced through the hard work of volunteers on the Open Space Committee (OSC) and the Parks Commission (PC) as well as with assistance from city staff. In 2011, the Office of Planning and Development received funds from the Community Preservation Act to be used to support completion of the 2012 Open Space and Recreation Plan update. The city hired Brown Walker Planners, a local community planning firm with extensive open space and recreation planning experience, to assist with the planning process. Members of the OSC, PC, and the Planning staff continued to play an integral role in the completion of this plan.

Public outreach efforts included feature articles in the Daily News, notices distributed to city board and committee e-mail lists, notices the Newburyport Mothers Club list serve, and flyers posted at the public library and City Hall. Examples of public outreach are included in the appendix.

A public meeting was held in February 2012, in which participants discussed both the strengths of the city's parks and recreational areas and programs as well as much needed improvements. Public ideas about parks and recreation facilities and programs were also collected through a community survey circulated during the month of April. Two focus group meetings were held with representatives from community groups and sports leagues involved in management and programming for the city's parks. Additional interviews were conducted with members of regional conservation and land protection groups. A final public meeting to review and prioritize action steps was held in May 2012. The city's departments and boards were invited to review and comment on the plan throughout the month of May and the draft plan was also posted for public review on the city's web page.

## Section 8: Goals and Objectives

This section presents Open Space and Recreation goals and objectives for Newburyport and is based on the values and concerns expressed by residents through the community survey, at the public meeting, and in focus group discussions and stakeholder interviews. The *goals* are broad statements framed to indicate a desired future condition or achievement by the city. The *objectives* are more specific statements that outline measurable accomplishments that will help the city achieve these goals. These together guide the development of the Action Plan, which is outlined in the following section.

*Goal 1: Protect lands of public conservation and recreational interest including the city's defining scenic heritage landscapes and areas that support essential wildlife habitat and ecosystems, water protection, flood management, and a variety of recreational activities.*

### Objectives

- Preserve the scenic vistas and working farms of the Common Pasture to support agricultural uses, conserve priority habitat for migrating and native species, and protect water systems of the Little and Parker River by working collaboratively with conservation partners and the communities of Newbury and West Newbury.
- Conserve the Little River Watershed area to protect certified vernal pools and priority habitat for endangered and threatened species, provide floodwater management, support the health of the Great Marsh ecosystem, and protect pastoral character.
- Protect marshland and other areas along the Merrimack River waterfront that offer scenic views and support a wide range of bird and marine/estuarine life.
- Protect the historically and environmentally important Curzon Mill/Artichoke River area.
- Preserve land along Old Ferry Road and the Merrimack River to protect public water supply, support a largely un-fragmented habitat corridor, including bald eagle habitat, and accommodate a scenic trail system overlooking the river.
- Preserve and enhance public access to and enjoyment of the Central Waterfront.
- Protect and enhance scenic byways / roadways.
- Protect and support working farms and farmland.
- Continue efforts to make and enhance connections in the city's trail network.
- Identify and act on opportunities for adding new neighborhood parks to provide access within walking distance of all residents.
- Identify and secure funding for land acquisition and protection.
- Encourage and support private land conservation measures.
- Incorporate provision of public open space and/or recreation areas in any major redevelopment projects, including the area around the MBTA station, the Storey Avenue commercial area, Route 1 traffic circle and the Central Waterfront.
- Explore options and coordinate with regional initiatives to mitigate and adapt to climate change.
- Encourage and support community gardening.

- Continue and expand stewardship to protect conservation features of protected lands.

*Goal 2: Maintain a high quality of parks and recreation areas that are safe, attractive, and provide a range of active and passive (informal) recreational opportunities for all residents and visitors.*

**Objectives**

- Provide dedicated park staff and expand budget capacity for parks management.
- Provide consistent park maintenance for park facilities.
- Provide current assessments of park conditions to identify, budget for, and address maintenance issues.
- Improve field conditions and maintenance practices on recreational fields.
- Improve surface conditions on recreational courts.
- Improve playground equipment and replace deteriorated equipment.
- Continue to plan for, budget for, and execute renovations to existing parks and facilities to create safe, accessible, and enjoyable parks and facilities.
- Promote neighborhood involvement in and "ownership" of parks.
- Identify ways to expand capacity of existing athletic field space.
- Regularly assess recreation needs / interests of residents of all ages, incomes, and abilities and adapt recreational and cultural activity offerings to address evolving needs.
- Implement improvements at city parks and recreation areas to ensure accessibility to people with a variety of levels of mobility, sense awareness, and mental capacity.
- Construct trail connections, help promote their use, and develop long-term trail maintenance strategies.
- Implement recommendations of the Strategic Waterfront Plan to establish a continuous harborwalk along the shoreline of the Merrimack River.
- Support passive (informal) recreational activities, such as birding, on conservation lands.
- Evaluate opportunities for creation of new recreation facilities to support community interest / demand.
- Identify and secure funding for recreational improvements.
- Contain and eliminate invasive plant species.

*Goal 3: Improve access to, connections between, and awareness of public open space and recreation areas.*

**Objectives**

- Organize events to bring greater awareness to neighborhood parks and city open spaces.
- Provide natural educational programs at city conservation lands.
- Provide on-site informational displays at city conservation lands.
- Improve public access to open space areas for passive (informal) recreation where appropriate, including pathways, overlooks / vistas, bike racks, and parking.

- Improve and increase on-line information and learning opportunities about the city's open space and recreation areas.
- Continue and increase collaborative opportunities with state, federal, and not-for-profit land managers and conservation organizations.
- Create safe pedestrian and bike connections from neighborhoods to existing parks.
- Support initiatives to increase public awareness of potential climate change impacts and responses.

## Section 9: Seven-Year Action Plan

An action plan is a compilation of recommended strategies prioritized and organized into a framework that includes a desired time frame and identifies responsible parties. In this section, recommendations are organized in a matrix that can be easily referenced, reviewed and monitored. The first part of this section also highlights priority projects and identifies potential project funding sources.

### Priority Projects

The planning process has identified five categories of priority projects that should be considered for immediate implementation (for which work can begin within the next year). These priorities are not listed in any particular order. The matrix in the next section also identifies a list of actions by high, medium, or low priority.

#### **PRIORITY: RECREATION MANAGEMENT**

- Expand Park Administrator position to full time.
- Evaluate existing framework for management and oversight of city's parks and make changes to improve coordination between different management entities and to clarify roles and responsibilities.
- Explore appointment of city volunteer coordinator role and establish park volunteer program.
- Explore the potential benefits / costs and options for creation of a city Parks Department.

#### **PRIORITY: PARKS MAINTENANCE**

- Develop capital improvement and maintenance plan for each park.
- Develop a multi-year budget for capital and maintenance projects and allocate city funds appropriately.
- Undertake priority park improvements as determined by park maintenance / capital improvement plans.

#### **PRIORITY: ATHLETIC FIELD CAPACITY**

- Implement the recommendations of the Field Study Committee to increase field capacity through the creation of additional field space, development of artificial turf field(s), and improved maintenance.
- Provide policy/guidelines for field user fee or donation program on city's web page and reinstitute annual athletic field use meeting to review user policies and assign field permits.

#### **PRIORITY: OPEN SPACE**

- Protect priority conservation and agricultural lands.
- Encourage preservation and enhancement of open space and waterfront access in the redevelopment of the Central Waterfront.

- Develop or enhance land management and stewardship plans for city conservation properties.
- Incorporate provision of public open space and/or recreation areas in any major commercial / mixed use development projects.

**PRIORITY : MULTI-USE PATHS AND CONNECTIONS**

- Continue extension of Clipper City Rail Trail.
- Complete Whittier Bridge Trail construction and develop a maintenance plan.
- Schedule and fund annual re-striping of Plum Island Turnpike Bike Lanes and High Street Bike Lanes
- Improve bike and pedestrian safety along Hale Street, including vegetative management to improve sight lines and regular street cleaning to clear obstructions.



## Action Plan Matrix

The Analysis of Needs Section provided a broader discussion of the general findings upon which the recommended action steps are based. Each of the action steps indicates responsible parties, with the lead entity identified in **bold**. A high, medium, or low priority level is assigned to each in consideration of immediacy of the need, resources and funding available, and impact on the city parks and open space areas as a whole. Time frame for completion of High Priority items is (by 2015), Medium Priority (by 2017) and/or as opportunities become available) and Low (by 2019 years and/or as opportunities become available). Finally, where available, a list of potential funding sources is included.

