

# CITY COUNCIL MEETING AGENDA - VERSION 1

May 12, 2014

7:30PM

(Sound Check)

1. **MOMENT OF SILENCE**
2. **PLEDGE OF ALLEGIANCE**
3. **CALL TO ORDER**
4. **LATE FILE ITEMS**
5. **PUBLIC COMMENT**
6. **MAYOR'S COMMENT/BUDGET SUBMITTAL PRESENTATION**

## **CONSENT AGENDA**

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

### **7. APPROVAL OF MINUTES**

April 28, 2014

(Approve)

### **8. TRANSFERS**

1. Auditor Ins. Claims \$1,155.70 to WTR Equip Maint. \$1,155.70

(Approve)

### **9. COMMUNICATIONS**

1. Letter from Jessica Reines re: traffic Gypsy Lane
2. Intermunicipal Agreement Animal Control Services
3. Roadway and Sidewalk Update
4. Stormwater Permitting Status Update
5. All Women & 1 Lucky Guy ½ Marathon Sept. 14, 2014
6. Youth Services Grant Summary application
7. Block Party 24 Hancock St. (partial street closure) May 24, 2014
8. Block Party Eagle Street June 21, 2014
9. Pension Investments
10. Market Basket Letter re: plastic bags

(PS)  
(Gen Gov't)  
(R&F)  
(PU)  
(PS)  
(R&F)  
(Approve)  
(Approve)  
(R&F)  
(NCS)

### **10. APPOINTMENTS-First Reading**

		<b>Appointment</b>	
1. Robert Uhlig	10 Ocean Street	Newburyport Redevelopment Authority	March 1, 2017
		<b>Re-Appointment</b>	
2. Andrew Casson	240 Merrimac Street	Harbor Commission	March 31, 2017
3. James Knapp	24 Cutting Drive	Harbor Commission	May 1, 2017

## **END OF CONSENT AGENDA**

## **REGULAR AGENDA**

### **11. TRANSFERS**

2. Free Cash \$255,170.80 to Multiple-detail attached \$255,170.80
3. Free Cash \$238,241.30 to Snow & Ice Labor \$29,132.60, to Snow & Ice Expenses \$209,108.70
4. Insurance 32-B \$471,078.18 to School Expenses \$250,000, to Fire Overtime \$100,000, to DPS Streetlights \$120,000, to Retirement Appropriation \$1,078.18
5. Solid Waste Fee \$21,580.87 to Health Dept. Sal/Energy/Recycling Coord \$21,580.87

### **12. COMMUNICATIONS**

11. LATE FILE Mayor's Update

## 11. APPOINTMENTS-First Reading

		<b>Appointment</b>	
4.	Ethan R. Manning 31 Howard Street	City Auditor	February 1, 2017

## 13. APPOINTMENTS-Second Reading

		<b>Appointment</b>	
5.	Ethan R. Manning 31 Howard Street	Finance Director	February 1, 2017
6.	Kimberly Turner 27 High Street	Parks Commission	May 1, 2019

## Re-Appointment

7.	Jeffrey R. Tomlinson 21 Hill Street	Highland Cemetery Commission	February 1, 2017
8.	Robert Dow 185 Storey Ave.	Harbor Commission	May 1, 2017
9.	Douglas A. Muir 10 Hancock Street	Conservation Commission	May 1, 2017
10.	Madeline Nash 19 Arlington St.	Affordable Housing Trust	February 1, 2016
11.	Ellen Hanick 9 Hallisey Drive	Bartlett Mall Commission	May 31, 2017

## 14. ORDERS

1. Revised Collins Street surplus Property Order
2. FY2015 Budget Order

## 15. ORDINANCES

1. 2<sup>nd</sup> Reading Amend Amend Ord.13-136 Stop Intersections add Pond St. and Green St.
2. 2<sup>nd</sup> Reading Amend Ord.13-180 Resident Parking Ashland St.
3. 2<sup>nd</sup> Reading Amend Ord. Ch. 7 Sec. 7-4 Add Annual Master Box Connection Fee (PS)
4. 2<sup>nd</sup> Reading Amend Ord.13-136 Designated Stop Intersections Storey Ave
5. Amend ORD Ch. 2 Section 2-45 City Council Salary
6. Amend ORD Ch. 2 Section 2-61A School Committee Salary

## 16. COMMITTEE ITEMS

### Budget & Finance

#### *In Committee:*

- |   |             |
|---|-------------|
| 1. Mayor letter regarding Order for Revolving Fund Expenses | *03/17/2014 |
| 2. Order Amend Revolving Fund expenses                      | *03/17/2014 |
| 3. Mayor Capital Improvement Program                        | *03/31/2014 |

### General Government

#### *In Committee:*

- |  |             |
|--|-------------|
| 1. Appointment: Leslie Eckholdt, 36 Warren St, Newburyport Redevel. Authority, May 1, 2019 | *04/28/2014 |
|--|-------------|

### Joint Education

### License & Permits

#### *In Committee:*

- |   |             |
|---|-------------|
| 1. Movable Sign Application Newburyport Brewing Company           | *02/10/2014 |
| 2. Newburyport Lions Club Eyeglass Box                            | *02/24/2014 |
| 3. Block Party Cherry Hill Soccer Field Parking Lot, May 31, 2014 | *03/17/2014 |
| 4. Amend Ch.6.5, Article III Plastic Bags (NCS & COW)             | *03/17/2014 |
| 5. Amend ORD Sec. 9-114 Transient Vendors Restricted Areas        | *04/28/2014 |

### Neighborhoods and City Services

#### *In Committee*

- |   |             |
|---|-------------|
| 1. Amend Ch.6.5, Article III Plastic Bags (L&P, COW)                      | *03/17/2014 |
| 2. Amend ORD Sec. 3-26-d Table of Designated Off Leash Areas              | *04/28/2014 |
| 3. Amend ORD Sec. 3-26 subsection e, Rules for Designated Off Leash Areas | *04/28/2014 |

## **Planning & Development**

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

1. Letter from Newburyport Preservation Trust
2. Order Kelley School – Surplus Property
3. Order Collins Street

\*03/31/2014

\*04/15/2014

\*04/15/2014

## **Public Safety**

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

1. Amend ORD Sec. 13-136 Stop Intersections Russell Terrace Ext

\*04/28/2014

## **Public Utilities Committee**

## **Rules Committee**

## **17. GOOD OF THE ORDER**

## **18. ADJOURNMENT**

# CONSENT AGENDA

# TRANSFERS



Transfer #1  
May 12, 2014

# City of Newburyport

## FY 2014

### BUDGET TRANSFER REQUEST

RECEIVED  
CITY CLERK'S OFFICE  
NEWBURYPORT, MA  
2014 MAY -6 P 3:34

Department: Auditor

Submitted by: William Squillace, City Auditor

Date Submitted: 5/6/2014

#### Transfer From:

Account Name	Insurance Claims-RSV APP	YTD Bal:	\$	30,448.26
Account Number:	2741-59600	Trans In:	\$	-
Amount:	\$1,155.70	Trans Out:	\$	12,519.39
Why are Funds Available:	<i>This is a reserve for appropriation account used to deposit funds received from insurance companies for covered insurance losses, insurance settlements and deductible payments.</i>			
<i>Transfers from reserve for appropriation accounts require approval of the Mayor and City Council and is the standard method of moving the funds to an expenditure account.</i>				

#### Transfer To:

Account Name	WTR Equipment Maintenance	YTD Bal:	\$	7,201.29
Account Number:	60450002-52406	Trans In:	\$	-
Amount:	\$1,155.70	Trans Out:	\$	-
Why are Funds Required:	<i>Funds were received from the City's insurance company in the amount of \$1,155.70 to repair a vehicle that was damaged in an accident. In addition, there is a \$1,000 deductible that brings the total repair cost to \$2,155.70, the balance of which will be paid by the water enterprise fund.</i>			

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

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

Date:

*5/6/2014*

Date:

*5/6/2014*

# COMMUNICATIONS

RECEIVED  
CITY CLERK'S OFFICE  
NEWBURYPORT, MA  
2014 MAY - 5 AM 10:35

Hello –

My name is Jessica Reines. I live at 26 Gypsy lane with my husband, 14 yr. old son and 22 yr. old daughter who frequently returns home from college. Our home is the last house on the right- across from Maudslay and before you hit the very windy/double tree lined area , that leads to the parking lot/music area. I am truly worried somebody is going to get seriously hurt on this road.

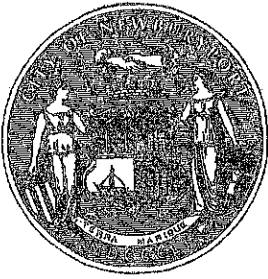
Back in the day ...prior to the HUGE increase of tourists and locals who come to Maudslay to walk/jog/bike/longboard/dogwalk/etc., it was less of an issue. But, unfortunately, it is currently a tremendous safety concern. People go speeding by ALL THE TIME. Locals do - knowing its a back road with no cops- and tourists do- unknowingly, thinking it's a desolate country road. In the summer I witness MANY near accidents. Parents of my 14yr.old -who know the street - have their kids bike down via 113 -rather than from Curzon Mill onto Gypsy - despite being longer, because of the safety concerns. Pedestrians have to walk on and/or jump into the brush/rock area in order to avoid getting hit by cars for about 2-4 minutes of the walk - until the road straightens out again and you are able to see both sides of the street simultaneously. It's literally an accident waiting to happen.

I'm not quite sure what the solution is -better signage/a lesser speed limit/ increased monitoring?? I'm not sure - but I urge you to discuss/share this concern (letter) with your fellow council members and attempt to implement some potential resolutions to this very real safety concern. Of note – I've never written a letter to a council person before - and I am the furthest thing from an over-zealous/over-protective parent or community type. I'm generally quite laid back - It's just that I see the seriousness of this issue becoming increasingly critical with each summer. More kids...more joggers...more bikers....AND MORE CARS (even at 30mph) having to swerve in order to avoid hitting them. Please feel free to come by for a cup of coffee on a Sunday morning and/or a stroll to Maudslay. You will see what I mean.

Thank you in advance for your attention to this matter. Take Care. Please call/email with any questions you may have.

Jessica Reines  
(978)-994-6417  
[jessicaer67@hotmail.com](mailto:jessicaer67@hotmail.com)





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

Date: May 5, 2013

Subject: Intermunicipal Agreement Renewal with West Newbury for Animal Control Services

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Attached is an intermunicipal agreement with the Town of West Newbury for animal control services. This IMA was originally agreed to last year and was implemented effective November 1, 2013. Both communities have been satisfied with the results to date. Because it was a new arrangement at the time, the IMA was set up as a one year agreement with two additional one year renewal terms. Both the Newburyport City Council and West Newbury Board of Selectman are, therefore, required to approve this document to continue for FY 2015.

As you may remember, Newburyport is the lead community under this arrangement. West Newbury pays the City \$20,000 annually for this service, saving the City approximately \$10,000 annually by employing this regional approach to animal control services. The City also recoups any boarding fees when West Newbury animals are housed in our Animal Shelter.

Two minor changes have been made to the document from the FY 2014 version. When this document was originally drafted, Newburyport had an old Crown Victoria that had been converted for use as an animal control vehicle. This vehicle had significant structural and mechanical issues this past winter and had to be retired from service. Accordingly, while the City was only responsible for gas, oil, and tires for the West Newbury vehicle last year, we have now taken full responsibility for their vehicle (exempting insurance coverage) for FY 2015. See Article 8 (page 3). It is a much more appropriate vehicle (Ford Van with adequate storage) and has just over 10,000 miles on it.

The only other change is a clarification on who the hearing authority is in cases of dangerous/nuisance dogs. Under this IMA, the Board of Selectmen will handle these cases in West Newbury and the Mayor will handle them in Newburyport. See Article 12 (page 7).

**CITY OF NEWBURYPORT AND  
TOWN OF WEST NEWBURY  
INTERMUNICIPAL AGREEMENT FOR THE ADMINISTRATION OF SHARED  
ANIMAL CONTROL SERVICES**

**Article 1. Purpose**

This agreement is entered into, pursuant to Massachusetts General Laws Chapter 40, Section 4A, by and between the City of Newburyport, as authorized by its City Council and approved by its Mayor, and the Town of West Newbury, as authorized by its Board of Selectmen.

WHEREAS, the City of Newburyport and the Town of West Newbury are each obligated to provide animal control services to their residents; and

WHEREAS, the City of Newburyport and the Town of West Newbury have determined that their residents can more efficiently and effectively be served with such services through a joint undertaking between the communities; and,

WHEREAS, the City of Newburyport and the Town of West Newbury have determined to join together to establish and administer a program of shared Animal Control Services.

NOW THEREFORE, in consideration of the mutual covenants and agreements hereinafter contained, the parties agree as follows:

**Article 2. Definitions**

Participating Governmental Units: the City of Newburyport and the Town of West Newbury.

Animal Control Services: Any and all services as required of an Animal Control Officer under applicable Massachusetts Laws and regulations, including but not limited to MGL Chapter 140, Section 151 *et seq.* and MGL Chapter 129, Section 15 *et seq.*

**Article 3. Term**

This Agreement shall take effect on the 1<sup>st</sup> day of July 2013, for a one year term that may be extended by up to two additional one year terms commencing on July 1, 2014 and July 1, 2015. Any such extension term shall be subject to approval by the City of Newburyport, as authorized by its City Council and approved by its Mayor, and the Town of West Newbury, as authorized by its Board of Selectmen. The Participating Governmental Units shall give each other notice of whether or not they wish to extend this initial one year term at least ninety days prior to the annual Town Meeting of the Town of West Newbury but no later than ninety days prior to June 1<sup>st</sup> of the then-current term, unless another date is mutually agreed upon in writing. Should the

parties fail to extend this Agreement by written addendum hereto, the agreement shall terminate upon the last day of the then-current term.