<b>Abbreviations</b>		
AL – Sports leagues and athletic groups (e.g. Pioneer League, Newburyport Youth Soccer Association, etc.)	DWS – Drinking Water Supply Protection Grant Program	NRA – Newburyport Redevelopment Authority
AC – Atkinson Common Commission	EEG – Environmental Education Grants	OS – Newburyport Open Space Committee
AEEP – Agricultural Environmental Enhancement Program	FG – Friends of parks groups / neighborhood park associations (e.g. Belleville Improvement Society, etc.)	OSF – Newburyport Open Space Fund
BC – Chamber of Commerce / Businesses	HC – Newburyport Historical Commission	PARC – Parkland Acquisitions and Renovations for Communities grants
BT – Bartlet Mall Commission	HM – Newburyport Harbor Master and Harbor Commission	PC – Newburyport Parks Commission / Parks Administrator
C90 – Chapter 90 Local Aid	LAND – Local Acquisitions for Natural Diversity grants	PD – Newburyport Office of Planning and Development / Planning Board
CN – Conservation / Natural Resource Advocacy Groups (e.g. Parker River Clean Water Association, Mass Audubon, etc.)	LIP – Landowner Incentive Program grants	PR – Parker River National Wildlife Refuge
Con – Conservation Commission	LT – Land Trusts and Land Conservation Organizations (e.g. Essex County Greenbelt Association, Trust for Public Lands, Trustees of Reservations, etc.)	PS – Newburyport Public Schools
CPA – Community Preservation Act	LWF – Land and Water Conservation Fund	RH – Rivers and Harbors Grant Program
CPP – Conservation Partnership Program	M – Mayor's Office	RT – Recreational trail groups (e.g. Coastal Trails Coalition, etc.)
CZM – Mass Office of Coastal Zone Management	MET – Massachusetts Environmental Trust General Grants	RTG – Recreational Trails Grants
DC – Commission on Disabilities, ADA Coordinator	MF – Morrill Foundation	SD – Newburyport Sewer Department
DCR – Massachusetts Department of Conservation and Recreation	MHC – Mass Historic Commission	TC – Newburyport Tree Committee
DOT – Massachusetts Highway Department	MPF – Massachusetts Preservation Projects Fund	TEP – Transportation Enhancement Program
DPS – Newburyport Department of Public Services	MW – Moseley Woods Commission	TW – Newburyport Tree Warden
		UCF – Urban and Community Forestry Challenger Grants
		WD – Newburyport Water Department
		WT – Newburyport Waterfront Trust
		YS – Newburyport Youth Services

*Goal 1: Protect lands of public conservation and recreational interest including the city's defining scenic heritage landscapes and areas that support essential wildlife habitat and ecosystems, water protection, flood management, and a variety of recreational activities.*

ID	Actions	Responsible Parties	Completion Year	Potential Funding Sources
1.1	Maintain and update list of lands of recreation / conservation interest on a periodic basis.	OS, PD, PC, Con, WD	2015	
1.2	Implement city's Field Study Committee recommendations for creation of additional field space through land acquisition or other means.	PC, PD, OS, M	2015	CPA, PARC, MF, LWF
1.3	Encourage preservation and enhancement of public open space and waterfront access in redevelopment of the <u>Central Waterfront</u> area.	PD, PB, PC, M, OS, WT, NRA	2015	
1.5	Consider coordination of a periodic review of city-owned land to identify potential changes of management / use.	M, PD, PC, Con, WD, SD, DPS	2015	
1.6	Continue collaborative efforts to work with private owners and other interested parties to protect (through acquisition or other means) remaining land parcels in private ownership within the <u>Common Pasture</u> .	OS, PD, Con, Town of Newbury Town of West Newbury, LT, CN	2017	LAND, OSF, CPA, LWF, CPP, PF
1.7	Continue collaborative efforts to work with private owners and other interested parties to protect (through acquisition or other means) parcels or portions of parcels of conservation / agricultural interest in the <u>Little River Watershed</u> area between Crow Lane and Low Street.	OS, PD, Con, LT, CN	2017	LAND, OSF, CPA, LWF, CPP
1.8	Work with landowners and other interested parties to protect (through acquisition or other means) privately owned properties in the <u>Curzon Mill/Artichoke River</u> area that have been identified for conservation / historical interest.	OS, PD, Con, LT, CN, HC, MHC	2017	LAND, OSF, CPA, LWF, CPP
1.9	Work with private landowners and other interested parties to protect (through acquisition or other means) land along Old Ferry Road and the Merrimack River that has been identified for conservation / historical interest.	OS, PD, Con, LT, CN, HC, MHC	2017	LAND, OSF, CPA, LWF, CPP
1.10	Support collaboration with Mass DOT on Linking Landscapes project to identify critical wildlife crossings across roadways and work with partners to implement appropriate mitigation measures.	OS, Con, CN, DOT, DPS, PR	2017	C90, LIP

ID	Actions	Responsible Parties	Completion Year	Potential Funding Sources
1.11	Work with private landowners and other interested parties to protect Woodbridge Island and Joppa Flats marshes including verifying restricted wetland status and protections	OS, Con, CN, DCR, PR, CZM	2019	LIP, CPA
1.12	Work with private landowners and other interested parties to protect other open space properties in the city	OS, PD, LT	2019	CPA, OSF, CPP, LWF, LAND
1.13	Evaluate active and/or passive recreational use potential for Crow Lane areas associated with landfill and former compost facility	PD, PC, Con	2019	CPA, PARC
1.14	Work with private landowners and other interested parties to preserve (through preservation restrictions or other means) historic gardens and lawns along High Street.	HC, MHC, PD, OS, LT, CN	2019	MPF, CPA
1.15	Explore the potential benefits of creating a Scenic Road ordinance and designating a network of Scenic Roads in the city as allowed by State legislation.	PD, HC	2019	
1.16	Consider scenic overlay district to protect scenic views.	PD	2019	
1.17	Advocate and/or require provision of public open space and/or recreation areas in redevelopment of the MBTA station and Route 1 traffic circle area.	PD, M, OS, PC	2019	
1.18	Advocate and / or require provision of public open space and/or recreation areas in redevelopment of Storey Ave commercial area.	PD, M, OS, PC	2017	
1.19	Continue to protect current and future water supply watersheds, including land acquisition / conservation, best management practices, and coordination between different management entities.	WD, OS, Con, PC, communities that impact city water supply watershed	2019	DWS, MET
1.20	Develop or enhance land management and stewardship plans for city conservation properties.	OS, Con, PD, LT, CN	2017	CPA

*Goal 2: Maintain a high quality of parks, recreation areas, and other open spaces that are safe, attractive, preserve historic resources, and provide a range of active and passive (informal) recreational opportunities for all residents and visitors.*

ID	Actions	Responsible Parties	Priority	Potential Funding Sources
2.1	Evaluate existing framework for management and oversight of city's parks and make changes to improve coordination between different management entities and clarify roles and responsibilities.	PC, M, CC, PD, AC, MW, BT, WT	2015	
2.2	Develop a multi-year budget for park capital improvements / maintenance and allocate or increase city funds appropriately.	PC, M, CC	2015	
2.3	Explore appointment of city volunteer coordinator role, establish park volunteer program.	PC, M	2015	
2.4	Implement city's Field Study Committee recommendations for field maintenance and improving efficiency of use of public athletic fields.	PC, M, PD	2015	CPA, PARC, LWF, CPP, MF
2.5	Reinstitute annual athletic field use meeting to review user policies and assign field permits.	PC, AL	2015	
2.6	Provide policy / guidelines for existing athletic field user donation program that supports athletic field maintenance and improvements.	PC, M, CC	2015	
2.7	Create city policy to guide design and use of signs to recognize private sponsorship of park improvements.	PC, PD, M, FG	2015	
2.8	Develop capital improvement and maintenance plan for all city parks and recreation areas that requires annual assessment of park conditions, identifies needed improvements and funding, and lists annual priorities.	PC, PS, WD	2015	
2.9	Continue off-leash dog program at designated parks and address maintenance and management issues including addressing carrying capacity at Cashman Park lawn and updating of signs.	PC, FG	2015	
2.10	Explore neighborhood-based approaches for oversight and maintenance of city parks including formation of neighborhood "friends of park" groups where none currently exist to work in coordination with Parks Commission to provide support and monitoring of neighborhood parks	PC, FG	2015	
2.11	Implement Section 504 recommendations (see Section 504 Chapter).	PC, DC, DPS	2015	CPA, PARC, LWF, MF

## Open Space &amp; Recreation Plan

ID	Actions	Responsible Parties	Priority	Potential Funding Sources
2.12	Continue implementation of maintenance and capital improvements plan for <u>Cushing Park</u> / <u>Ayers Playground</u> , <u>Perkins Park</u> , <u>Joppa Park</u> , <u>Cashman Park</u> , <u>Moseley Woods</u> , <u>Inn Street Mall</u> , <u>Brown Square</u> , <u>March's Hill</u> , <u>Atkinson Common</u> , <u>Pioneer League Field</u> , <u>Bartlet Mall</u> , <u>Jason Sawyer Memorial Playground</u> , <u>Tracy Park</u> , <u>Woodman Park</u> , <u>Atwood Park</u> (see Appendix).	PC, FG, DPS	2015	CPA, PARC, LWF, MF
2.13	Complete a natural resource inventory of the <u>City Forest</u> .	Con, OS, CN	2017	CPA, UCF
2.14	Create an access and maintenance plan for <u>City Forest</u> to increase informal (passive) recreation opportunities including trails.	Con, OS, YS, PC	2017	CPA, UCF
2.15	Create management and maintenance plan for <u>Little River Nature Trail</u> including consideration of ways to reduce pollution and misuse.	Con, OS, FG, CN	2019	CPA, UCF
2.16	Expand current part-time Parks Administrator position to full-time.	M, PC	2015	
2.17	Explore the potential benefits / costs and suitable framework for creation of a city Parks Department.	M, PC, CC, PD, DPS, YS	2015	
2.18	Develop and communicate procedures for reporting vandalism / safety / maintenance issues to city staff and establish a procedure to responding to high urgency issues	M, PC, DPS, PD	2017	
2.19	Re-designate <u>Cushing Park</u> as a city park.	M, CC, PD, PC	2015	
2.20	Explore addition of seasonal staff to include a dedicated park maintenance division.	DPS, M, PC	2017	
2.21	Incorporate space for indoor / outdoor recreation activities in any new community / senior center project	PD, M, PC	2015	
2.22	Develop a maintenance and capital improvements plan for <u>Market Square</u> .	PD, PC, DPS	2017	
2.23	Continue extension of <u>Clipper City Rail Trail</u> and develop a maintenance plan.	PD, PC, FG	2015	CPA, RTG, MF, PARC, LWF
2.24	Complete capital improvements for <u>270 Water Street</u> and develop a maintenance plan	PD, PC, Nat'l Grid, FG	2015	
2.25	Continue extension of <u>Harborwalk</u> as recommended in the Strategic Waterfront Plan and the Merrimack River Trail Reconnaissance Study.	PD, PC, OS, HM, WD, Con	2017	CPA, RTG, MF, PARC, LWF, CPP
2.26	Complete <u>Whittier Trail</u> construction and develop a maintenance plan.	PD, RT, DPS, DOT	2017	

ID	Actions	Responsible Parties	Priority	Potential Funding Sources
2.27	Adopt tree ordinance to provide for protection and appropriate replacement of trees and shrubs in the public properties and rights of way as well as trees and shrubs on private property that impact public areas	PD, TC	2015	
2.28	Continue capital improvements to <u>NHS</u> stadium and fields and develop maintenance plan.	PS, PD, FG, PC, AL	2015	BC
2.29	Develop a capital improvement and maintenance plan for <u>Brown School</u> play yard, courts, and playground.	PD, PS, PC	2017	
2.30	Develop a maintenance plan for <u>Bresnahan</u> playground and field space.	PS, PC	2017	
2.31	Develop a capital improvement and maintenance plan for <u>Nock / Molin</u> recreation areas and skate park including potential re-design of athletic fields to increase capacity, replacement of playground equipment, and resurfacing of courts.	PS, PC, AL, FG	2015	
2.32	Identify needs for expanded (seasonal or permanent) Youth Services staff to serve youth recreational needs including staff position for therapeutic recreation	YS, M	2017	
2.33	Develop a maintenance and capital improvements plan for <u>Market Landing / Waterfront Park</u>	WT, PC, PD, DPS	2017	
2.34	Develop maintenance and capital improvements plan for <u>Newburyport (Plum Island) Beach</u>	HM, DCR, PC, FG	2017	
2.35	Collaborate on design and construction of a wildlife viewing platform at the <u>Common Pasture</u> along Hale Street.	Con, OS, CN	2019	CPA, LWF
2.36	Support efforts to contain and eliminate invasive plant species on public properties and replace with native plantings.	Con, PD, OS, PC, DPS, CN	2017	
2.37	Update and publicize access and maintenance plan for <u>Common Pasture – Coffin's Island, Cooper North, Wet Meadows</u> to increase informal recreation opportunities.	Con, OS, Town of Newbury, CN, LT	2017	
2.38	Create an anti-vandalism ordinance for cemeteries and parks	HC, PC, PD, CC	2017	
2.39	Consider creating a city staff position for a Tree Arborist responsible for protecting, maintaining, and succession planning for trees and shrubs on public properties and coordinating with the city's Tree Committee	M, PD, TC	2017	
2.40	Develop maintenance guide on best management practices for city athletic field and park maintenance to be used by city staff and volunteers and provide training opportunities as needed.	PC, DPS	2017	

ID	Actions	Responsible Parties	Priority	Potential Funding Sources
2.41	Evaluate the need for shade trees and shade structures at parks throughout the city and incorporate in park design and capital improvement plans	PC, DPS, FG	2017	
2.42	Explore pros and cons of creation of a Friends of City Parks non-profit group to fundraise in support of park improvements city-wide	PC, FG	2017	
2.43	Evaluate feasibility of adding restrooms (seasonal or permanent, composting or conventional) at public parks and recreation sites	PC, FG, AL, DPS	2017	
2.44	Explore opportunities for creating informal outdoor meeting spaces with amenities such as benches, sitting areas, viewpoints, shade structures and incorporate in park design and capital improvement plans	PC, FG, DPS	2017	
2.45	Explore opportunities for providing and expanding adult recreation fee-based programs / activities to serve a variety of adult populations and abilities.	PC, M	2017	
2.46	Explore potential for use of city parks for private events and consider developing a user fee donation structure similar to athletic field program.	PC, M, CC, FG	2017	
2.47	Explore pros and cons for expansion of off-leash dog program to other locations including potential for access for swimming.	PC, M, CC, FG	2017	
2.48	Explore options for creation of an artificial turf field (including NHS stadium).	PC, PD, PS, AL	2017	
2.49	Identify opportunities for adding and improving drinking fountains at parks	PC, WD, YS	2017	
2.50	Continue to plan for protection and replacement of native and historic trees on public and private properties	TC	2017	
2.51	Explore potential for allocating a portion of funding generated from Youth Services programs toward park improvements and maintenance.	YS, PC, M	2017	
2.52	Assist with formation of a community-based community garden program and identify and evaluate locations for community gardens including school-properties	PD, PS	2019	
2.53	Improve management of roadside plantings and vegetation management along Water Street and Plum Island Turnpike to retain scenic water views.	DPS	2019	
2.54	Create a preservation management plan for burial grounds and cemeteries.	HC, PD, cemetery commissions	2019	CPA
2.55	Maintain the use of agricultural licenses on publicly owned farm land.	OS, PD, Con, LT	2019	
2.56	Survey recreation and park users on a regular basis to assess recreation needs / interests	PC	2019	

ID	Actions	Responsible Parties	Priority	Potential Funding Sources
2.57	Explore the establishment of a public rowing and sailing program and associated boat storage facilities based in Cashman Park or in a location where public safety can be assured.	PC, HM, YS	2019	
2.58	Consider opportunities for allowing vendors in public park and recreation areas to provide amenities for park users and potential revenue for park maintenance and improvements.	PC, M, CC, FG	2019	
2.59	Explore options for providing public indoor or outdoor community pool and/or water play structure.	PC, PD, YWCA	2019	
2.60	Consider / evaluate potential public uses and/or wildlife habitat opportunities for the privately-owned former landfill.	PD, PC, CN, Con	2019	
2.61	Identify water access locations suitable for canoe / kayak entry and instruction	YS, PC, WD, HM, Con	2019	

*Goal 3: Improve access to, connections between, and awareness of public open space and recreation areas.*

Actions	Responsible Parties	Priority	Potential Funding Sources
3.1 Improve bike and pedestrian safety along Hale Street including vegetative management to improve sight lines and undertake regular street cleaning to clear obstructions.	DPS, PD, Con	2015	C90
3.2 Schedule and fund annual re-stripping of Plum Island Turnpike Bike Lanes and High Street Bike Lanes	M, DPS	2015	C90, TEP
3.3 Work with landowners in Business Park to incorporate habitat management / protection measures	Con, OS, PD	2017	LIP, MET
3.4 Collaborate with conservation and education organizations to provide natural history and educational programming at city open space properties.	OS, CN, Con, LT, Town of Newbury, PR	2017	EEG
3.5 Work with conservation partners to increase public awareness of Little River Watershed and importance of watershed protection efforts	OS, CN, Con, LT, WD, CZM	2019	EEG
3.6 Work with conservation partners to educate local landowners about reducing and eliminating invasive plant species and incorporating native plant species.	Con, CN, PR, DCR, CZM	2019	EEG, LIP