#### **Article 4. Lead City**

The City of Newburyport shall act as the “lead city” for the Participating Governmental Units, by employing the necessary officers and providing the necessary equipment, vehicles and kennel to perform said Animal Control Services. Said officers shall be considered employees of the City of Newburyport and be accorded all applicable benefits enjoyed by other Newburyport municipal employees as they are or shall be established. Each such officer must be a Massachusetts certified Animal Control Officer (excepting that new employees may acquire such certification within two years of the commencement of employment). Said certification must be maintained during the term of this Agreement. The office where such officers shall be primarily located will be in Newburyport.

#### **Article 5. Funding Contribution**

During the Fiscal Year 2015 (July 1, 2014 – June 30, 2015), the Town of West Newbury shall pay the City of Newburyport for animal control services a total sum of \$20,000.00 to be paid in four equal quarterly payments of \$5,000.00 on or before August 1, November 1, February 1, and May 1. This payment shall include all applicable expenses incurred by the City of Newburyport in providing Animal Control Services on behalf of the Participating Governmental Units, including, but not limited to, salaries, group health insurance, workers’ compensation insurance, and all other applicable benefits. Nothing herein shall prevent the parties from mutually agreeing in writing to change the funding contribution during the initial term or any extended term of this agreement, subject to available appropriation.

#### **Article 6 Financial Safeguards**

Under the provisions of M.G.L. Chapter 40, §4A, the City of Newburyport Director of Public Health shall provide to the Town of West Newbury periodic financial statements that shall include: accurate and comprehensive records of the services performed under this agreement; the costs incurred; and the reimbursements and contributions received. Such reports shall be compiled and distributed by the Health Director on a quarterly basis. In addition, all bills and payrolls submitted for work done under this regional agreement shall be plainly marked to indicate that the work was done under the authority of this agreement.

The accounting records of the Newburyport Animal Control Services, working under the direction of the Newburyport Director of Public Health, shall be subject to the City’s annual audit process and shall be subject to periodic audit by the Newburyport City Auditor as is current practice.

## **Article 7 Hours of Services and Service Requirements**

The City of Newburyport shall provide Animal Control Services under this Agreement on an as-needed basis, seven days a week, twenty four hours a day. Animal Control Services shall be provided on an equal basis between the communities.

## **Article 8 Vehicle Usage**

The Town of West Newbury shall provide a 2005 Ford Van. This vehicle shall be made available for the use of the Animal Control Officers. Collision and liability insurance for this vehicle shall continue to be paid by the Town of West Newbury. The City of Newburyport shall be responsible for the maintenance and upkeep of West Newbury's vehicle.

## **Article 9 Fines**

Any fines, exempting boarding fees, collected will be collected on behalf of and returned to the Participating Governmental Unit from within the municipal boundaries of which the animal was taken, or in the case of an animal not taken, returned to the Participating Governmental Unit in which the animal resides or is kept.

## **Article 10 Indemnification**

In the event that any claims, demands, suits, causes of action, costs, and expenses arise with respect to the services provided pursuant to this 'agreement, and to the extent permitted by Massachusetts General Laws chapter 258 and other applicable law, a Participating Governmental Unit shall indemnify, defend and hold harmless the other participating Government Unit form and against any such claims, demands, suits, causes of actions, costs and expends, including reasonable attorneys' fees and legal costs, but only to the extent that they arise from or relate to the negligent acts or omissions of the first Participating Governmental Unit, or its agents, servants, or employees, By entering into this Agreement, neither of the parties have waived any governmental immunity or limitation of liability or damages which may be extended to them by operation of law. This Agreement is by and between the municipalities which have executed it and each states that this is intended for their mutual benefit alone and is not intended to confer any express or implied benefits on any other person. This Agreement is not intended to confer third party beneficiary status on any person.

## **Article 11 Operation of Animal Shelter Facilities**

The City of Newburyport shall maintain and operate an Animal Shelter Facility under the following terms and conditions.

## **I. OPERATIONS:**

- a. The Animal Shelter Facility shall be accessible to the citizens of each Participating Governmental Unit for the retrieval of impounded animals during normal business hours, Monday through Friday 8AM to 4PM by appointment. Weekend hours will be provided by appointment only. Notice shall be posted conspicuously and in a readily accessible format in the main municipal building of both Participating Governmental Units which states the hours of operation and an emergency telephone number for use by residents to retrieve their pets. Such information shall also be made available on each respective Participating Governmental Unit website. The animal shelter shall be able to accept impounded animals 24 hours a day, 365 days a year.
- b. Newburyport will provide daily supervision, food, water and humane care to animals boarded at the shelter.
- c. All Animal Control Officers will log in each time they enter the Animal Shelter Facility. The sign-in sheets will be submitted monthly to the Director of Public Health.
- d. The Animal Shelter Facility is to be solely used for the impounding of animals and to be used by Animal Control Officers only. There shall be no entry of other persons in the shelter without the consent of the City of Newburyport Director of Public Health.
- e. Newburyport will be responsible for the Animal Shelter Facility cleaning/sanitizing supplies, maintenance, heat, water, electric and other utility costs incurred in connection with the operation of the Facility.
- f. Newburyport will be responsible to keep the Animal Shelter Facility and associated kennels maintained, clean, and sanitary on a daily basis. Excreta and food waste shall be removed from primary enclosures daily and from under enclosures as often as necessary to prevent an excessive accumulation of feces and food waste, to prevent soiling of the animals contained in the enclosures, and to reduce disease, hazards, insects, pests, and odors. The condition of the kennels and quality of care is to be of a high caliber and performed to the standards established by the City of Newburyport Director of Public Health.

- g. Boarding facilities shall include a sheltered kennel unit with cages and/or runs that protect the animals from precipitation, and extreme hot (100°F or greater) and cold (45°F or less) conditions. Except in emergency situations, as determined by the Newburyport Animal Control Officer, no more than one adult animal shall be kept per cage.
- h. Newburyport will be responsible for ensuring that an ill or injured animal is treated promptly by the respective Participating Governmental Unit's contracted licensed veterinarian, depending on the nature and/or seriousness of the illness or injury, and that any prescribed medication is promptly obtained and administered.

## **II. FEES:**

- a. Owners who reclaim animal(s) shall make payment to the City of Newburyport prior to reclaiming their animal(s) for all boarding fees (\$35.00 per day for each animal) and all other fees related to shelter services provided per day per animal.
- b. Newburyport shall provide invoices, collect monies and keep records of all required fees received from owners. Invoices provided to owners who are retrieving their animal shall include the date that the animal was delivered to the shelter, the per day shelter rate, the number of days that the animal was sheltered, medical bills as applicable, and total fee due and collected.
- c. Each Participating Governmental Unit shall be responsible for the direct costs to care for the animals which originate from said community, including but not limited to flea treatments and any veterinary costs. For the purposes of this agreement, "veterinary costs" shall include rabies vaccinations, health evaluation, treatment of minor curable diseases and euthanasia.
- d. Each Participating Governmental Unit shall pay any additional costs associated with the transport and removal of animals from their community if an animal is not claimed or is injured.
- e. Newburyport may add a surcharge of up to ten (10) percent (not to exceed \$25.00) to medical bills to cover certain incidental costs relating to

transportation of an animal to a veterinarian's office, telephone expenses incurred in connection with medical treatment, and any special care involved. Bills must support all medical charges and receipts bearing the name of the veterinarian or firm from whom they were obtained.

- f. Fees for animals that are unclaimed by the owner at the end of the maximum seven (7) day holding period shall be paid by the Participating Governmental Unit where the animal originated.
- g. All fees and receipts from boarding and all other services related to the shelter shall be submitted monthly to the City of Newburyport Health Department.

**III. RECORD KEEPING:** Each Participating Governmental Unit's Animal Control Officers shall maintain an impound record on each animal delivered to the Animal Shelter Facility. The impound record will be prepared and filled out by the appropriate Animal Control Officer and delivered to the Facility with the animal.

Upon discharge, one (1) copy of the animal's completed record shall be provided to the person claiming the animal and one (1) copy of each discharged animal's record shall be provided to Newburyport. If the agreement is terminated, all impound records shall be transmitted to the appropriate town.

**IV. DISCHARGE:**

- a. Claimed animals: Each Participating Governmental Unit will require the person claiming the animal to show identification (preferably a driver's license). In the case of a dog, a certificate of license is required of all dogs six (6) months of age or older for release.

In the event of non-licensure of a dog, the owner or person claiming the dog will be required to show proof of licensure prior to release by the Animal Control Officer. The Animal Control Officer will not be responsible for ensuring licensure of the dog.

In addition, the Animal Control Officer will provide the person claiming the animal with a full disclosure of any medical treatment rendered by a veterinarian and/or the Animal Shelter Facility and by whom it was rendered.

and a complete identification of any prescription or non-prescription medicine(s) administered to the animal while in custody. Finally, the Animal Shelter Facility must obtain the signature and the driver's license number of the person to whom the animal is released on the Impound Record.

- b. Unclaimed animals: Unless requested by the Newburyport Director of Public Health or West Newbury Police Chief to retain the animal for a longer period (2 to 4 additional days), animals will be picked up on or immediately following the seventh (7th) day of confinement by the Animal Control Officer. The written notice to extend shelter services from the Newburyport Director of Public Health or West Newbury Police Chief must accompany the reports to the city or town. The shelter may place such animals as are deemed suitable up for adoption in accordance with MGL Chapter 140, section 136A.

## **Article 12 Dangerous or Nuisance Dogs**

In accordance with M.G.L. Ch. 140 Sec. 157, complaints regarding dogs must be filed with the hearing authority in the city or town in which the dog is owned or kept. For the purposes of this IMA, the hearing authority for the City of Newburyport and for the Town of West Newbury shall be the Mayor and the Board of Selectmen respectively. Both hearing authorities will consult with the relevant animal control officer(s) in their review and resolution of these complaints.

## **Article 13 Miscellaneous**

- a. This agreement may be amended in writing by vote of both of the Participating Governmental Units. Should additional municipalities seek to join this program of shared Animal Control Services, the terms agreed to herein, including apportionment of expenses, for such additional municipalities shall be negotiated and approved by both of the Participating Governmental Units.
- b. This agreement represents the entire understanding of the parties with respect to its subject matter.
- c. This agreement shall be governed by the laws of the Commonwealth of Massachusetts.
- d. If any of the provisions of this agreement is declared to be illegal, unenforceable, or void, then both parties shall be relieved of all obligations under such provision, provided, however, that the remainder of the Agreement shall be enforced.



TOWN OF WEST NEWBURY  
By Board of Selectmen

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Dated: \_\_\_\_\_

CITY OF NEWBURYPORT  
By City Council

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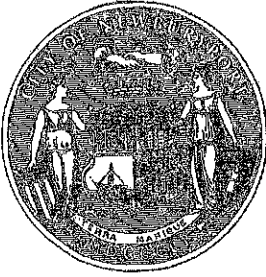
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Dated: \_\_\_\_\_



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

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

978-465-4413 PHONE

978-465-4402 FAX

To: President and Members of the City Council  
From: Donna D. Holaday, Mayor  
Date: May 2, 2014  
Subject: Roadway and Sidewalk Project Update CY12-14

Here is a summary of roadway and sidewalk funding and work that is scheduled to be completed in 2014 as well as a summary of work that has been completed in calendar years 2012 and 2013.

**Roadways:**

All City roadway projects are funded by Chapter 90 state appropriation. The annual release of this funding has been delayed for the past two years, causing some of the planned projects to be pushed back into the following construction season. The City was allocated slightly over \$1M over that two year period, \$522,087.00 in FY12 and \$517,360.00 in FY13. Thankfully, the City's 2014 allocation of \$517,508.00 was disbursed on April 20 which will allow us to incorporate those funds into projects that will be completed during this upcoming construction season.

Planned roadway projects for CY14 will be as follows:

Willow Avenue

Brooks Court

Stanley Avenue

Jackson Street

Carlton Drive

Merrill Street

Russia Street (assuming Merrill Street work comes in on budget)

Highland Avenue (assuming all Water Department utility work is completed in time)

Beacon Ave from Reilly Avenue to South Pond Street (assuming all Water Department utility work is completed in time)

National Grid has already completed utility work for these streets in anticipation of these projects. The first five streets listed will be full reconstruction (as opposed to an overlay) and have been included in the annual City-wide paving contract to reduce costs.

In addition, as we do every year, we will also use Ch. 90 funds for linestriping the downtown, project inspection and field engineering services. The total projected cost for all of this CY14 work is \$514,106.00.

The Merrill Street, at an approximate cost of \$450,000.00, is already underway and is funded from previous Chapter 90 disbursements. Purchase Street from Lime Street to Franklin Street, at a projected cost of \$190,000.00, will also be completed this year using previously allocated state funds.

In addition, the Council approved \$50,000.00 in the 2014 Supplemental Budget process to address specific large patch repairs that will be completed on Shandel Drive and Federal Street this year.

Due to the significant deterioration to the road condition caused by the weather this past winter, Governor Patrick released additional one-time funds to address potholes. For Newburyport, we are set to receive \$77,626.00 through this Winter Rapid Recovery Road Program. These funds will be used to complete pothole and resurface work on Merrimac St between Boardman Street and Winter Street, to complete drain, berm, and resurface work at the intersection of Ferry Road and Noble Street, and to repair the guardrail at the intersection of Parker Street and Hill Street.