ID	Actions	Responsible Parties	Priority	Potential Funding Sources
3.7	Increase public awareness of recommendations of the Heritage Landscape Inventory report	OS, DCR	2017	
3.8	Expand city web site to provide more complete and efficient access to information on parks, fields, programming open spaces and conservation lands.	PC, OS	2017	
3.9	Continue to explore trail extension from Maudslay State Park to Moseley Pines via trail route beneath I-95 Whittier Bridge.	PD, RT, WD	2017	CPA, RTG
3.10	Create a guide with profiles of the historic farms of Newburyport.	OS, HC, CN, DCR, MHC	2019	MPF
3.11	Explore opportunities to utilize unpaved public rights of way for habitat sensitive recreational trails including Old Ferry Road beyond Arrowhead Farm and Crow Lane between the city compost center and Route 95.	PC, M, OS, DPS	2019	
3.12	Explore additional locations for interpretive panels and other signage at historic and natural sites in public open space and recreation areas.	PC, OS, Con, HC, CN	2019	CPA
3.13	Improve bike and pedestrian access and safety across Route 1 traffic rotary.	PD, DOT	2019	C90, TEP
3.14	Improve bike and pedestrian access and safety to travel along (east to west) and across (north to south) Storey Ave with particular focus at high traffic locations between Belleville Cemetery and Daniel Lucy Way.	PD, DOT, DPS	2019	C90, TEP
3.15	Identify additional locations for adding "ways to the water" markers as recommend in the Strategic Waterfront Plan.	PD, NRA, WT, HM, PC, FG	2019	
3.16	Support implementation / completion of Merrimack River Trail	PD, PC, RT	2019	

## OFFICE OF PLANNING AND DEVELOPMENT

## NEWBURYPORT, MA

[Home](#) > [Planning Home](#)

## 2012 Open Space and Recreation Plan

This comprehensive plan for Newburyport's Open Space and Recreation resources was sponsored by the City's Community Preservation Act (CPA) Fund with support from the Community Preservation Committee (CPC).

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Office of Planning and Development  
60 Pleasant Street, P.O. Box 550  
Newburyport, MA 01950 | 978-465-4400



**END OF CONSENT AGENDA**

**BEGINNING OF REGULAR AGENDA**

## TRANSFERS



City of Newburyport  
FY 2013  
BUDGET TRANSFER REQUEST

TABLED Transfer #2  
March 26, 2013

RECEIVED  
CITY CLERK'S OFFICE  
NEWBURYPORT, MA

2013 FEB -5 P 3:53

Department: Green Initiatives Fund

Submitted by: Molly Ettenborough

Date Submitted: 2/5/2013

**Transfer From:**

Account Name	Green Initiatives Fund	YTD Bal:	\$ 332,863.60
Account Number:	2755-59600	Trans In:	\$ -
Amount:	\$117,861.47	Trans Out:	\$ 9,975.00
Why are Funds Available:	<i>Special Revenue fund to cover the costs of activities and expenses associated with Green Initiatives throughout the City. Initial funding came from a rebate received from the Nock solar energy project.</i>		

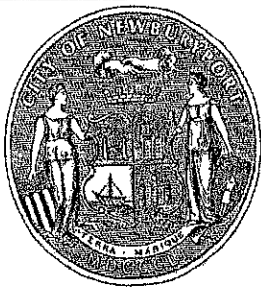
**Transfer To:**

Account Name	Green Initiatives	YTD Bal:	\$ 10,192.60
Account Number:	01510002 57400	Trans In:	\$ -
Amount:	\$117,861.47	Trans Out:	\$ -
Why are Funds Required:	<i>To purchase street lights from National Grid which will result in an estimated annual savings of \$85,000 per year.</i>		

Donna D Holaday, Mayor  
William B. Squillace, Auditor  
City Council Approval: (Stamp)

*Donna D Holaday*  
*William B. Squillace*

Date: 2/5/13  
Date: 2/5/13



# CITY OF NEWBURYPORT

NEWBURYPORT CITY HALL  
TEL: 978-465-4410

60 PLEASANT STREET

[WWW.CITYOFNEWBURYPORT.COM](http://WWW.CITYOFNEWBURYPORT.COM)

RECEIVED  
CITY CLERK'S OFFICE  
NEWBURYPORT, MA 01980  
NEW 978-465-9958

2013 FEB -5 P 3:53

## MEMORANDUM

To: President and Members of the Newburyport City Council

From: Molly Ettenborough, Recycling and Energy Coordinator  
Peter Lombardi, Director of Policy and Administration  
Ethan Manning, Business Manager  
Michael Strauss, Chairman, Energy Advisory Committee

Cc: Donna Holaday, Mayor

Date: January 2013 Re: Street Light Buy-Out

As you will recall, in 2010 the City and Mayor's Energy Advisory Committee (EAC) proposed that shutting off 30% of defined street lights would amount to a significant savings for the city. This proposal was not pursued after Committee review and in response to concerns raised by the Council and residents. At that time, we recommended developing a more comprehensive management plan for the lights and hired consultant George Woodbury to help analyze the viability of purchasing all street lights, as Massachusetts General Law permits municipalities to acquire their street lights from their local utility for the net book value of the asset. More than seventy five communities have taken advantage of this legislation since 1999. Through this acquisition process, they have seen 20% to 60% percent in savings off their annual costs.

As background, Newburyport currently pays approximately \$234,990 per year to National Grid for our 1,544 distributed street lights and 127 non-distributed poles. The original purchase price that NGrid quoted in late 2011 was \$118,350. However, this initial price did not take into account system upgrades that had been performed, but were not entered into their database. A revised price of \$128,087 was given in June 2012 that included these upgrades. After receiving the revised price, we asked them to re-evaluate based on our own city wide audit since we had found discrepancies in the number and location of lights, as well as, incorrect wattages when comparing our findings to their listing. After completing this process, in addition to shutting off 9 additional lights, National Grid submitted their final acquisition cost to the City on January 10: \$117,861.47, including \$100,444.69 for the 1417 overhead lights and \$16,922.15 for the 118 underground-serviced lights.

### Insurance

The City of Newburyport has \$1 million / \$3 million general liability and \$2 million umbrella in insurance coverage. NGrid generally requires \$4 million in total coverage. However, National Grid's Insurance and Risk Group has agreed to accept our current coverage levels, saving \$3,104/year in additional insurance costs that were avoided. The City will have to pay \$582.00/year extra to include the street lights in our Statement of Values and to add National Grid as an additional insured for, both, the General Liability and Umbrella limits going forward.

### **Legal/Contract Review**

The contract to purchase has been reviewed and signed off on by Kopelman and Paige. Over 75 communities have purchased their street lights including Beverly, Swampscott, Lynn, and Winthrop.

### **Maintenance**

There are two primary options for maintaining Newburyport's street lights: 1) hire a maintenance firm or 2) perform the maintenance in-house. The major benefit of hiring a maintenance firm is that they have all of the equipment and personnel needed to carry-out, both, routine and emergency maintenance. The City would not need to locate supplies or layout capital for assets needed to perform the work. City resources would, however, be required to cover monthly fees, typically \$2.00 to \$3.00 per light, along with manpower needed to ensure that the work is being carried out as expected and that requests, both from the City and residents, are being handled expeditiously. In accordance with City ordinances, the inspector of wires would be responsible for managing such a maintenance contract.

In the initial period following the purchase, we feel that the costs and manpower needed to manage the contract would largely outweigh the benefits. As such, we recommend initially performing the maintenance in-house, on a trial basis, by the inspector of wires (i.e. electrical inspector) utilizing existing City resources and acquiring additional supplies/equipment on an as-needed basis. If, at any point, performing the work in-house becomes unmanageable or insufficient, the City would always have the option of inviting bids for a maintenance contract.

It is important to note that MGL Section 7 exempts the maintenance of street lighting in the public way from the supervision of licensed electricians; therefore any personnel with basic safety training could legally perform such maintenance. However, maintenance work performed on a contract basis by outside vendors would be subject to prevailing wage rate requirements.

### **Dedicated Underground Wired Lights**

There are 118 dedicated underground poles and lights on 32 streets in the city. The City has the option to include these lights as part of this purchase process. They will provide us with the biggest savings, but the maintenance would include the pole as well as the fixture, underground feeds, conduit and bracket replacement as needed. Some towns have decided not to purchase these dedicated lights, but on average these lights have a 40 year life span. Many of these lights are located in the newer developments such as Squires Glenn, Cherry Hill, and the Storeybrook area.

Our recommendation would be to purchase these lights since they provide the largest savings and have the least risk of failure due to infrequent accidents and longevity based on install dates. However, all of the underground lights being considered for purchase are in residential areas with low speed limits. In addition, if an automobile or truck were to crash into one, regardless of location, the City can recover costs from the driver's insurance.