For your reference, the following roadway projects were completed in CY12 & CY13:

Coltin Drive & Wilkinson Drive	\$78,471.38
Mulliken Way	\$53,051.25
Jefferson Street, Jefferson Court, & Lancey Court	<u>\$298,000.00</u>
	\$429,522.63

Other related services that were funded through Chapter 90 in CY12 & CY13:

Linestriping	\$56,505.19
Project Inspection / Field Oversight Services	<u>\$25,000.00</u>
	\$81,505.19

The City utilizes a pavement management system based on a comprehensive inventory of roadways that was initially conducted in 2005 and was updated in 2009 by Beta Engineering. Another 5-year update will be completed in 2015. This system takes a variety of factors into account when generating its overall road service ratings. Each year, the Department of Public Services does on-site inspections and an assessment of the underground utility work that has been done in those streets that are identified as priority projects through this reporting system. As some road conditions deteriorate faster or more severely than others, adjustments are made in determining what roadway projects require immediate attention in a given calendar year.

**Sidewalks:**

Sidewalk improvements are funded solely through municipal accounts, with the exception of sidewalk work that is included in the scope of major roadway projects such as Merrill Street and Purchase Street for which Chapter 90 funding is allocated. Local funding for sidewalk work from FY12 through FY14 will total \$754,310.98. As you know, 50% of all local meals tax receipts have been allotted for sidewalk repairs since that local acceptance statute was approved by the City Council over two years ago. In all, the City has committed \$315,562.48 for sidewalks in FY14 alone (\$75,000 in the operating budget plus \$240,562.48 from FY13 actual local meals tax receipts).

The sidewalk projects planned for CY14 that are associated with Chapter 90 roadwork are as follows:

Willow Avenue  
Brooks Court  
Stanley Avenue  
Jackson Street  
Carlton Drive  
Highland Avenue

Additional stand-alone sidewalk work for CY14 will be:

Green Street (25 tree pits)  
Washington Street from Strong Street to Olive Street (northeast side only)  
Temple Street from Fair Street to Federal Street (both sides)

New handicapped ramps will be installed this construction season at the following locations:

High Street and State Street  
Hancock Street and Lunt Street  
State Street and Garden Street  
High Street and Market Street

MassDOT has separately agreed to install new handicapped ramps along the High Street corridor at the following locations this year at no cost to the City:

Federal Street  
Lime Street  
Parsons Street  
Coffins Court  
Allen Street  
Bromfield Street  
Barton Street

For FY15, I have increased the sidewalk line item in the DPS operating budget to be in line with our projected local meals tax receipts. Based on an anticipated \$490,000 in revenue from this source, I have budgeted \$245,000 for sidewalks in FY15. In addition, I will seek a minimum of \$75,000 through the Supplemental Budget process or a Free Cash transfer request to supplement this operating budget increase to ensure that we continue to commit to over \$300,000 annually toward sidewalk work.

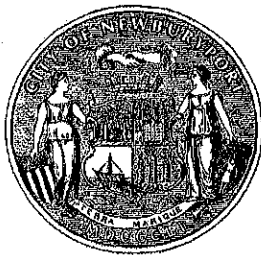
For your reference, CY12 sidewalk projects included:

Ocean Street, Lafayette Court, Kent Street, Curriers Court, Liberty Street, Essex Street, Brown Square, Prospect Street from State to Lime, State Street, and Greenleaf Street. Total project costs \$208,631.00.

In addition, CY13 sidewalk projects that have been completed include:

Congress Street, Temple Street, Middle Street, Wilkinson Drive, Mulliken Way, Coltin Drive at Low Street, Toppans Lane at Low Street, Monroe Street at Carter Street, Orange Street at Federal Street, Milk Street at Federal/Lime/Bromfield Streets, Bromfield Street at Hancock Street, Parsons Street at Prospect Street, Prospect Street from Parsons Street to Allen Street, Allen Street at Prospect Street, and Market Street at Pleasant Street. Total project costs \$400,278.40.

Thank you for your input in identifying the sidewalks that are of highest priority to your constituents and for your continued support of increased local funding toward making these much needed improvements to our infrastructure. For those sidewalk projects that have not been included in the CY14 schedule, DPS is currently assessing those locations and putting together cost estimates. As you can see, the demand clearly outweighs the funding in place, despite the significant increases that have been made in recent years. The Department of Public Services should be commended for their efforts in coordinating all of these projects and in working to balance the many competing needs to make improvements to our roads and sidewalks. I will get back to you in the next few months to update you on tentative work for CY15 once I have more detailed information.



**CITY OF NEWBURYPORT**  
**STORMWATER ADVISORY COMMITTEE**

CITY HALL  
60 PLEASANT STREET  
NEWBURYPORT, MA 01950

**Communication #4**  
**May 12, 2014**

May 5, 2014

TO: City Council President and City Councilors  
FROM: Stormwater Advisory Committee  
SUBJECT: Federal and State Stormwater Permitting Requirements  
**STATUS UPDATE**

History

The Clean Water Act authorizes the EPA to regulate point sources that discharge pollutants into waters of the United States through the National Pollutant Discharge Elimination System (NPDES) permit program. So-called "point sources" are generated from a variety of municipal and industrial operations, including treated wastewater, process water, cooling water, and stormwater runoff from drainage systems. The point source discussed herein is relative to stormwater runoff.

Stormwater runoff is commonly transported through Municipal Separate Storm Sewer Systems (MS4s) and is often discharged *untreated* into local waterbodies. To prevent harmful pollutants from reaching these waterbodies, MS4 operators must obtain a NPDES permit and develop a stormwater management program to prevent untreated runoff from entering our waterbodies.

NPDES MS4 Phase I Permit was issued in 1990 and requires medium and large cities or certain counties with populations of 100,000 or more to obtain NPDES permit coverage for their stormwater discharges. There are approximately 750 Phase I MS4s in the US.

NPDES MS4 Phase II Permit was issued in 1999 and requires small cities, towns, and urbanized areas to obtain NPDES permit coverage for their stormwater discharges. There are approximately 6,700 Phase II MS4s in the US. Newburyport falls under the Phase II Permit. Each regulated MS4 is required to develop and implement a stormwater management program (SWMP) to reduce the contamination of stormwater runoff and prohibit illicit discharges.

Phase II Permit

The current Phase II Permit was effective on May 1, 2003, which permitted and authorized discharges for five (5) years. It expired at midnight on April 31, 2008. However, the EPA has not issued a new permit and Massachusetts has been waiting for the new Draft Permit to be issued for public review. We have been told for the past several years that the draft permit will be disseminated for public comment "sometime this year". In the meantime, MS4s are being directed to comply with the Regulations as stated in the aforementioned Permit effective May 1, 2003.

As part of the Phase II permit regulations, the City was required to enact a local Stormwater Ordinance to ensure that the property owners within the City, as well as the City itself, comply with these regulations. We enacted a local Stormwater Ordinance on September 24, 2010. The Stormwater Advisory Committee that was created by this ordinance has since been working on drafting Rules and Regulations.

Please familiarize yourselves with the original Ordinance (attached). The Committee approved the attached Rules and Regulations on April 28, 2014, so they are now in effect. It is important to note that we have imposed an administrative fee to process local Stormwater Permit applications. The Stormwater Advisory Committee has made every effort to keep this fee fair, reasonable, and commensurate to the work involved in processing the application.

In an effort to make this new local permit known to our residents and property owners, we are proposing the following:

- Our NPDES MS4 Permit requires that the City Council receive annual updates on our MS4 Permit compliance activities. As part of this forthcoming update during a City Council Meeting, the Engineering Department can discuss the aforementioned and other Stormwater Permit requirements, including its associated fees;
- DPS will contact landscapers (via mailing, email, or other means) to inform them of said permit requirements;
- A press release will be sent to the local newspapers;
- This information will be added to the City website; and,
- The Mayor will highlight this new permit information in her biweekly blog update.

#### New Permit Requirements

As mentioned above and as presented to the City Council last year, the new NPDES Permit for Massachusetts is forthcoming. The new Draft Permit for New Hampshire has been published and undergone a public comment period last year but the new Final Permit there has yet to be issued. If New Hampshire's Draft Permit is any indication and if the feedback from EPA Region 1 is correct, Massachusetts can expect a much more onerous and labor-intensive permit than the one we have now.

In preparation for this new Permit, the Merrimack Valley Planning Commission applied for and has been awarded a Community Innovation Challenge Grant to assist its member communities, including Newburyport, in preparing for the upcoming new Permit. The \$145,000 grant will be used for a broad range of stormwater planning and outreach tasks, such as:

- Establishing a Merrimack Valley Stormwater Collaborative
- Developing a framework for establishing a local or regional stormwater utility as a funding mechanism to comply with the new Permit

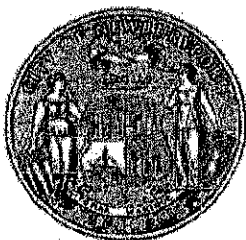
- Standardize stormwater infrastructure into a user-friendly MIMAP database and mapping system
- Design and conduct multi-faceted stormwater public education and municipal employee training programs.

DPS will provide the Council with a more informative update once the Draft Permit is published. In the meantime, we urge the Council to prepare for a discussion of identifying a revenue source to fund the manpower and equipment necessary to meet the new permit requirements. One such revenue source that other communities have adopted is the creation of a Stormwater Utility Enterprise Account similar to our Water and Sewer Enterprise Accounts.

DPS will be prepared to discuss the various revenue stream options in detail so that the City Council can be well informed in making its decision.

We look forward to working with you to ensure that the City remains in compliance with our NPDES Stormwater Permit.





**CITY OF NEWBURYPORT**  
**STORMWATER ADVISORY COMMITTEE**

CITY HALL  
60 PLEASANT STREET  
NEWBURYPORT, MA 01950

RECEIVED  
CITY CLERK'S OFFICE  
NEWBURYPORT, MA

April 28, 2014

2014 APR 28 A 10:41

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

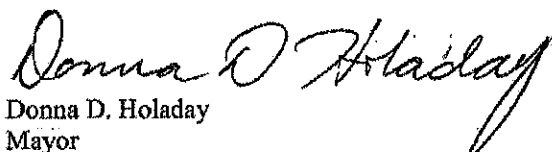
Subject: **Adoption of Stormwater Rules and Regulations**

Dear Mr. Jones:


In accordance with Section 17-6 of the City's Code of Ordinances, the City's Stormwater Advisory Committee has hereby adopted the attached Stormwater Rules and Regulations. Please file said document at your earliest convenience.

Thank you.

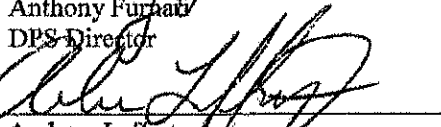
Sincerely,

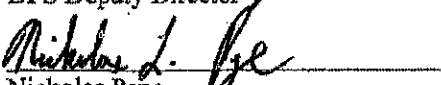
  
Donna D. Holaday  
Mayor

**NEWBURYPORT STORMWATER ADVISORY COMMITTEE**

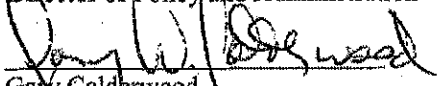
  
Jon-Eric White, P.E.  
City Engineer/Chair

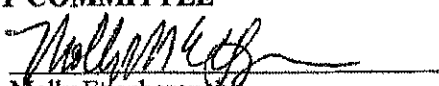
  
Anthony Furnari  
DPS Director

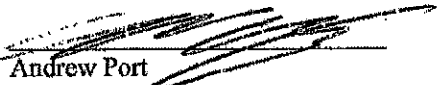
  
Andrew Lafferty  
DPS Deputy Director

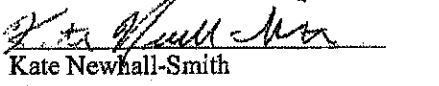
  
Nicholas Pepe  
Assistant Engineer

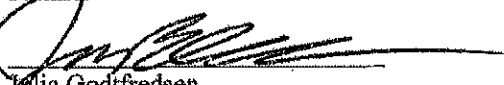
  
Peter Lombardi  
Director of Policy and Administration

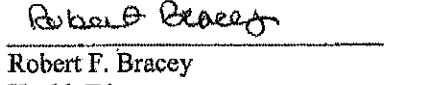
  
Gary Calderwood  
Building Inspector

  
Molly Etenborough  
Recycling Coordinator

  
Andrew Port  
Planning Director

  
Kate Newhall-Smith  
Planner

  
Julia Godtfredsen  
Conservation Agent

  
Robert F. Bracey  
Health Director

# **CITY OF NEWBURYPORT, MASSACHUSETTS**

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## **STORMWATER MANAGEMENT RULES AND REGULATIONS**

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Prepared by:

City of Newburyport  
Engineering Department

Malcolm Pirnie, Inc.  
601 Edgewater Drive  
Wakefield, MA 01880

**Adopted: April 28, 2014**

## **STORMWATER MANAGEMENT RULES AND REGULATIONS**

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## **STORMWATER MANAGEMENT RULES AND REGULATIONS**

### **SECTION 1. PURPOSE**

These Stormwater Management Rules and Regulations ("Regulations") are promulgated to create uniformity of process and to help clarify the provisions of Chapter 17, Stormwater Management Ordinance of the City's Code of Ordinances ("Stormwater Ordinance"). These Regulations apply to all activities in accordance with the applicability sections of the Stormwater Ordinance and further described herein.

These Regulations are intended to minimize delay in the permitting process by providing Applicants and their consultants with information which will help them comply with the Stormwater Ordinance.

These Regulations establish requirements and procedures for the submission and consideration of an application for a Stormwater Management Permit and related documents, application and review fees, inspection requirements, definitions, and design standards to address discharges to the municipal separate storm sewer system (MS4) that is necessary for the protection of the City's water bodies and groundwater, and to safeguard the public health, safety, welfare and the environment. Increased and contaminated stormwater runoff associated with developed land uses and the accompanying increase in impervious surface are major causes of impairment of water quality and flow in lakes, ponds, streams, rivers, wetlands and groundwater. In addition, land disturbances can cause harmful impacts due to soil erosion and sedimentation as more specifically addressed in the Stormwater Ordinance.

Projects and/or activities not within the jurisdiction of any of the City of Newburyport Boards, Commissions, or Departments but still within the jurisdiction of the Stormwater Ordinance must comply with these Regulations and, if applicable, must obtain a Stormwater Management Permit in accordance with the permit procedures outlined herein.

### **SECTION 2. DEFINITIONS**

The definitions of terms in Section 17-3 of the Stormwater Ordinance, as well as the following definitions, shall apply to terms used in these Regulations:

**APPLICANT'S TECHNICAL REPRESENTATIVE** — A Massachusetts Registered Professional Engineer (P.E.) hired by the Applicant and/or Permittee to certify that design and construction are completed in accordance with the applicable local, state, and federal stormwater requirements.

**CITY** — City of Newburyport, Massachusetts.

**CITY OF NEWBURYPORT STORMWATER MANAGEMENT STANDARDS** — City of Newburyport Stormwater Management Standards, as amended. These Standards are *in addition to* the latest edition of the Massachusetts DEP Stormwater Management Standards (formerly Stormwater Policy). Where conflicting requirements exist between the state and local Standards, the more stringent requirement shall govern.

**CONSTRUCTION AND WASTE MATERIALS** — Excess or discarded building or site materials, including but not limited to concrete truck washout, chemicals, litter, concrete, asphalt, sanitary waste that may adversely impact water quality, and clearing/grubbing wastes such as stumps and asphalt.

**GRUBBING** — The act of clearing land surface by digging up roots and stumps.

**PERMITTEE** — The person or party to whom a permit is granted and is held responsible for compliance with the Permit. For the Stormwater Management Permit, the permittee must be the owner of the property.

**SINGLE-FAMILY** — A residential building consisting of one dwelling unit.

**SLOPE** — The incline of a ground surface expressed as a ratio of horizontal distance to vertical distance.

**STABILIZATION** — The use, singly or in combination, of vegetative and non-vegetative methods to prevent erosion. Final stabilization shall be defined as stated in the NPDES General Permit for Discharges from Construction Activities (CGP).

**STORMWATER POLLUTION PREVENTION PLAN (SWPPP)** — Plan required for permit coverage under the NPDES General Permit for Discharges from Construction Activities (CGP). The SWPPP is a detailed plan describing how erosion and sediment controls and other BMPs will be implemented on a construction site.

**STRIP** — Any activity which removes the vegetative ground surface cover, including tree removal, clearing, grubbing, and storage or removal of topsoil.

**TSS** — Total Suspended Solids.

### SECTION 3. AUTHORITY

- A. The Regulations are promulgated by the Newburyport Department of Public Services in accordance with Section 17-6 of the Stormwater Ordinance.
- B. The Regulations are intended to clarify but not expand, extend, modify or replace any provision of the Stormwater Ordinance.

#### SECTION 4. ADMINISTRATION

- A. The Enforcement Officer shall administer, implement, and enforce the Regulations.
- B. Waiver. Strict compliance with any requirement of the Stormwater Ordinance or the Regulations may be waived for the reasons given, and in accordance with the procedures set forth in Section 17-14 of the Stormwater Ordinance.

#### SECTION 5. PERMITS AND PROCEDURES

- A. Filing Application. The site owner or his/her technical representative shall file a completed Stormwater Management Permit Application Package with the Enforcement Officer. Permit issuance is required prior to any site altering activity that results in the land disturbance of 10,000 square feet or more. While the Applicant can be a representative, the Permittee must be the owner of the site.

- 1. The Stormwater Management Permit Application Package shall include the following:

- ☐ A completed Application Form with signatures of all owners;
- ☐ *Stormwater Management Plan* and supporting documentation as specified in Section 8-A, if applicable;
- ☐ *Erosion and Sediment Control Plan* as specified in Section 8-B;
- ☐ *Operation and Maintenance Plan* as specified in Section 8-C, if applicable;
- ☐ *NPDES General Permit for Discharges from Construction Activities* application, including the Notice of Intent and Stormwater Pollution Prevention Plan (SWPPP), if applicable;
- ☐ Decisions or Approvals of other permitting agencies, including but not limited to the Zoning Board of Appeals, Planning Board, Conservation Commission, as applicable; and,
- ☐ Application Fee.\*

\* The application will not be accepted without the Application Fee specified in Section 6. The Application Fee for the Permit shall be in addition to any fee requirements for other applications for permits for the same project

before any other City Board or Commission which may review the project.  
The Application Fee is non-refundable

2. **Submission Format.** Three (3) hardcopies and one (1) digital copy (CAD & PDF) of the Stormwater Management Permit Application Package must be filed with the Enforcement Officer for his/her review as well as review by other City Departments, Boards or Commissions, as necessary.
- B. **Right of Entry to Property.** Filing an application for a Stormwater Management Permit grants the Enforcement Officer, or its agent, permission to enter upon privately-owned property for the purpose of performing their duties under these Regulations and to make or cause to be made such examinations, surveys, or sampling as the Enforcement Officer deems reasonably necessary to verify the information in the application and to inspect for compliance with the Stormwater Management Permit.
- C. **Information Requests.** The Applicant shall submit all additional information requested by the Enforcement Officer to issue a decision on the application.
- D. **Actions.** The Enforcement Officer's action, rendered in writing, shall consist of either:
  1. Approved as Submitted: Approval of the Stormwater Management Permit Application, based upon a determination that the proposed stormwater management systems and measures, as set forth in the design plans submitted in accordance with Section 8, will meet the Standards specified in Section 7, will adequately protect the water resources of the City, and are in compliance with the requirements set forth in the Regulations.
  2. Approved with Conditions: Approval of the Stormwater Management Permit Application, based upon a determination that the proposed stormwater management systems and measures, as set forth in the design plans submitted in accordance with Section 8, subject to any conditions, modifications, or restrictions required by the Enforcement Officer to ensure that the project will meet the Standards specified in Section 7, will adequately protect the water resources of the City and are in compliance with the requirements set forth in the Regulations.
  3. Not Approved: Disapproval of the Stormwater Management Permit Application, based upon a determination that the proposed stormwater management systems and measures, as set forth in the design plans submitted in accordance with Section 8, will not meet the Standards specified in Section 7, will not adequately protect the water resources of the City, or are not in compliance with the requirements set forth in the Regulations.
- E. **Changes and Alterations to the Permit.** No change or alteration of the plans approved by the Stormwater Management Permit shall be made unless the

Applicant or Applicant's Technical Representative first notifies the Enforcement Officer in writing of the requested change or alteration, and the Enforcement Officer issues his written approval, before any change or alteration is physically made. If the Enforcement Officer determines that the change or alteration is significant, the Enforcement Officer may require that an amended application be filed. If any change or alteration from the plans approved by the Stormwater Management Permit occurs without the prior approval of the Enforcement Officer, the City may impose conditions or orders in accordance with the enforcement procedures set forth in Section 17-7 of the Stormwater Ordinance.

- F. Permit Expiration. A Permit shall expire three (3) years from the date of issuance. All work permitted or required by the Permit (other than continuing requirements set forth in the Operation and Maintenance Plan) shall be completed within this timeframe. Any Permit may be renewed at the Enforcement Officer's discretion for an additional one (1) year period, provided that a request for renewal is submitted in writing to the Enforcement Officer at least thirty (30) days prior to expiration
- G. Recording.
  - 1. Prior to commencement of construction, the approved Stormwater Management Permit shall be recorded at the Southern Essex District Registry of Deeds, in the chain of title for the property that is the subject of the Stormwater Management Permit.
  - 2. A copy of the signed Stormwater Management Permit, as recorded at the Registry, shall be provided to the Enforcement Officer.

## SECTION 6. FEES

The following fees shall be charged for a Stormwater Management Permit:

### A. Application Fee

- 1. The purpose of the Application Fee is to offset the City's costs, including processing the application and conducting inspections, by the Enforcement Officer and other City officials and boards.
- 2. The Application Fee is in addition to any other local or state fees that may be charged under any other law or bylaw.



## 3. The Application Fee is as follows:

Proposed Land Disturbance	Application Fee
Less than 10,000 square feet of land disturbance	Permit Not Required – No Fee
10,000 square feet or more of land disturbance	\$200.00 base fee plus \$1.00 for every 1,000 square feet of land disturbance

For example, if the proposed land disturbance is 5 acres (217,800 sf.), the application fee will be:

Base Fee:	\$200.00
Plus Area Fee:	
217,800 s.f. x \$1.00/1000 s.f. =	+ \$217.80
Total application fee:	\$417.80

## 4. The Application Fee is payable at the time of application. It is nonrefundable.

## SECTION 7. STANDARDS

A. Projects shall meet the following standards and where conflicting requirements exist, the more stringent requirement shall govern.

1. *Massachusetts DEP Stormwater Management Standards* ("DEP Standards") (formerly DEP Stormwater Management Policy), as currently in effect.
2. *City of Newburyport Stormwater Management Standards* ("City Standards"), as currently in effect (see Appendix A).
3. *NPDES General Permit for Discharges from Construction Activities*, as applicable.
4. *Massachusetts Erosion and Sediment Control Guidelines for Urban and Suburban Areas – A Guide for Planners, Designers, and Municipal Officials*, latest edition.

B. When one or more of the Standards cannot be met, an Applicant may demonstrate that an equivalent level of environmental protection will be provided.

**SECTION 8. DESIGN PLANS**

The following shall be prepared and submitted, as applicable, as follows:

**A. Stormwater Management Plan (SMP) and Supporting Documentation**

**1. Applicability.**

- a. **Single-Family Applicants.** Applicants for single-family properties shall submit the Stormwater Management Plan and be exempt from submitting the Supporting Documentation as outlined in this section.
- b. **Commercial and Other Non-Single-Family Applicants.** Commercial and all other Non-Single-Family Applicants shall submit as part of the application package a Stormwater Management Plan and Supporting Documentation as outlined in this section.

2. **Stormwater Management Plan.** This Stormwater Management Plan shall contain sufficient information for the Enforcement Officer and relevant City departments to evaluate the environmental impact, effectiveness, and acceptability of the measures proposed by the Applicant for reducing adverse impacts from stormwater. The SMP shall be designed to meet the Standards set forth in Section 7.

The Stormwater Management Plan shall fully depict the proposed project in drawings and shall include the following:

- a. **Contact Information.** Name, address, and telephone numbers of the property owner, Applicant, and Applicant's Technical Representative(s) or firm(s) preparing the SMP;
- b. **Title, date, north arrow, scale, legend, and locus map;**
- c. **The existing zoning and proposed land use at the site;**
- d. **The existing conditions of the site and fifty feet (50') into all abutting properties, including property line information, property owners, planimetric detail and topographic features including 1-foot contours, buildings, structures, paved areas, trees, watercourses, etc.;**
- e. **Proposed improvements, such as buildings and other structures, parking areas, roadways, walkways, grading, landscaping, stormwater management system(s) and BMPs, etc. Grading shall be shown in 1-foot contours with spot grades as necessary to identify high/low points or critical elevations;**
- f. **The delineation and number of square feet of the land area to be disturbed;**

- g. The location of existing and proposed utilities and stormwater conveyances;
  - h. The location of existing and proposed easements;
  - i. Location and description of natural features including:
    - i. Watercourses and water bodies, wetland resource areas, and buffer zones as defined in the Massachusetts Wetlands Protection Act and in the City's General Wetlands Protection Ordinance;
    - ii. Floodplain information, including the 100-year flood elevation based upon the most recent Flood Insurance Rate Map, or as calculated by a Registered Professional Engineer (P.E.) for areas not assessed on these maps, if applicable;
    - iii. Existing vegetation including tree lines, canopy layer, shrub layer, and ground cover, and trees with a caliper twelve (12) inches or larger, noting specimen trees and forest communities; and,
    - iv. Habitats mapped by the Massachusetts Natural Heritage and Endangered Species Program as Endangered, Threatened or of Special Concern, Estimated Habitats of Rare Wildlife and Certified Vernal Pools, and Priority Habitats of Rare Species within five hundred feet (500') of any construction activity.
  - j. Soil-evaluation deep-hole (test pit) locations and estimated seasonal high groundwater elevation in areas to be used for stormwater retention, detention, or infiltration;
  - k. The structural details for all components of the proposed drainage system(s) and stormwater management system(s);
  - l. Notes on drawings specifying materials to be used, construction specifications, and Typical Details; and,
  - m. Such other information as is required by the Enforcement Officer.
3. Supporting Documentation. A Stormwater Report with drainage calculations and other supporting documentation, as outlined below, shall accompany the submission of a SMP. The stormwater management system design and drainage calculations shall be in strict compliance with DEP and City Standards.
- a. A description of all components of the proposed drainage system including:
    - i. Pre- and post-construction watershed boundaries and drainage catchment areas;

- ii. The existing and proposed vegetation and ground surfaces with runoff coefficient for each;
  - iii. Locations, cross sections, and profiles of all brooks, streams, drainage swales and their method of stabilization, as applicable;
  - iv. All measures for the detention, retention, or infiltration of water;
  - v. All measures for the protection of water quality;
  - vi. Existing and proposed hydrology and hydraulics calculations, including pipe sizing and outlet control, with comparison tables for the required design storm events; and,
  - vii. Total Suspended Solids (TSS) calculations.
- b. A drainage system maintenance schedule for the period of construction;
  - c. A completed DEP *Checklist for Stormwater Report* (see Appendix B); and,
  - d. Any other information requested by the Enforcement Officer.