Maintaining the underground wiring also does not appear to be a problem. While the city will own some of the underground wiring, by regulation National Grid will still have to replace any wire that requires it. The cost of running a wire is fixed by regulation and is currently \$126. So if a wire needs replacing, the city purchases replacement wire and pays National Grid \$126 to replace it from their grid connection to a light.

### **Property Taxes**

Subsequent to purchase, the street lighting equipment will be removed from the tax basis for the utility, which currently generates revenue for the City in the form of property taxes. Based on Newburyport's FY2013 tax rate of \$13.32, purchasing the street lights would result in a loss of \$1,580 in tax revenue. This assumption has been built into our estimated cost savings.



## Upgrading

Since there is currently no reduced tariff for LED lighting, we recommend that the City hold off on upgrading at this point since there will be no direct cost savings. We do recommend a pilot program for LEDs and other lighting when the timing is right.

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CITY CLERK'S OFFICE  
NEWBURYPORT, MA  
2013 FEB -5 P 3:53

## Cost Savings

After purchasing the street lights, we expect to realize an annual savings of approximately \$85,808, or 37% of our current costs. In other words, over the next twenty years, the City will have saved nearly \$1.8 million. We feel that the magnitude of these savings far outweighs the additional risks and resources that arise from owning the equipment, making this a wise financial decision for the City. As the secondary goal of purchasing the street lights is to cut down on energy consumption, it is our hope that the City can put these savings towards more efficient lighting in the years to come.

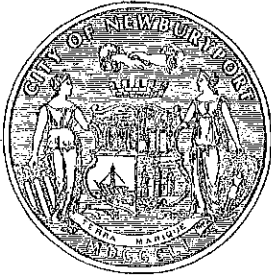
Note: All of these lights will need to be put on separate fuses during the next ten years which can be done at the time of an upgrade or when being fixed.

	<u>Current Cost</u>	<u>Year 1</u>	<u>Years 2+</u>
Rent / Maintenance <sup>(1)</sup>	\$143,397	\$42,366	\$42,366
Power <sup>(2)</sup>	\$91,593	\$105,245	\$105,245
Purchase Price	\$0	\$117,861	\$0
Property Tax Revenue <sup>(3)</sup>	\$(1,570)	\$0	\$0
Total Cost	\$233,420	\$265,473	\$147,611
Net Savings	\$0	\$(32,053)	\$85,808

(1) Future maintenance costs assume \$2.00 per light/month plus 15% contingency.

(2) Assumes that power is moved from the S-1 to S-5 Tariff following acquisition.

(3)  $\$117,861 \times \$13.32 / 1,000 = \$1,579.82$ .



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

2013 MAR 20 A 11:04

To: President and Members of the City Council  
From: Donna D. Holaday, Mayor  
Date: March 20, 2013  
Subject: Free Cash Transfer Request to Fund Union Contracts

---

Following up on my initial memo of January 14, 2013 regarding a transfer request from free cash to fund City employee raises for FY13, below is further detail regarding the specific costs associated with each of the separate agreements that have been reached.

• AFSCME – 83 employees	\$66,337.34
• Teamsters Department Heads – 14 employees	\$20,121.08
• Teamsters Administrative Assistants – 18 employees	\$9,320.96
• Police Superiors – 7 employees	\$5,466.73
• Firefighters – 33 employees	\$19,687.55
• Non-union – 20 employees	\$9,429.71

If all union contracts are funded through this request, \$130,363.37 in free cash will be transferred in total. As was highlighted in my previous memo, the two bargaining units that have reached tentative agreements with the City on three-year contract extensions have set a precedent in making significant concessions on vacation time, education stipends, and sick leave buyback during this most recent round of negotiations.

**Total Request for Transfer from Free Cash                   \$ 130,363.40**

**Number of Impacted Employees   186**

**Police**

51142 Salary Officers (7 employees)	\$ 5,466.73
51120 Salary Admin Secretary	\$ 476.48
51152 Salary Clerical	\$ 492.95
51156 Salary F/T Dispatch (4 employees)	\$ 4,407.16
51166 Salary Custodial	\$ 212.48
51411 Dispatch Night Differential	\$ 416.00
51413 Dispatch Paid Holidays	\$ 847.68
51302 Dispatch Overtime	\$ 2,186.24
<b>Departmental Total (14 employees)</b>	<b>\$ 14,505.71</b>

**Fire**

51102 Salary Deputy Chief	\$ 922.92
51142 Salary Firefighters (32 employees)	\$ 17,652.01
51156 Salary Dispatchers (3 employees)	\$ 2,697.55
<b>Departmental Total (36 employees)</b>	<b>\$ 21,272.49</b>

**DPS Highway**

51101 Salary DPS Director	\$ 333.33
51102 Salary Deputy Director	\$ 280.50
51119 Salary City Engineer	\$ 264.00
51158 Salary Labor (22 employees)	\$ 17,052.42
51301 Overtime	\$ 1,750.00
<b>Departmental Total (25 employees)</b>	<b>\$ 19,680.25</b>

**Water**

51101 Salary DPS Director	\$ 333.33
51102 Salary Deputy Director	\$ 280.50
51119 Salary City Engineer	\$ 264.00
51103 Salary Business Manager	\$ 300.00
51117 Salary Assistant Engineer	\$ 235.00
51118 Salary Superintendent Operations	\$ 753.36
51131 Admin Assistant	\$ 148.58
51132 Office Manager	\$ 199.35
51134 Salary Distribution Manager	\$ 517.45
51158 Salary Labor (15 employees)	\$ 9,951.97
<b>Departmental Total (24 employees)</b>	<b>\$ 12,983.54</b>

**Sewer**

51101 Salary DPS Director	\$	333.33
51102 Salary Deputy Director	\$	280.50
51119 Salary City Engineer	\$	264.00
51103 Salary Business Manager	\$	300.00
51117 Salary Assistant Engineer	\$	235.00
51116 Salary Chief Operator	\$	754.86
51122 Salary Collection System Manager	\$	720.00
51131 Admin Assistant	\$	148.58
51132 Office Manager	\$	199.35
51158 Salary Labor (14 employees)	\$	9,961.98
<b>Departmental Total (23 employees)</b>	<b>\$</b>	<b>13,197.59</b>

**Mayor's Office**

51120 Salary Director of Policy and Admin	\$	650.00
51126 Salary Executive Aide	\$	375.00
51150 Salary Custodian	\$	911.13
<b>Departmental Total (3 employees)</b>	<b>\$</b>	<b>1,936.13</b>

**Planning and Development**

51101 Salary Planning Director	\$	785.40
51102 Salary Planner	\$	284.99
51103 Salary Project Planner	\$	504.47
51104 Salary Admin Assistant	\$	1,227.14
51105 Conservation Commission P/T	\$	161.17
<b>Departmental Total (5 employees)</b>	<b>\$</b>	<b>2,963.17</b>

**City Clerk**

51102 Salary Assistant Clerk	\$	427.12
51103 Salary Admin Secretary	\$	321.49
51166 Salary P/T Office Help	\$	199.52
51134 Salary Parking Officer	\$	309.12
<b>Departmental Total (5 employees)</b>	<b>\$</b>	<b>1,257.25</b>

**Health**

51101 Salary Health Director	\$	714.00
51103 Salary Admin Assistant	\$	347.59
51160 Salary Energy/Recycling Coordinator	\$	550.00
51102 Salary Animal Control Officer	\$	2,540.44
<b>Departmental Total (4 employees)</b>	<b>\$</b>	<b>4,152.02</b>

**Treasurer/Collector**

51101 Salary Treasurer	\$	710.17
51102 Salary Assistant Treasurer	\$	375.95
51103 Staff Salaries (4 employees)	\$	3,209.44
<b>Departmental Total (6 employees)</b>	<b>\$</b>	<b>4,295.56</b>

**Habormaster**

51101 Harbormaster	\$	5,000.00
<b>Departmental Total (1 employee)</b>	<b>\$</b>	<b>5,000.00</b>

**Youth Services**

51101 Director Youth Services		\$1,369.71
51160 Salary Program Coordinator	\$	279.90
51163 Salary Prevention Coordinator	\$	251.25
51162 Salary Program Assistant	\$	344.25
<b>Departmental Total (4 employees)</b>	<b>\$</b>	<b>2,245.11</b>

**Council on Aging**

51101 Salary COA Director	\$	573.09
51156 Salary Van Drivers (2 employees)	\$	1,401.60
51164 Receptionist	\$	256.66
<b>Departmental Total (4 employees)</b>	<b>\$</b>	<b>2,231.36</b>