#### B. Erosion and Sediment Control Plan (ESCP)

##### 1. Applicability.

- a. Single-Family Applicants. Single-Family Applicants shall submit the Erosion and Sediment Control Plan as outlined in this section. However, the requirement in Section 8 for stamped and certified plans shall not apply to Single-Family Applicants.
- b. Commercial and Other Non-Single-Family Applicants. Commercial and other Non-Single-Family Applicants shall submit the Erosion and Sediment Control Plan as outlined in this section.

- 2. Erosion and Sediment Control Plan. The application for a Stormwater Management Permit shall include an Erosion and Sediment Control Plan to describe the nature and purpose of the proposed development, pertinent conditions of the site and the adjacent areas, and proposed erosion and sediment controls. The Applicant shall submit such material as is necessary to show that the proposed development will comply with the design requirements as specified herein and in accordance with the *Massachusetts Erosion and Sediment Control Guidelines for Urban and Suburban Areas – A Guide for Planners, Designers, and Municipal Officials*, latest edition. The Applicant may submit the SWPPP in place of the ESCP, if the NPDES General Permit for Discharges from Construction Activities applies.

The Erosion and Sediment Control Plan shall include the following:

- a. All applicable items required in the Stormwater Management Plan and Supporting Documentation section;

- b. Contact Information. Names, addresses, and telephone numbers of the property owner, Applicant, and Applicant's Technical Representative(s) or firm(s) preparing the ESCP, if different from the SMP;
- c. Drainage patterns of surface runoff and approximate slopes anticipated after major grading activities (Construction Phase Grading Plans);
- d. Location and details of erosion and sediment control measures with a narrative of the construction sequence/phasing of the project, including both operation and maintenance for structural and non-structural measures, interim grading, and construction and waste material stockpiling areas;
- e. Path and mechanism to divert uncontaminated water around disturbed areas, to the maximum extent practicable;
- f. Location and description of and implementation schedule for temporary and permanent seeding, vegetative controls, and other stabilization measures;
- g. A description of construction and waste materials expected to be stored on-site and intended disposal methods. The ESCP shall include a description of controls to reduce pollutants from these materials, including storage practices to minimize exposure of the materials to stormwater, and spill prevention and response;
- h. Plans must be stamped and certified by a Registered Professional Engineer (P.E.) registered in Massachusetts or a Certified Professional in Erosion and Sediment Control (CPESC); and,
- i. Such other information as is required by the Enforcement Officer.

C. Operation and Maintenance Plan (O&M Plan)

1. General. The application for a Stormwater Management Permit shall include an Operation and Maintenance Plan to ensure compliance with the Stormwater Management Permit and these Regulations throughout the life of the constructed stormwater management system(s). The requirements stated herein are supplemental to DEP Standard 9 and shall be included in the O&M Plan. The Enforcement Officer shall make the final decision of what maintenance option is appropriate in a given situation. The Enforcement Officer will consider natural features, proximity of site to water bodies and wetlands, extent of impervious surfaces, size of the site, the types of stormwater management structures, and potential need for ongoing maintenance activities when making this decision.
2. Applicability.

- a. Single-Family Applicants. Single-Family Applicants shall be exempt from submitting the Operation and Maintenance Plan, as outlined in this section.
  - b. Commercial and Other Non-Single-Family Applicants. Commercial and other Non-Single-Family Applicants shall submit the Operation and Maintenance Plan as outlined in this section.
3. Contents of the Operation and Maintenance Plan. The Operation and Maintenance Plan shall include the following:
  - a. A Long-Term O&M Plan, which shall meet the requirements of DEP Standard 9, as well as the additional requirements of this section;
  - b. Spill Prevention.
    - i. Description of facility, activities involving hazardous material storage and delivery, and hazardous materials expected to be stored on-site;
    - ii. Location of potential spill areas or operations prone to spills/leaks and of areas that should be or already are "containment" areas;
    - iii. Spill reporting procedures and a plan to protect the environment in the event of a spill; and,
    - iv. Procedures for notifying the Enforcement Officer of all spills that can impact the environment;
  - c. Such other information as is required by the Enforcement Officer.
4. Maintenance Responsibilities.
  - a. Operation and maintenance of private stormwater management systems are the responsibility of the property owner.
  - b. The Operation and Maintenance Plan shall identify the person, such as the property owner, homeowners' association, condominium trust, or other legal entity, with the legal obligation and authority for operation and maintenance of the stormwater management system. The Operation and Maintenance Plan shall include the proposed deeds, covenants, easements, or other legal documents that will be necessary to establish such person's obligation and authority to assume this responsibility.
  - c. Responsibility for operation and maintenance shall not be assigned or transferred to the owner or tenant of an individual property in a residential development or project, unless such owner or tenant owns or leases the entire residential development or project, or otherwise has been granted legal rights sufficient to permit such person to perform the operation and maintenance.

- d. The City reserves the right to enter upon said property for periodic inspections providing advanced notice is given to the property owner.

## SECTION 9. CONSTRUCTION

- A. General. This section covers the requirements during construction of the stormwater management system(s).
- B. Pre-Construction Meeting. Prior to starting clearing, excavation, construction, or land disturbance, the Applicant, the Applicant's Technical Representative, the general contractor or any other person with authority to make changes to the project, shall meet with the Enforcement Officer to review the permitted plans and their implementation.
- C. Required Inspections. The Applicant's Technical Representative shall make inspections as hereinafter required and shall either approve that portion of the work completed by providing written documentation to the City of completeness or shall notify the Applicant wherein the work fails to comply with the Stormwater Management Permit as approved. The Stormwater Management Permit and associated plans for grading, stripping, excavating, and filling work, bearing the signature of approval of the Enforcement Officer, shall be maintained at the site during the progress of the work. The Applicant or Applicant's Technical Representative shall notify the Enforcement Officer at least two (2) working days before each of the following events; the Applicant's Technical Representative shall be responsible to observe and assure the project progresses appropriately at the following events:
  - 1. Initial Site Inspection prior to approval of any plan;
  - 2. Erosion and Sediment Control measures are in place and stabilized;
  - 3. Site Clearing has been substantially completed;
  - 4. Rough Grading has been substantially completed;
  - 5. Construction of the stormwater management system(s) and associated BMPs;
  - 6. Final Grading has been substantially completed;
  - 7. Close of the Construction Season(s); and,
  - 8. Final Landscaping and Stabilization.
- D. Erosion and Sediment Control Measures Inspections. The Applicant's Technical Representative shall conduct and document inspections of all erosion and sediment control measures no less than weekly or as otherwise specified in the permit, and prior to and following anticipated storm events. The purpose of such inspections will be to determine the overall effectiveness of the required Erosion and Sediment

Control Plan and the need for maintenance or additional control measures. The Applicant or Applicant's Technical Representative shall submit monthly reports to the Enforcement Officer in a format approved by the Enforcement Officer.

- E. Stormwater Management System(s) Inspections. Periodic inspections shall be performed during the construction of the stormwater management system(s) and associated BMPs as determined by the Enforcement Officer. Prior to backfilling of any underground drainage pipe or stormwater conveyance structure, an inspection shall be conducted by the Enforcement Officer. No underground component shall be backfilled without the inspection of the Enforcement Officer.
- F. Final Inspection and Submittals. The final inspection and submittals shall be approved by the Enforcement Officer prior to the issuance of the Certificate of Completion (as provided in Section 10) and the release of the surety bond.
  - 1. After the stormwater management system(s) has been constructed, the Applicant or Applicant's Technical Representative must request a final inspection site meeting with the Enforcement Officer. The Enforcement Officer shall visit the site with the Applicant's Technical Representative to confirm that its "as-built" features, permanent BMPs, and approved changes and modifications have been completed in accordance with the approved Stormwater Management Permit.
  - 2. If the system is found to be inadequate by virtue of physical evidence of operational failure, even though it was built as called for in the Stormwater Management Plan, it shall be corrected by the owner before the final submittals are accepted and the surety bond is released. A follow-up final inspection shall be conducted by the Enforcement Officer. If the owner fails to act, the City may require the issuer of the surety bond to complete the work. Examples of inadequacy shall include, but not be limited to: errors in the infiltrative capability, errors in the maximum groundwater elevation, failure to properly define or construct flow paths, or erosive discharges from basins.
  - 3. The final submittals shall be submitted within thirty (30) days after the approved Final Inspection and include:
    - a. As-Built Plans. The Applicant shall submit a stamped record plan signed by a Registered Professional Engineer (P.E.) detailing the actual stormwater management system as installed. The record plan shall include a statement box on the plan certifying that the site review was conducted in accordance with the Regulations and that all items were constructed according to the approved Stormwater Management Permit.
    - b. Operation and Maintenance Plan and related documents.
    - c. Such other information as is required by the Enforcement Officer.



**SECTION 10. CERTIFICATE OF COMPLETION**

The Enforcement Officer shall issue a letter certifying completion of the constructed stormwater management system(s) upon receipt and approval of the final inspection and submittals and/or upon otherwise determining that all construction work permitted by the Stormwater Management Permit has been satisfactorily completed in conformance with the Regulations. The Certificate of Completion shall specify that compliance with the Operation and Maintenance Plan is a continuing requirement. The Applicant shall record the Certificate of Completion at the Southern Essex District Registry of Deeds in the chain of title for the property.

**SECTION 11. OPERATION AND MAINTENANCE**

- A. General. The purpose of this section is to provide requirements relative to the operation and maintenance of the constructed (and approved) stormwater management system(s), including after the Certificate of Completion has been issued. The requirements in this section are in addition to those imposed by DEP Standard 9.
- B. Maintenance Person's Responsibilities. The person responsible for operation and maintenance, as identified in the Operation and Maintenance Plan, shall:
  - 1. Maintain an operation and maintenance log<sup>1</sup> for the last three years, including inspections, repairs, replacement and disposal (for disposal, the log shall indicate the type of material and the disposal location);
  - 2. Make this log available to the Enforcement Officer upon request; and,
  - 3. Allow the Enforcement Officer to enter and inspect the premises to evaluate and ensure that the responsible person complies with the Operation and Maintenance Plan requirements for each BMP.
- C. Annual Report Submittal. The person responsible for operation and maintenance must submit annual reports to the Enforcement Officer regarding the inspection and maintenance of the stormwater management system(s). The reports must include:
  - 1. Descriptions of the condition of the stormwater management system(s); and,
  - 2. The Operation and Maintenance log for the past year.
- D. Inspections Conducted by City Personnel. The Enforcement Officer or its agents may conduct periodic inspections of the stormwater management system(s) to assure compliance with these Regulations. The Enforcement Officer shall notify the property owner at least two (2) working days before the inspection is conducted.
- E. Defective System(s).

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<sup>1</sup> This is a rolling log in which the responsible party records all operation and maintenance activities for the past three years.

- a. In the event that the stormwater management system(s) is not operating as designed, approved, or required, or is in need of maintenance or repair, the Enforcement Officer shall notify the property owner in writing. Upon receipt of that notice, the property owner shall have fourteen (14) days to perform maintenance and repair of the system(s) in a manner that is approved by the Enforcement Officer or its designee. The Enforcement Officer, in its discretion, may extend the time allowed for effecting maintenance and repair for good cause. If the property owner fails or refuses to perform such maintenance and repair, the City may exercise any of the enforcement options set forth in Section 17-7 of the Stormwater Ordinance.
  - b. If the stormwater management system(s) becomes an imminent danger to public safety or public health, immediate action and enforcement shall be taken by the City, in accordance with Section 17-7 of the Stormwater Ordinance.
- F. Amendments to the Operation and Maintenance Plan. Amendments to the Operation and Maintenance Plan may be proposed, in writing, by the person(s) responsible for operation and maintenance, to the Enforcement Officer for its approval. To the extent that such amendments involve modifications to the deeds, covenants, easements, or other legal documents that established the obligation and authority to operate and maintain the stormwater management system, the person(s) proposing the amendments shall demonstrate agreement among all necessary parties to implement such modifications. Such amendments shall not take effect unless approved, in writing, by the Enforcement Officer.

## SECTION 12. SEVERABILITY

- A. If any provision, paragraph, sentence, or clause of the Regulations shall be held invalid for any reason, all other provisions shall continue in full force and effect.

## **APPENDIX A.**

### **CITY OF NEWBURYPORT STORMWATER MANAGEMENT STANDARDS**

# City of Newburyport, Massachusetts Stormwater Management Standards

April 28, 2014

## A. General.

1. Implementation of stormwater management measures to control the rate, volume, and characteristics of stormwater discharges shall be required in accordance with the latest edition of the Massachusetts DEP Stormwater Management Standards ("DEP Standards"), these City of Newburyport Stormwater Management Standards ("City Standards"), and whenever appropriate as determined by the Department of Public Service (DPS). The design, installation, and maintenance of such facilities shall be subject to the approval by DPS in accordance with the City of Newburyport's Stormwater Management Ordinance and associated Rules and Regulations.
2. Design of stormwater management systems shall comply with DEP and City Standards and where conflicting requirements exist, the more stringent requirement shall govern.
3. These City Standards are necessary for the protection of the City's water bodies and groundwater, and to safeguard the public health, safety, welfare and the environment. Increased and contaminated stormwater runoff associated with developed land uses and the accompanying increase in impervious surface are major causes of flooding and impairment of water quality in lakes, ponds, streams, rivers, wetlands and groundwater.

## B. Design Calculations.

1. A Stormwater Report must be performed and submitted in accordance with DEP Standards and the following:
  - a. Rainfall quantities from TP-40 *Rainfall Frequency Atlas of the United States* dated May 1961, shall not be used in the drainage calculations. Drainage calculations shall be based on rainfall data in Table 1 below *or* the most current data from the Northeast Regional Climate Center (NRCC) at Cornell University (also known as the *Cornell Study*) whichever provides the greatest rainfall amounts. In addition, NRCS data shall be used to create the Intensity-Duration-Frequency (IDF) curves for the given storm events.

**Table 1. Rainfall Data\***

Storm Event (in years)	Inches (per 24-hours)
2	3.1
10	4.7
25	5.8
50	7.1
100	8.3

\*Table from Daniel S. Wilks and Richard P. Cember, September, 1993, "Atlas of Precipitation Extremes for the Northeastern United States and Southeastern Canada", Cornell University, Ithaca, NY, Pub. No. RR 93-5.

- b. Drainage pipe systems shall be designed to provide self-cleaning flow velocities. Pipes shall be sized to convey the 10-year frequency, 24-hour duration storm event. Calculations shall be provided.
- c. Maximum total depth of detention/retention area shall be four feet (4') as measured from the lowest outlet point to the lowest point of the emergency overflow.
- d. Each stormwater detention/retention area shall be provided with a method of emergency overflow in the event of a storm in excess of the 100-year frequency type.
- e. Drainage system may discharge to an existing City drainage system if the Applicant can show that the City drainage system provides sufficient excess capacity to accommodate both the existing runoff and the proposed additional runoff from the project during a 10-year frequency, 24-hour duration storm event.
- f. Total suspended solid (TSS) removal rate calculations.
- g. Infiltration calculations.
- h. Culvert analysis and calculations.

C. Construction.

- 1. Outlet control structures shall be designed to minimize required maintenance for proper operation.
- 2. A continuous design element (i.e. fencing or hedge) shall border any detention/retention basin area with interior side slopes greater than 3:1. Drainage basins shall be designed to facilitate access for maintenance vehicles and personnel.
- 3. If it is necessary to carry drainage across lots within the development or if a proposed drainage system will carry water across land outside the development boundaries to an approved outfall, storm drainage easements shall be secured by the Applicant at the Applicant's expense (refer to City Stormwater Rules and Regulations).
- 4. Intermittent surface water courses, such as, swales, forebays, and detention/retention basins, shall be vegetated and appropriately reinforced along the low flow channel.
- 5. Neighboring properties shall not be negatively impacted by flooding due to excessive runoff caused by the development.
- 6. Reverse salt water intrusion shall be prevented.

D. Nonstructural Stormwater Management Strategies.

- 1. General. To the maximum extent practicable, nonstructural stormwater management strategies (i.e. low impact development (LID) and numerous related BMPs) set forth in this section shall be incorporated into the design. The Applicant shall identify the nonstructural measures incorporated into the design of the project. If the Applicant contends that it is not feasible for engineering, environmental, or safety reasons to incorporate any nonstructural stormwater management measures identified below into the design of a particular project, the Applicant shall identify the strategy considered and provide a basis for the contention.

2. Nonstructural stormwater management strategies incorporated into site design shall:
    - a) Protect areas that provide water quality benefits or areas particularly susceptible to erosion and sediment loss;
    - b) Minimize impervious surfaces and break up or disconnect the flow of runoff over impervious surfaces;
    - c) Maximize the protection of natural drainage features and vegetation;
    - d) Maximize the "time of concentration" from pre-construction to post-construction;
    - e) Minimize land disturbance including clearing and grading;
    - f) Minimize soil compaction;
    - g) Provide low-maintenance landscaping that encourages retention, infiltration, and planting of native vegetation and minimizes the use of lawns, fertilizers and pesticides;
    - h) Provide vegetated open-channel conveyance systems discharging into and through stable vegetated areas; and,
    - i) Provide other source controls to prevent or minimize the use or exposure of pollutants at the site, in order to prevent or minimize the release of those pollutants into stormwater runoff. Such source controls include, but are not limited to:
      - i. Site design features that help to prevent accumulation and discharge of trash and debris in drainage systems;
      - ii. Site design features that help to prevent and/or contain spills or other harmful accumulations of pollutants at industrial or commercial developments; and,
      - iii. When establishing vegetation after land disturbance, applying fertilizer in accordance with the requirements established under DEP Standards.
  3. A list of nonstructural stormwater BMPs can be found in the DEP Standards manual.
- E. Checklist for Stormwater Report. The Applicant shall submit a completed Checklist for Stormwater Report to confirm that all Standards have been properly addressed.
- F. When one or more of these City Standards cannot be met, an Applicant may demonstrate that an equivalent level of environmental protection will be provided.

**APPENDIX B.**

**MASSACHUSETTS  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
CHECKLIST FOR STORMWATER REPORT**



# Checklist for Stormwater Report

## A. Introduction

**Important:** When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



A Stormwater Report must be submitted with the Notice of Intent permit application to document compliance with the Stormwater Management Standards. The following checklist is NOT a substitute for the Stormwater Report (which should provide more substantive and detailed information) but is offered here as a tool to help the applicant organize their Stormwater Management documentation for their Report and for the reviewer to assess this information in a consistent format. As noted in the Checklist, the Stormwater Report must contain the engineering computations and supporting information set forth in Volume 3 of the Massachusetts Stormwater Handbook. The Stormwater Report must be prepared and certified by a Registered Professional Engineer (RPE) licensed in the Commonwealth.

The Stormwater Report must include:

- The Stormwater Checklist completed and stamped by a Registered Professional Engineer (see page 2) that certifies that the Stormwater Report contains all required submittals.<sup>1</sup> This Checklist is to be used as the cover for the completed Stormwater Report.
- Applicant/Project Name
- Project Address
- Name of Firm and Registered Professional Engineer that prepared the Report
- Long-Term Pollution Prevention Plan required by Standards 4-6
- Construction Period Pollution Prevention and Erosion and Sedimentation Control Plan required by Standard 8<sup>2</sup>
- Operation and Maintenance Plan required by Standard 9

In addition to all plans and supporting information, the Stormwater Report must include a brief narrative describing stormwater management practices, including environmentally sensitive site design and LID techniques, along with a diagram depicting runoff through the proposed BMP treatment train. Plans are required to show existing and proposed conditions, identify all wetland resource areas, NRCS soil types, critical areas, Land Uses with Higher Potential Pollutant Loads (LUHPPL), and any areas on the site where infiltration rate is greater than 2.4 inches per hour. The Plans shall identify the drainage areas for both existing and proposed conditions at a scale that enables verification of supporting calculations.

As noted in the Checklist, the Stormwater Management Report shall document compliance with each of the Stormwater Management Standards as provided in the Massachusetts Stormwater Handbook. The soils evaluation and calculations shall be done using the methodologies set forth in Volume 3 of the Massachusetts Stormwater Handbook.

To ensure that the Stormwater Report is complete, applicants are required to fill in the Stormwater Report Checklist by checking the box to indicate that the specified information has been included in the Stormwater Report. If any of the information specified in the checklist has not been submitted, the applicant must provide an explanation. The completed Stormwater Report Checklist and Certification must be submitted with the Stormwater Report.

<sup>1</sup> The Stormwater Report may also include the Illicit Discharge Compliance Statement required by Standard 10. If not included in the Stormwater Report, the Illicit Discharge Compliance Statement must be submitted prior to the discharge of stormwater runoff to the post-construction best management practices.

<sup>2</sup> For some complex projects, it may not be possible to include the Construction Period Erosion and Sedimentation Control Plan in the Stormwater Report. In that event, the issuing authority has the discretion to issue an Order of Conditions that approves the project and includes a condition requiring the proponent to submit the Construction Period Erosion and Sedimentation Control Plan before commencing any land disturbance activity on the site.





# Checklist for Stormwater Report

## B. Stormwater Checklist and Certification

The following checklist is intended to serve as a guide for applicants as to the elements that ordinarily need to be addressed in a complete Stormwater Report. The checklist is also intended to provide conservation commissions and other reviewing authorities with a summary of the components necessary for a comprehensive Stormwater Report that addresses the ten Stormwater Standards.

*Note:* Because stormwater requirements vary from project to project, it is possible that a complete Stormwater Report may not include information on some of the subjects specified in the Checklist. If it is determined that a specific item does not apply to the project under review, please note that the item is not applicable (N.A.) and provide the reasons for that determination.

A complete checklist must include the Certification set forth below signed by the Registered Professional Engineer who prepared the Stormwater Report.

### Registered Professional Engineer's Certification

I have reviewed the Stormwater Report, including the soil evaluation, computations, Long-term Pollution Prevention Plan, the Construction Period Erosion and Sedimentation Control Plan (if included), the Long-term Post-Construction Operation and Maintenance Plan, the Illicit Discharge Compliance Statement (if included) and the plans showing the stormwater management system, and have determined that they have been prepared in accordance with the requirements of the Stormwater Management Standards as further elaborated by the Massachusetts Stormwater Handbook. I have also determined that the information presented in the Stormwater Checklist is accurate and that the information presented in the Stormwater Report accurately reflects conditions at the site as of the date of this permit application.

Registered Professional Engineer Block and Signature

Signature and Date

## Checklist

**Project Type:** Is the application for new development, redevelopment, or a mix of new and redevelopment?

- ☐ New development
- ☐ Redevelopment
- ☐ Mix of New Development and Redevelopment



# Checklist for Stormwater Report

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## Checklist (continued)

**LID Measures:** Stormwater Standards require LID measures to be considered. Document what environmentally sensitive design and LID Techniques were considered during the planning and design of the project:

- ☐ No disturbance to any Wetland Resource Areas
- ☐ Site Design Practices (e.g. clustered development, reduced frontage setbacks)
- ☐ Reduced Impervious Area (Redevelopment Only)
- ☐ Minimizing disturbance to existing trees and shrubs
- ☐ LID Site Design Credit Requested:
  - ☐ Credit 1
  - ☐ Credit 2
  - ☐ Credit 3
- ☐ Use of "country drainage" versus curb and gutter conveyance and pipe
- ☐ Bioretention Cells (includes Rain Gardens)
- ☐ Constructed Stormwater Wetlands (includes Gravel Wetlands designs)
- ☐ Treebox Filter
- ☐ Water Quality Swale
- ☐ Grass Channel
- ☐ Green Roof
- ☐ Other (describe): \_\_\_\_\_

### Standard 1: No New Untreated Discharges

- ☐ No new untreated discharges
- ☐ Outlets have been designed so there is no erosion or scour to wetlands and waters of the Commonwealth
- ☐ Supporting calculations specified in Volume 3 of the Massachusetts Stormwater Handbook included.



# Checklist for Stormwater Report

## Checklist (continued)

### Standard 2: Peak Rate Attenuation

- ☐ Standard 2 waiver requested because the project is located in land subject to coastal storm flowage and stormwater discharge is to a wetland subject to coastal flooding.
- ☐ Evaluation provided to determine whether off-site flooding increases during the 100-year 24-hour storm.
- ☐ Calculations provided to show that post-development peak discharge rates do not exceed pre-development rates for the 2-year and 10-year 24-hour storms. If evaluation shows that off-site flooding increases during the 100-year 24-hour storm, calculations are also provided to show that post-development peak discharge rates do not exceed pre-development rates for the 100-year 24-hour storm.

### Standard 3: Recharge

- ☐ Soil Analysis provided.
- ☐ Required Recharge Volume calculation provided.
- ☐ Required Recharge volume reduced through use of the LID site Design Credits.
- ☐ Sizing the infiltration, BMPs is based on the following method: Check the method used.
  - ☐ Static
  - ☐ Simple Dynamic
  - ☐ Dynamic Field<sup>1</sup>
- ☐ Runoff from all impervious areas at the site discharging to the infiltration BMP.
- ☐ Runoff from all impervious areas at the site is *not* discharging to the infiltration BMP and calculations are provided showing that the drainage area contributing runoff to the infiltration BMPs is sufficient to generate the required recharge volume.
- ☐ Recharge BMPs have been sized to infiltrate the Required Recharge Volume.
- ☐ Recharge BMPs have been sized to infiltrate the Required Recharge Volume *only* to the maximum extent practicable for the following reason:
  - ☐ Site is comprised solely of C and D soils and/or bedrock at the land surface
  - ☐ M.G.L. c. 21E sites pursuant to 310 CMR 40.0000
  - ☐ Solid Waste Landfill pursuant to 310 CMR 19.000
  - ☐ Project is otherwise subject to Stormwater Management Standards only to the maximum extent practicable.
- ☐ Calculations showing that the infiltration BMPs will drain in 72 hours are provided.
- ☐ Property includes a M.G.L. c. 21E site or a solid waste landfill and a mounding analysis is included.