**Assessor**

51101 Salary Assessor	\$	739.66
51102 Salary Assistant Assessor	\$	452.79
51103 Salary Admin Assistant		\$1,745.10
<b>Departmental Total (3 employees)</b>	<b>\$</b>	<b>2,937.55</b>

**Auditor**

51101 Salary Auditor/Finance Director	\$	925.76
51102 Salary Assistant Auditor	\$	639.55
51103 Salary Admin Assistant	\$	402.53
51166 P/T Data Entry Clerk		\$109.20
<b>Departmental Total (4 employees)</b>	<b>\$</b>	<b>2,077.04</b>

**Building**

51101 Salary Building Inspector	\$	739.66
51103 Salary Admin Secretary	\$	1,227.14
<b>Departmental Total (2 employees)</b>	<b>\$</b>	<b>1,966.79</b>

**Human Resources**

51101 Salary HR Coordinator	\$	600.00
<b>Departmental Total (1 employee)</b>	<b>\$</b>	<b>600.00</b>

**MIS**

51101 Salary Director	\$	694.67
<b>Departmental Total (1 employee)</b>	<b>\$</b>	<b>694.67</b>

**Library**

51156 Salary Staff	\$	11,189.37
<b>Departmental Total (20 employees)</b>	<b>\$</b>	<b>11,189.37</b>

**Parks**

51166 Park Administration	\$	315.00
<b>Departmental Total (1 employee)</b>	<b>\$</b>	<b>315.00</b>

**Veterans**

51101 Salary Veterans Director	\$	5,329.50
<b>Departmental Total (1 employee)</b>	<b>\$</b>	<b>5,329.50</b>

**APPOINTMENTS  
SECOND READING**

## **MAYOR'S APPOINTMENTS**

**March 12, 2013**

### **SECOND READING**

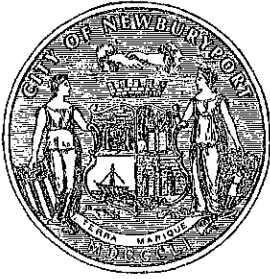
#### **APPOINTMENTS**

- |                         |                            |                                 |               |
|-------------------------|----------------------------|---------------------------------|---------------|
| 1. William Squillace    | 23 Forest St, Rockport, MA | Finance Director                | March 1, 2016 |
| 2. Jennifer Lamarre     | 185 High Street            | Human Resources Director        | March 1, 2016 |
| 3. Cynthia M. Zabriskie | 87 Lime Street             | Community Preservation Act Com. | April 1, 2015 |

#### **In City Council March 12, 2013**

Motion to approve the Consent Agenda as amended by Councillor Jones, seconded by Councillor Cameron. 10 yes, 1 absent (Derrivan). So voted.





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

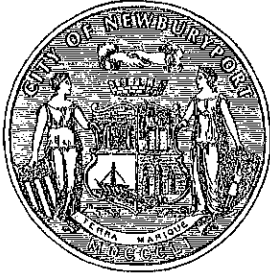
RECEIVED  
CITY CLERK'S OFFICE  
NEWBURYPORT, MA

2013 MAR 20 A 11:39

To: President and Members of the City Council  
From: Donna D. Holaday, Mayor  
Date: March 20,, 2013  
Subject: Re-Appointment (confirmatory)

-----  
I hereby re-appoint, subject to your approval, the following named individual as a member of the Waterfront Trust. This term will expire on December 31, 2017.

Joseph Brown  
6 Cutting Drive  
Newburyport, MA 01950



# 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

2013 MAR 20 A 11:39

To: President and Members of the  
City Council

From: Donna D. Holaday, Mayor

Date: March 20, 2013

Subject: Appointment (confirmatory)

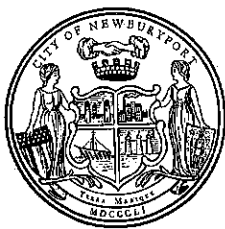
---

I hereby appoint, subject to your approval the following  
named individual as a member of the Waterfront Trust. This  
term will expire on December 31, 2016.

Scott W. Sutherland  
3 Savory Street  
Newburyport, MA 01950

## ORDERS

# CITY OF NEWBURYPORT



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

**ORDERED:**

March 18, 2013

## RESOLUTION

**WHEREAS**, the Newburyport Youth Council has created the attached Youth Bill of Rights, and

**WHEREAS**, the Youth Council has started this project "in order to establish basic rights and liberties, ensure a better future, and assert the voice of youth in the community", and

**WHEREAS**, the Youth Council requests that the city council officially recognize the document, and

**WHEREAS**, the Newburyport City Council supports and recognizes the importance of engaging with young people to influence decisions that affect their quality of life and well-being, and that the Youth Bill of Rights serves as a framework to guide and inform the youth of the city in organizing and advocating on their own behalf,

**NOW, THEREFORE**, the Newburyport City Council with this resolution supports and recognizes this Youth Bill of Rights, and encourages its use as a guideline regarding youth policies in community decisions. The City Council recommends that parents, private businesses, citizens, and local agencies also support and recognize this Youth Bill of Rights

Councillor Edward C. Cameron  
Councillor Allison Heartquist



Newburyport Youth Bill of Rights  
Newburyport Youth Council

We, the youth of Newburyport in order to establish basic rights and liberties, ensure a better future, and assert our voice in the community proclaim this Youth Bill of Rights. We call upon ourselves, community leaders, organizations and individuals to recognize these rights.

- I. We, the youth of Newburyport, are entitled to a voice in the community, especially decisions that will affect our lives.
  - a) **Voice in the Community:** The community will acknowledge and value the opinions of youth in order to create a respectful conversation with adults. In addition, youth shall have the opportunity to participate on community boards and councils.
  - b) **Voice in Education:** Youth will have a say in their education. Therefore, be able to sit on school boards and have an open and respectful conversation with administrators and educators in order to ensure student concerns are heard and considered.
- II. We, the youth of Newburyport, have the right to freedom of expression.
  - a) **Freedom of Speech:** The youth have the right to peacefully and respectfully express their opinions, through appropriate attire, speech, and approved assembly and protest.
  - b) **Freedom of Imagination:** Youth are entitled to express their creativity and imagination. Therefore, have the opportunity to learn about the arts.
- III. We, the youth of Newburyport, are entitled to equal treatment.
  - a) **Equal Treatment:** We will not be mistreated because of sex, age, religion, race, disabilities, sexual orientation, economic status, or any other basis prohibited by federal, state and local laws. Youth will be respected by our actions and the content of our character. This is necessary to create a mutual respect among youth and adults in the community.
  - b) **Equal Employment Opportunities and Consumer Rights:** Youth have the right to equal employment opportunities, and be treated fairly, in accordance by labor laws. In addition, the youth will be treated as equal consumers, and not judged by their age or economic status.
- IV. We, the youth of Newburyport have the right to a safe, loving and caring community.

- a) **Basic Necessities:** We have the right to sufficient clothing, proper shelter, and adequate nutrition. The community will provide aid to ensure these rights are met.
- b) **Protection and Safety:** The youth are entitled to a safe home, protection from all types of abuse and neglect.
- c) **Support Systems:** Youth are entitled to support groups in the community. In addition, they will have the opportunity and resources to develop a healthy relationship with a supportive adult.
- d) **Fulfillment of Mind, Body, and Spirit:** Youth will have the opportunity and resources to develop healthy emotional skills. Youth will have opportunities to participate in sports and recreational activities. In addition, youth will grow up in a drug free community and have the needed resources to combat substance abuse. Youth will be exposed to spiritual institutions, in order for one to find their own spiritual path. Fulfillment of mind, body and spirit allows the youth to create healthy decisions, build character traits, and maximize ones' full potential.

V. We, the youth of Newburyport, are entitled to a quality public education that will help lead to a successful future.

- a) **Curriculum and Subjects:** The youth are entitled to an education that equips them with knowledge of all subject areas. Schools will provide extra-curricular activities for students to expand their knowledge of various topic, interests or activities.
- b) **Resources:** Students are entitled to proper resources to help them succeed. This will include a public library. In addition students will have the opportunity to 21st century resources, including computers, tablets and multi-media resources.
- c) **Individual Needs:** The school districts will meet the needs of all students, and accommodate for all learning abilities and aptitudes.
- d) **Bright Future:** The school district will provide guidance in order for students to prepare for life after high school. Youth have the right to make informed decisions regarding their future, therefore, appropriate guidance and resources will be made available.

## **Newburyport Youth Council 2012-2013**

*Project Leader, Christian Cyr*

*Youth Council Leader, Meghan Healey*

*Youth Council Leader, Cyrus Woodman*

### **Youth Council Members**

Melissa Bourne

Nick Bushnell

Alex Crouzet-Pascal

Cameron Cyr

Emma Hall

Asia Harmon

David Henderson

Tristan Horan

James Kipp

Dylan Mccoy

Meredith Mccloy

Anna Moore

Carl Nelson

Mariah Newman

Caelin Olson

Lukas Phipps

Sarah Simon

### **Supervisors**

*Director of Youth and Recreational Services, Andrea Egmont*

*Recreation and Special Events Director, Margot Petler*

*Project Coordinators, Chris Power, and Mike Uttley*

## ORDINANCES



# CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

DRAFT

March 26, 2013

## ARTICLE X. - BUILDING DEMOLITION

Sec. 5-306. - Intent and purpose.

Sec. 5-307. - Definitions.

Sec. 5-308. - Review procedures.

Sec. 5-309. - Emergency demolition.

Sec. 5-310. - Enforcement and remedies.

### **Sec. 5-306. - Intent and purpose**

This article is adopted for the purpose of preserving and protecting significant buildings and structures within the City of Newburyport which constitute or reflect distinctive features of the architectural, cultural, political, economic or social history of the city; and encouraging owners of any such historically significant building or structure that is preferably, to preserve or to seek out persons who might be willing to purchase and preserve, rehabilitate, or restore such buildings or structures, rather than demolish them; and by furthering these purposes to promote the public welfare and to preserve the resources of the city. To achieve these purposes, the Newburyport Historical Commission is empowered to advise the Newburyport Building Commissioner with respect to the issuance of permits for total or partial demolition, and the issuance of demolition permits for historically significant buildings and structures are regulated as provided in this article.

(Ord. of 11-8-05, § 1.1)

## **Sec. 5-307. - Definitions**

The following terms when used, whether or not capitalized in this article, shall have the meanings set forth below, unless the context otherwise requires:

*Applicant:* The specific person or entity having vested ownership or equitable interest in the building or structure to which work is proposed through an application under this article, or the duly authorized agent of such person, and expressly excluding any successors-in-interest.

*Building or structure.* Any combination of materials forming a shelter for persons, animals, or property, including additions and accessory structures.

*Building Commissioner.* The person occupying the office of commissioner of buildings or otherwise authorized to issue demolition permits.

*Business day.* A day which is not a legal municipal holiday, Saturday or Sunday.

*Commission or NHC.* The Newburyport Historical Commission.

*Commission staff.* The chairman of the commission, the person performing the functions of the chairman in the event there is no person with the title of chairman as such, or any other person regularly providing staff services for the commission to whom the commission has delegated authority to act as commission staff under this article.

*Demolition.* The act of partial or total pulling down, destroying, removing, relocating, or razing a historically significant building or structure or part thereof including a change in roof pitch (excluding dormers) or change in footprint from its location, its lot, or the moving of the building or structure from its lot. Demolition also includes commencing the work of partial or total demolition with the intent of completing the same.

*Determination.* Any determination contemplated in section 5-308 of this article made by the Commission or the commission staff.

*Historically significant building or structure.*

(1)

Any principle building or structure within the city which is in whole or in part constructed prior to 1930; or

(2)

Any accessory structure within the city which is in whole or in part constructed before 1930; or

(3)

Any building or structure which is listed on the National Register of Historic Places; or

(4)

Any principle or accessory building or structure which is or has been designated by the commission to be a significant building or structure because either:

a.

It is importantly associated with one or more historic persons or events, or with specific and articulable architectural, cultural, political, economic, or social history of the city or the commonwealth; or

b.

It is specifically and articulably historically or architecturally significant (in terms of period, style, method of building construction, or association with a famous architect or builder) by itself or in the context of a group of buildings, such as a neighborhood streetscape or farm complex.

*Preferably-preserved.* Any historically significant building or structure or part thereof which the commission determines, as provided in section 5-308 of this article, is in the public interest to be preserved or rehabilitated rather than to be totally or partially demolished.

*NHC Demolition Permit Application.* An application for a permit for the demolition of a building or structure available at the office of planning and development.

*Permit.* A permit issued by the building commissioner for demolition of a building pursuant to an application therefore.

(Ord. of 11-8-05, § 1.2)

## **Sec. 5-308. - Review procedures**

(a)

For all buildings or structures listed in definition, "historically significant building or structure", the applicant shall complete the NHC Demolition Permit Application and submit it, along with the filing and review fee to the commission through the office of planning and development.

(b)

Within twenty-one (21) days from its receipt of a NHC Demolition Permit Application, the commission shall determine whether the building or structure is historically significant. The applicant for the permit shall be entitled to make a presentation to the commission if he or she so chooses. If the commission determines that the building or structure is historically significant and should be considered for preservation, the commission shall so notify the building commissioner in writing that a demolition plan review must be made prior to the issuance of any demolition permit.

If the commission determines that the building or structure is not historically significant or is historically significant but not considered for preservation, then it shall so notify the building commissioner, who may then proceed to issue a demolition permit. If the commission fails to notify the building commissioner of its determination within twenty-one (21) days of its receipt of the application, then the building or structure shall be deemed not historically significant and the building commissioner may issue a demolition permit.

(c)

Demolition plan review:

(1)

After the NHC determination that a historically significant building or structure should be considered for preservation and the Building Commissioner is advised of same, the applicant for the permit shall submit to the NHC ten (10) copies of a demolition plan which shall include the following information:

- a. A map showing the location of the building or structure or part thereof to be demolished on its property and with reference to neighboring buildings or structures;
- b. Existing conditions photographs of all street facade elevations;
- c. A description of the building or structure, or part thereof, to be demolished;
- d. A description of the proposed alternations to the historically significant building or structure, or part thereof, to be demolished is located. If the property is located within the NNRHD, the application shall include site plans and exterior elevations of any resultant exterior changes to the historically significant building or structure. In reviewing applications, the commission will reference the most recent copy of the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings.
- e. If the application for demolition is based on a claim of structural deficiency, then the applicant may be required by the commission to submit a structural report on the structure's soundness that is prepared by a licensed professional structural engineer.
- f. A list of all permits required for the project, date of application for these permits and any conditions of approval.

(2)

Upon receipt of the demolition plan referenced in subsection (1) above, the NHC shall hold a public hearing within forty-five (45) days from the date of the NHC Demolition Permit Application and shall give public notice

thereof by posting notice of the time, place and purpose of the hearing in City Hall at least fourteen (14) days before said hearing and also, within seven (7) days of said hearing, mail a copy of said notice to the applicant and to a certified list of abutters and abutters to abutters within three-hundred (300) feet of the structure in question.

(3)

After said public hearing, and within sixty (60) days from receipt of the NHC Demolition Permit Application, the NHC shall provide written documentation to the Building Commissioner about the proposed demolition plan, including, at a minimum, the following information:

a.

A description of the age, architectural style, historical associations and importance of the building or structure to be demolished;

b.

A determination as to whether or not the building or structure should be preferably preserved.

(4)

If the building or structure is not determined to be preferably preserved or if the commission fails to file its report with the building commissioner within the time period set forth above, then the building commissioner may issue a demolition permit.

(d)

*Demolition delay:*

(1)

If the building or structure is determined by the Building Commissioner to be preferably preserved following the the review of the demolition plan then the Building Commissioner shall not issue a demolition permit for a period of twelve (12) months from the date the NHC report is filed with the Building Commissioner, unless the NHC informs the Building Commissioner at any time prior to the expiration of such twelve-month period that:

(A) The NHC has been provided documentation from the applicant that a bona fide, reasonable and unsuccessful effort to locate a purchaser or lessee for the building or structure who is willing to preserve, rehabilitate or restore the preferably-preserved building or structure has been made, or; •

(B) The applicant has agreed to accept a demolition permit upon specified conditions approved by the NHC. Such conditions may include the review and approval by the Building Commissioner with advice from the NHC of a revised demolition plan that satisfies all the requirements of subsection (c)(1) of this section.

(2)

At any time prior to the expiration of the 12-month delay, the applicant may apply to the Building Commissioner and the NHC to establish either or both of the two conditions described in subsection (d)(1) of this section. If the applicant seeks to establish its agreement to accept demolition upon a specified condition(s) pursuant to subsection (d)(1)(b) of this section, the following procedure shall apply:

a.

The applicant shall submit an amended demolition plan to the Building Commissioner and the NHC that satisfies all of the requirements of subsection ©(1) of this section.

b.

If the Building Commissioner determines that an amended demolition plan includes substantial changes to the application, the NHC may elect to hold a public hearing to review such material, in accordance with the review procedures provided in subsection ©(2) of this section.

c.

Regardless of whether the NHC elects to hold a public hearing on the amended demolition plan,

subsequent to the submittal of such plan to the NHC, at the request of the applicant the NHC shall allow the applicant to provide testimony regarding such plan at the next regularly scheduled meeting of the NHC. Throughout the 12-month delay, the applicant may continue to use the procedures described in subsection (d)(2) of this section, so long as each amended demolition plan so submitted to the NHC is materially different.