<sup>1</sup> 80% TSS removal is required prior to discharge to infiltration BMP if Dynamic Field method is used.



# Checklist for Stormwater Report

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## Checklist (continued)

### Standard 3: Recharge (continued)

- ☐ The infiltration BMP is used to attenuate peak flows during storms greater than or equal to the 10-year 24-hour storm and separation to seasonal high groundwater is less than 4 feet and a mounding analysis is provided.
- ☐ Documentation is provided showing that infiltration BMPs do not adversely impact nearby wetland resource areas.

### Standard 4: Water Quality

The Long-Term Pollution Prevention Plan typically includes the following:

- Good housekeeping practices;
  - Provisions for storing materials and waste products inside or under cover;
  - Vehicle washing controls;
  - Requirements for routine inspections and maintenance of stormwater BMPs;
  - Spill prevention and response plans;
  - Provisions for maintenance of lawns, gardens, and other landscaped areas;
  - Requirements for storage and use of fertilizers, herbicides, and pesticides;
  - Pet waste management provisions;
  - Provisions for operation and management of septic systems;
  - Provisions for solid waste management;
  - Snow disposal and plowing plans relative to Wetland Resource Areas;
  - Winter Road Salt and/or Sand Use and Storage restrictions;
  - Street sweeping schedules;
  - Provisions for prevention of illicit discharges to the stormwater management system;
  - Documentation that Stormwater BMPs are designed to provide for shutdown and containment in the event of a spill or discharges to or near critical areas or from LUHPPL;
  - Training for staff or personnel involved with implementing Long-Term Pollution Prevention Plan;
  - List of Emergency contacts for implementing Long-Term Pollution Prevention Plan.
- ☐ A Long-Term Pollution Prevention Plan is attached to Stormwater Report and is included as an attachment to the Wetlands Notice of Intent.
  - ☐ Treatment BMPs subject to the 44% TSS removal pretreatment requirement and the one inch rule for calculating the water quality volume are included, and discharge:
    - ☐ is within the Zone II or Interim Wellhead Protection Area
    - ☐ is near or to other critical areas
    - ☐ is within soils with a rapid infiltration rate (greater than 2.4 inches per hour)
    - ☐ involves runoff from land uses with higher potential pollutant loads.
  - ☐ The Required Water Quality Volume is reduced through use of the LID site Design Credits.
  - ☐ Calculations documenting that the treatment train meets the 80% TSS removal requirement and, if applicable, the 44% TSS removal pretreatment requirement, are provided.



# Checklist for Stormwater Report

## Checklist (continued)

### Standard 4: Water Quality (continued)

- ☐ The BMP is sized (and calculations provided) based on:
  - ☐ The ½" or 1" Water Quality Volume or
  - ☐ The equivalent flow rate associated with the Water Quality Volume and documentation is provided showing that the BMP treats the required water quality volume.
- ☐ The applicant proposes to use proprietary BMPs, and documentation supporting use of proprietary BMP and proposed TSS removal rate is provided. This documentation may be in the form of the propriety BMP checklist found in Volume 2, Chapter 4 of the Massachusetts Stormwater Handbook and submitting copies of the TARP Report, STEP Report, and/or other third party studies verifying performance of the proprietary BMPs.
- ☐ A TMDL exists that indicates a need to reduce pollutants other than TSS and documentation showing that the BMPs selected are consistent with the TMDL is provided.

### Standard 5: Land Uses With Higher Potential Pollutant Loads (LUHPPLs)

- ☐ The NPDES Multi-Sector General Permit covers the land use and the Stormwater Pollution Prevention Plan (SWPPP) has been included with the Stormwater Report.
- ☐ The NPDES Multi-Sector General Permit covers the land use and the SWPPP will be submitted *prior* to the discharge of stormwater to the post-construction stormwater BMPs.
- ☐ The NPDES Multi-Sector General Permit does *not* cover the land use.
- ☐ LUHPPLs are located at the site and industry specific source control and pollution prevention measures have been proposed to reduce or eliminate the exposure of LUHPPLs to rain, snow, snow melt and runoff, and been included in the long term Pollution Prevention Plan.
- ☐ All exposure has been eliminated.
- ☐ All exposure has *not* been eliminated and all BMPs selected are on MassDEP LUHPPL list.
- ☐ The LUHPPL has the potential to generate runoff with moderate to higher concentrations of oil and grease (e.g. all parking lots with >1000 vehicle trips per day) and the treatment train includes an oil grit separator, a filtering bioretention area, a sand filter or equivalent.

### Standard 6: Critical Areas

- ☐ The discharge is near or to a critical area and the treatment train includes only BMPs that MassDEP has approved for stormwater discharges to or near that particular class of critical area.
- ☐ Critical areas and BMPs are identified in the Stormwater Report.



# Checklist for Stormwater Report

## Checklist (continued)

### Standard 8: Construction Period Pollution Prevention and Erosion and Sedimentation Control (continued)

- ☐ The project is highly complex and information is included in the Stormwater Report that explains why it is not possible to submit the Construction Period Pollution Prevention and Erosion and Sedimentation Control Plan with the application. A Construction Period Pollution Prevention and Erosion and Sedimentation Control has **not** been included in the Stormwater Report but will be submitted **before** land disturbance begins.
- ☐ The project is **not** covered by a NPDES Construction General Permit.
- ☐ The project is covered by a NPDES Construction General Permit and a copy of the SWPPP is in the Stormwater Report.
- ☐ The project is covered by a NPDES Construction General Permit but no SWPPP been submitted. The SWPPP will be submitted **BEFORE** land disturbance begins.

### Standard 9: Operation and Maintenance Plan

- ☐ The Post Construction Operation and Maintenance Plan is included in the Stormwater Report and includes the following information:
  - ☐ Name of the stormwater management system owners;
  - ☐ Party responsible for operation and maintenance;
  - ☐ Schedule for implementation of routine and non-routine maintenance tasks;
  - ☐ Plan showing the location of all stormwater BMPs maintenance access areas;
  - ☐ Description and delineation of public safety features;
  - ☐ Estimated operation and maintenance budget; and
  - ☐ Operation and Maintenance Log Form.
- ☐ The responsible party is **not** the owner of the parcel where the BMP is located and the Stormwater Report includes the following submissions:
  - ☐ A copy of the legal instrument (deed, homeowner's association, utility trust or other legal entity) that establishes the terms of and legal responsibility for the operation and maintenance of the project site stormwater BMPs;
  - ☐ A plan and easement deed that allows site access for the legal entity to operate and maintain BMP functions.

### Standard 10: Prohibition of Illicit Discharges

- ☐ The Long-Term Pollution Prevention Plan includes measures to prevent illicit discharges;
- ☐ An Illicit Discharge Compliance Statement is attached;
- ☐ NO Illicit Discharge Compliance Statement is attached but will be submitted **prior to** the discharge of any stormwater to post-construction BMPs.

Newburyport City Council  
Newburyport, MA

RECEIVED  
CITY CLERK'S OFFICE  
MAY 12 2014  
NEWBURYPORT, MA

2014 MAY -5 A 8:25

Re: Road Race Request

Dear Councilors, we formally request permission to conduct a ½ marathon road race in Newburyport next September 14<sup>th</sup>, 2014 (Sunday date)

The event will start and finish near the High School on Toppan Lane. (Permission request in the works with the Superintendent) The event will bring hundreds of people to Newburyport to stay over for the weekend at local hotels and dine in local restaurants in a weekend in November that is normally quiet.

**Police:** We have already reviewed the course with Lieutenant Siemasko and have received a preliminary approval to seek city approval.

**Insurance:** The race will have a 1 million dollar liability insurance policy that names the City and School as additional insured

**Race Course:** The race course will have little impact on auto traffic, as only 3 miles of the course are in Newburyport, the rest are on rural roads in West Newbury. (Traffic on Low Street may be rerouted by the police to alleviate any issues on this busy road.)

ALL Police and ambulance expenses to be paid by the race.

We would like to apply to hold this race at an upcoming City Council Meeting.

**Event Information**

The event will have at least 900 runners and over 1,000 spectators coming from all over New England, but include many locals. It will be an all women's field -with one male participant chosen in a lottery. (One Lucky Guy). This is the only all women's Half Marathon in New England. Volunteer groups from the high school will be encouraged to help out with the race in a variety of duties including handing out numbers and working at the start and the finish or food distribution.

The goal of the race is to distribute the proceeds locally to worthy school and non-profit groups. It is a great way for students to become involved in a healthy lifestyle event and earn money for their team or group. There event will be approved well in advance by the Town of Newburyport and West Newbury and both Police departments.

About us: Loco Sports conducts similar events with fields up to 2,000 runners including a Marathon in Hampton New Hampshire. Our goal is to provide a premier event that Newburyport can be proud of.

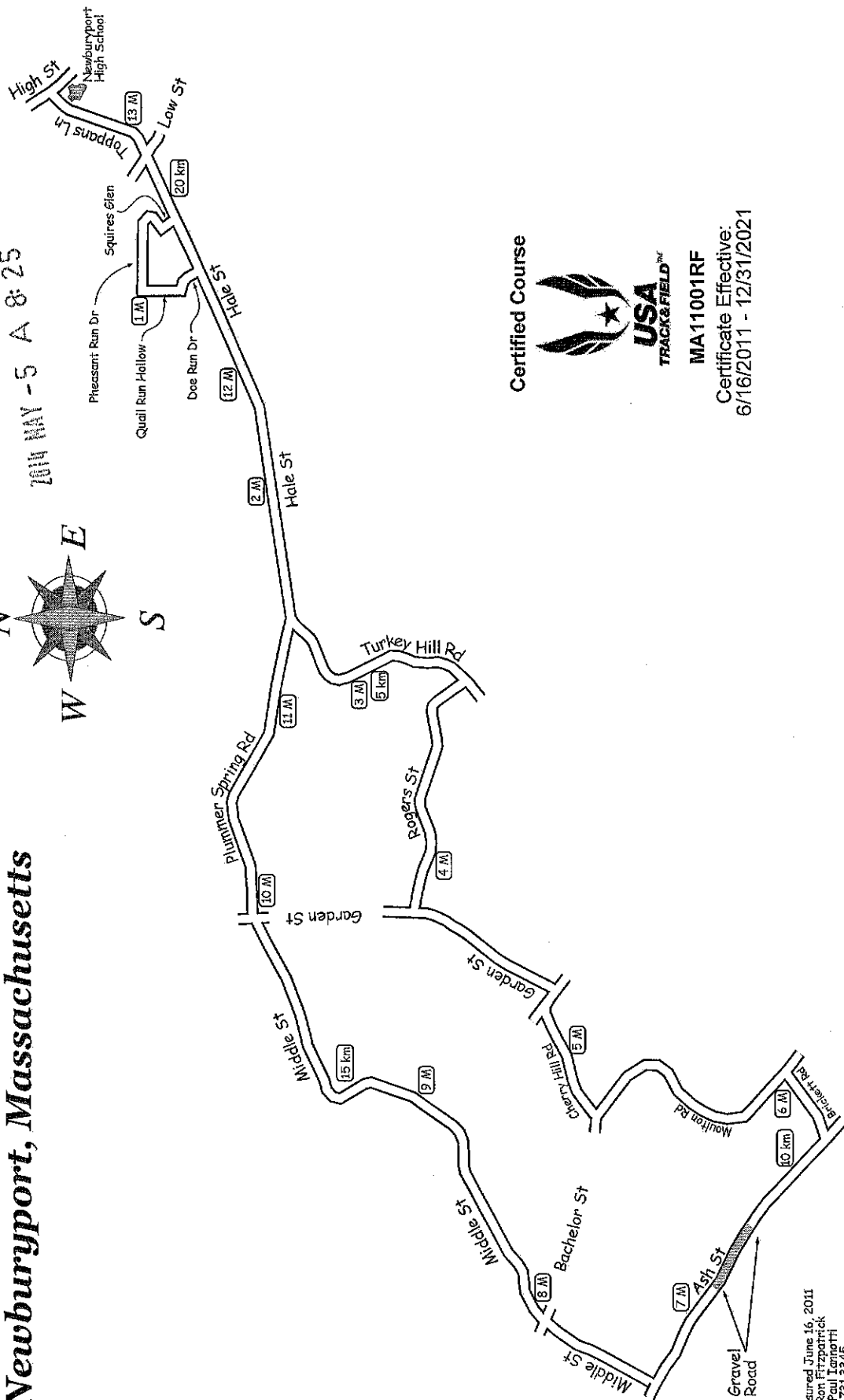
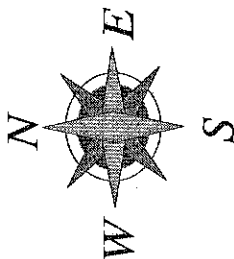
Thank you for your interest in helping us present this event.  
I await your comments and suggestions.

Michael St. Laurent  
LOCO Sports, Inc.  
102 Main Street, Newmarket NH 03857  
Email: [mike@locorunning.com](mailto:mike@locorunning.com) Phone: 603 659 2824

**Newburyport, Massachusetts**

RECEIVED  
DEPT. OF COMMERCE  
WASHINGTON, D.C.