- (3) For a period no longer than six (6) months after the expiration of the 12-month delay, solely the applicant for the demolition permit and expressly excluding any of the applicant's successors-in interest, may act to implement a Building Commissioner issued demolition permit as described in the application. Otherwise, the normal review procedures of subsection c shall apply anew to any application for proposed demolition subject to this article.
- (4) Notwithstanding any portion of this section or subsection or other sections or subsections of this article, chapter or any other article, section or chapter contained in the City's code of ordinance, upon completion of a building or structure demolition as defined by this Article, new or replacement construction shall not exceed the dimensional widths of original structure for which the demolition permit was granted. These dimensional widths shall be determined from measurements taken and affirmed by the Building Commissioner or designee prior to issuance of the demolition permit and shall consist of foundation footprint, height at roof peak and square footage of the original structure. These measurements shall be recorded in the demolition permit.

#### **Sec. 5-309. - Emergency demolition.**

If a building or structure poses an immediate threat to public health or safety due to its deteriorated condition, the owner of such building or structure may request issuance of an emergency



demolition permit from the building commissioner. After inspection of the building the building commissioner shall determine whether the condition of the building or structure represents a serious and imminent threat to public health and safety and whether there is any reasonable alternative to the immediate demolition of the building or structure which would protect public health and safety. If the building commissioner finds that the condition of the building or structure poses a serious and imminent threat to public health and safety and that there is no reasonable alternative to the immediate demolition of the building or structure, then the building commissioner may issue an emergency demolition permit to the owner of the building or structure.

(Ord. of 11-8-05, § 1.4)

## **Sec. 5-310. - Enforcement and remedies**

(a)

*Enforcement.* The building commissioner is specifically authorized to institute all actions and proceedings, in law or in equity, as they may deem necessary and/or appropriate to obtain compliance with, or to enforce the requirements of the ordinance or to prevent a threatened violation thereof.

(b)

*Building permit to be withheld:* Unless written approval is obtained from the NHC, no building permit shall be issued for a period of five (5) years with respect to any premises upon which a historically significant building or structure or a portion thereof as defined under "historically significant building or structure" has been intentionally demolished without a demolition permit obtained in compliance with the provisions of the ordinance. The five-year period begins after the date of the completion of such demolition. As used herein "premises" refers to the parcel or parcels of land upon which the demolished building or structure was located and all adjoining parcels of land under which the demolished building or structure was located and all adjoining parcels of land under common ownership or control at the time of demolition.

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Coucillor Robert J. Cronin

## COMMITTEE ITEMS



# City of Newburyport

## FY 2013

### BUDGET TRANSFER REQUEST

RECEIVED  
CITY CLERK'S OFFICE  
NEWBURYPORT, MA

2013 MAR -5 P 3:24

Department: Mayor

Submitted by: Mayor Holaday

Date Submitted: 3/26/2013

#### Transfer From:

Account Name	General Fund - Free Cash	YTD Bal:	\$ 1,879,152.23
Account Number:	01-35900	Trans In:	\$ -
Amount:	\$94,000.00	Trans Out	\$ 362,798.77
Why are Funds Available:	<i>The Mass Dept of Revenue has certified Free Cash for FY 2013 at \$2,241,951</i>		
<i>These funds are available for any legal expenditure with the recommendation of the Mayor and a majority vote of the City Council.</i>			

#### Transfer To:

Account Name	School Department	YTD Bal:	\$ 10,242,660.43
Account Number:	\$94,000	Trans In:	\$ -
Amount:	01300002-53201	Trans Out	\$ -
Why are Funds Required:	<i>Additional Chapter 70 funding was provided for education after the final City Budget was passed by the City Council. Funds are required to reduce an anticipated deficit in the FY 2013 School Budget and funding to carry out a search for a new school superintendent.</i>		

#### Transfer To:

Account Name		YTD Bal:	\$ -
Account Number:		Trans In:	\$ -
Amount:		Trans Out	\$ -
Why are Funds Required:			

Donna D. Holaday, Mayor  
William B. Squillace, Auditor  
City Council Approval: (Stamp)

*Donna D. Holaday*  
*William B. Squillace*

Date: 3/5/13

Date: 3/5/13

*ref  
B&T*



CENTRAL CONGREGATIONAL CHURCH  
AN OPEN AND AFFIRMING CHURCH OF THE UNITED CHURCH OF CHRIST

14 Titcomb Street P.O. Box 372 Newburyport, Massachusetts 01950

978-465-0533

The Reverend Christopher Ney, Pastor

RECEIVED  
CITY CLERK'S OFFICE  
NEWBURYPORT, MA

2013 FEB 19 P 3:37

February 19, 2013

City Clerk  
City of Newburyport  
60 Pleasant Street • PO Box 550  
Newburyport, MA 01950

To Whom It May Concern:

Central Congregational Church would like to obtain a permit from the City of Newburyport to sponsor and run the "10<sup>th</sup> Annual Chocolate Tour of Newburyport" on May 11, 2013.

Would you be so kind as to put our request on your February agenda?

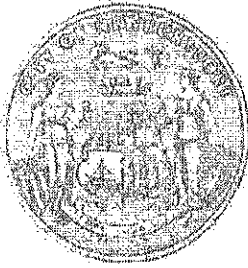
The American Red Cross has held this event for several years, but has decided not to hold it this year due to conflicting commitments. They have graciously allowed Central Church to hold the Chocolate Tour this year (see attached letter). Someone from Central Church will attend the City Council meeting to address any questions regarding our request.

Thank you for your consideration.

Sincerely

*Diane H. Clark*

Diane Hawkins-Clark  
Outreach Committee



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: Peter Lombardi, Director of Policy and Administration  
Molly Ettenborough, Recycling and Energy Coordinator  
Ethan Manning, Business Manager  
Michael Strauss, Energy Advisory Committee Chair

Date: March 8, 2013

Subject: Transfer Request for Streetlight Acquisition

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Following up on last Monday's Public Utilities Sub-Committee and Committee of the Whole meeting regarding streetlight acquisition from National Grid, the following information was requested by various Council members in attendance:

**Clarification of Before/After Budget Impacts**

	<u>Current Cost</u>	<u>FY14 Budget</u>
Rent/Maintenance	\$143,397	\$50,000*
Power	\$91,593	\$105,245
Property Tax Revenue	(\$1,570)	\$0
Insurance Costs	\$0	\$582
Total Cost	\$233,420	\$155,827

\*Rent/Maintenance costs for FY14 include \$35,000 in personnel costs and a \$15,000 increase in General Administration Electrical line item for supplies.

Anticipated Annual Cost Savings	\$77,593
One-time Capital Cost (Acquisition)	\$117,861

**System Maintenance**

The Wiring Inspector will move from a 20 hour/week position to a 40 hour/week City Electrician position as part of this process. He will continue to be responsible for all electrical inspections (approximately 15 hours/week), will continue to maintain all

RJOPH  
AMH  
EL

downtown decorative lights and City-wide traffic signals (approximately 5 hours/week), will be responsible for maintaining the streetlights (approximately 5-10 hours/week), and will be responsible for electrical work in municipal buildings (approximately 10-15 hours/week).

This position is a one-year appointment, with reappointment subject to an evaluation of service levels, system demand, and costing impacts of maintaining the streetlights in-house.

#### **Cost Analysis of In-House vs. 3<sup>rd</sup> Party Contract**

The City Electrician will be paid \$65,000 annually, \$30,000 of which will be funded by the fees brought in by electrical inspections. The \$35,000 balance will be paid out of the General Fund.

	<u>Contract</u>	<u>In-house</u>
Electrical Work	\$27,704 - \$45,182*	-
Streetlight Maintenance	\$20,000 - \$25,000+	-
Total	\$47,704 - \$70,182+	\$50,000

\*Based on FY11-13 actuals

It is anticipated that the City will see significant cost savings by being able to do a large majority of this work in-house going forward. In order to have the supplies needed to do this additional work, this line-item needs to be adjusted up accordingly by \$15,000. This figure represents stock needed to maintain the streetlights and perform more electrical work in municipal facilities.

#### **Oversight**

The City Electrician will report directly to the DPS Director. All electrical inspections, electrical work, and streetlight maintenance will be assigned and tracked through the DPS work order system. This will allow for improved customer service and will negate the time that would be devoted to contract management for both the streetlights and electrical projects.

#### **Licensing Requirements**

The City Electrician will use the Fire Department Bucket Truck to perform streetlight maintenance. He will be obtaining a 4C Hoisting Pipeline Sideboom Operators License through the Commonwealth to operate this machinery in the coming weeks. This license costs \$60 and can be obtained online. He does not need any other licenses to conduct streetlight maintenance.