11-5 A 8:25



Measured June 16, 2011  
by: Ron Fitzpatrick  
and Paul Iannotti  
603.731.3345  
rjfitz@tds.net

**Certified Course**



**USA**  
**TRACK & FIELD**

MA11001RF

Certificate Effective:  
6/16/2011 - 12/31/2021



**CITY OF NEWBURYPORT****Communication #6  
May 12, 2014****GRANT SUMMARY SHEET***This completed form is to be filed with the City Clerk's Office, copied to the Mayor's Office*

<b>Funding Agency</b>	SAMSHA
<b>Program Name</b>	Drug Free Communities Mentor Program
<b>Project Title</b>	The Georgetown Mentor Project
<b>Agency Project Number</b>	
<b>Agency Project Officer/ Grants Manager</b>	Name: Title: Address: Phone: Fax: Email:
<b>NBPT Project Director</b>	Name: Andrea Egmont Title: Supervisor of Youth Services Address: 149 High St Phone: 978.465.4434 Fax: Email: aegmont@cityofnewburyport.com
<b>NBPT Account Number(s)</b>	

**FUNDING**

Year	FY Budget Period	Amount of Request	Amount of Match	
			Cash	In-kind
1	FY15	\$75,000	\$0	\$75,000
2				
3				
4				
5				
	<b>TOTAL</b>	<b>\$75,000</b>		

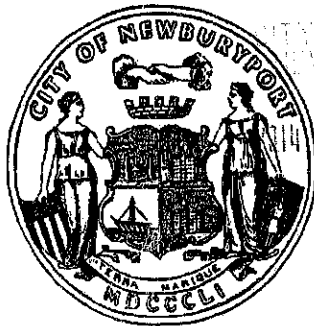
**CALENDAR/REPORTING DATES**

Activity	Timeline	Person Responsible
All grant requirements	Ongoing	Project Director, A Egmont

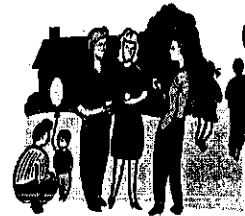
Brief description of the application: The purpose of a DFC Mentoring Program is to

1. Strengthen Mentee coalition's organizational structure.
2. Increase Mentee coalition's leadership and community readiness to address youth substance use problems in the Mentee Community.
3. Assist the Mentee coalition in working through a strategic planning process that will result in a comprehensive Action Plan.
4. To assist the Mentee coalition in becoming eligible to apply for DFC funding on their own.

This will allow us to partner with Georgetown on future funding.



RECEIVED  
CITY CLERK  
NEWBURYPORT  
MAY -6 P 1:49



CITY OF NEWBURYPORT  
60 PLEASANT STREET  
NEWBURYPORT, MA 01950

### BLOCK PARTY APPLICATION

Please fill out the application below and obtain the approving signatures for the street closure. Mail or drop off the completed signed application at: City Clerk's Office, City Hall, 60 Pleasant St., Newburyport, MA 01950 **at least 8 business days prior** to a City Council meeting. The requested Block Party needs approval by the City Council. For any questions, please contact The City Clerk's Office at (978)465-4407.

DATE OF REQUEST: 5/6/14

#### CONTACT INFORMATION

FIRST AND LAST NAME: Sarah Pibe

MAILING ADDRESS: 24 Hancock St NBPT MA

PHONE NUMBER: 435-640-6440

E-MAIL ADDRESS: Sarah@good-tastes.com

#### BLOCK PARTY INFORMATION

BLOCK PARTY DATE: 5/24/14

DESIRED STREET CLOSING LOCATION: between Lund Street

Please indicate cross streets when requesting the closing of street sections

STREET TO BE BARRICADED: Hancock St

DESIRED STREET CLOSING TIME: 10-12

Block Parties should run no later than 10:00 p.m.

before the Neps-  
just a short  
length-not  
whole block

## REGULATIONS

By signing, I agree that I am a legal adult 18 years of age or older and understand this permit does not release me of any liability for damages that may result from the conducting of this Block Party. Further, I agree to comply with all requirements listed below:

I understand that applications for block party permits may take up to four weeks to process.

Block parties will be conducted only on low-volume residential streets, dead-end streets, or cul-de-sacs, No thoroughfares or collector streets may be used.

It is hereby agreed that, by signing and presenting this application, signer(s) represents to the City of Newburyport that the following statements are true and correct, and agrees to and will abide by the following:

1. All residents living on the street or block for which the party is planned request the Block party, or have been contacted and do not object to the Block Party.
2. To be responsible for placement, maintenance and removal of barricades.
3. A block party permit does not allow the sale of alcohol or the consumption of alcohol on public property (in city streets, sidewalks, parks, etc.) alcohol is allowed only on private property. All state and city alcohol laws still apply during Block Parties.
4. Amplified music shall be permitted with permission of the City Council.
5. To leave AT LEAST a TWELVE (12) FOOT AISLE in the street to permit passage of emergency vehicles or vehicles of residents. Failure to maintain a ten foot aisle during the entire period of the party will necessitate denial of requests for subsequent block parties. Public safety personnel will monitor the party for strict adherence to this rule.
6. To maintain adult supervision at all times during the party.
7. Applicant(s) shall be responsible for the pick-up of trash and garbage within 2 hours of the end the party.
8. Streets may not be barricaded later than 10:00 P.M.
9. No residents of the area designated shall be prohibited from attending the party.
10. No such activity may be conducted within 500 feet of any school, church, hospital, nursing home or similar operation unless endorsed by the management of such institution e
11. Only approved readily removable Barricades will be permitted such as, orange cones and sawhorses with a sign. No vehicles will be permitted to be used as a Barricade.
12. Block parties are permitted 10AM-10PM

Applicant Signature

*[Handwritten Signature]*

Date

*5/6/14*

## APPROVAL SIGNATURES REQUIRED FOR STREET CLOSURE

CITY MARSHAL

*4 Green Street*

FIRE CHIEF

*Greenleaf Street*

DEPUTY DIRECTOR

*1 Perry Way*

CITY CLERK

*60 Pleasant St.*

*[Handwritten Signatures]*  
*LT. S. Hamilton*  
*Dir.*  
*Richard B. [unclear]*

City use only:

Approved

-Denied

Date

Sarah H Pike  
24 Hancock St  
Newburyport, MA 01950  
May 5, 2014

RECEIVED  
CITY CLERK'S OFFICE  
NEWBURYPORT, MA

2014 MAY -5 P 3:50

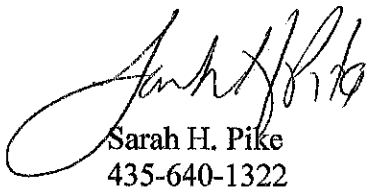
Newburyport City Council  
60 Pleasant St  
Newburyport, MA 01950

Dear Counselors:

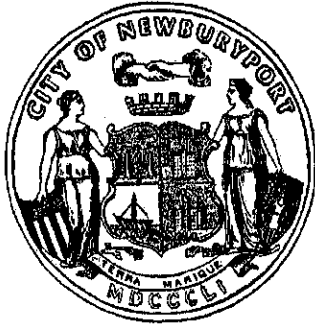
I am writing to request your consideration for temporarily closing the section of street in front of our home, on 24 Hancock St, from 10:00 AM to 12:00 PM on May 24, 2014, for our son's 4<sup>th</sup> birthday party. Our son Sam loves all things with wheels and wants to celebrate his birthday skateboarding and riding bikes with friends. In order to provide a safe place for the kids to play, we would like to close the section of street immediately in front of our house and in front of the abutting railroad easement. This temporary closure would not affect any of our neighbor's access to their driveways and we would provide adequate adult supervision to ensure that each end of the blockage be constantly monitored.

We very much appreciate your consideration and please let us know if there are any questions we can answer to help aid in your decision.

Best Regards,

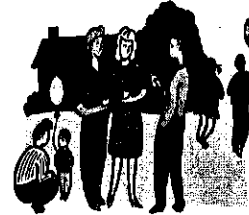


Sarah H. Pike  
435-640-1322



RECEIVED  
CITY CLERK'S OFFICE  
NEWBURYPORT, MA


2014 MAY -5 P 2:57



CITY OF NEWBURYPORT  
60 PLEASANT STREET  
NEWBURYPORT, MA 01950

### BLOCK PARTY APPLICATION

Please fill out the application below and obtain the approving signatures for the street closure. Mail or drop off the completed signed application at: City Clerk's Office, City Hall, 60 Pleasant St., Newburyport, MA 01950 at least 8 business days prior to a City Council meeting. The requested Block Party needs approval by the City Council. For any questions, please contact The City Clerk's Office at (978)465-4407.

DATE OF REQUEST:	<u>4/28/14</u>
<b>CONTACT INFORMATION</b>	
FIRST AND LAST NAME:	<u>Ashley Belanger</u>
MAILING ADDRESS:	<u>4 Eagle Street</u>
PHONE NUMBER:	<u>949-922-3366</u>
E-MAIL ADDRESS:	<u>ashleysteinmetz@yahoo.com</u>
<b>BLOCK PARTY INFORMATION</b>	
BLOCK PARTY DATE:	<u>Saturday, June 21, 2014</u>
DESIRED STREET CLOSING LOCATION:	<u>Eagle Street, Kent → Carter</u>
Please indicate cross streets when requesting the closing of street sections <u>← Eagle/Warren</u>	
STREET TO BE BARRICADED:	<u>Warren</u>
DESIRED STREET CLOSING TIME:	<u>2-7pm</u>
Block Parties should run no later than 10:00 p.m.	
	

## REGULATIONS

By signing, I agree that I am a legal adult 18 years of age or older and understand this permit does not release me of any liability for damages that may result from the conducting of this Block Party. Further, I agree to comply with all requirements listed below:

I understand that applications for block party permits may take up to four weeks to process.

Block parties will be conducted only on low-volume residential streets, dead-end streets, or cul-de-sacs, No thoroughfares or collector streets may be used.

It is hereby agreed that, by signing and presenting this application, signer(s) represents to the City of Newburyport that the following statements are true and correct, and agrees to and will abide by the following:

1. All residents living on the street or block for which the party is planned request the Block party, or have been contacted and do not object to the Block Party.
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4. Amplified music shall be permitted with permission of the City Council.
5. To leave **AT LEAST a TWELVE (12) FOOT AISLE** in the street to permit passage of emergency vehicles or vehicles of residents. Failure to maintain a ten foot aisle during the entire period of the party will necessitate denial of requests for subsequent block parties. **Public safety personnel will monitor the party for strict adherence to this rule.**
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8. Streets may not be barricaded later than 10:00 P.M.
9. No residents of the area designated shall be prohibited from attending the party.
10. No such activity may be conducted within 500 feet of any school, church, hospital, nursing home or similar operation unless endorsed by the management of such institution e
11. Only approved readily removable Barricades will be permitted such as, orange cones and sawhorses with a sign. No vehicles will permitted to be used as a Barricade.
12. Block parties are permitted 10AM-10PM

Applicant Signature Ashley Belanger Date 4/27/14

### APPROVAL SIGNATURES REQUIRED FOR STREET CLOSURE

CITY MARSHALL

4 Green Street

FIRE CHIEF

Greenleaf Street

DEPUTY DIRECTOR

16 Perry Way

CITY CLERK

60 Pleasant St.

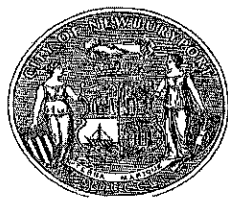
Thomas H. Hines  
Dep SHS 4/28/14  
William J. Hines  
Richard B. Jones

City use only:

Approved \_\_\_\_\_ -Denied \_\_\_\_\_ Date \_\_\_\_\_

# CITY OF NEWBURYPORT

## MAYOR'S OFFICE



**DONNA D. HOLADAY**  
**MAYOR**

**NEWBURYPORT CITY HALL**

**60 PLEASANT STREET**

**NEWBURYPORT, MA 01950**

To: President Thomas O'Brien and Members of the City Council

From: Donna D. Holaday, Mayor

Date: May 5, 2014

Subject: Pension Investments

RECEIVED  
CITY CLERK'S OFFICE  
NEWBURYPORT, MA  
2014 MAY -6 P 3:34

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Please see the attached regarding PRIM, the state agency that oversees the management of our pension investment contributions. As you will see, our retirement investments are in good hands and in calendar year 2013, they generated a 15.2 percent return. Congratulations to the folks at PRIM, their award is well deserved.

---



**PENSION RESERVES  
INVESTMENT  
MANAGEMENT BOARD**

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CITY CLERK'S OFFICE  
NEWBURYPORT, MA

2014 MAY -6 P 3:34

84 State Street, Second Floor  
Boston, Massachusetts 02109

Steven Grossman, Treasurer and Receiver General, Chair  
Michael G. Trotsky, CFA, Executive Director and Chief Investment Officer

**For immediate release**

**Contacts:**

Nicole Giambusso  
(617) 646-1070  
[ngiambusso@oneillandassoc.com](mailto:ngiambusso@oneillandassoc.com)

Michael Sherry  
(617) 646-1026  
[msherry@oneillandassoc.com](mailto:msherry@oneillandassoc.com)

**MASS PRIM NAMED "PUBLIC PENSION PLAN OF THE YEAR"  
BY INSTITUTIONAL INVESTOR MAGAZINE**

**BOSTON – May 1, 2014** - The Massachusetts Pension Reserves Investment Management (PRIM) Board announced today that it had been chosen for the "Public Pension Plan of the Year" award by *Institutional Investor*, a leading investment industry publication known for its extensive industry research and rankings.

The recognition is part of the publication's *Investor Intelligence Awards*, an annual celebration of outstanding individuals and organizations in the investment industry, both public and private.

"Through our innovative approaches, cost-saving measures and strategic investment decisions, PRIM has distinguished itself as a leader in the public pension field," said Treasurer Steven Grossman, who chairs the PRIM Board. "We are delighted and honored that Institutional Investor has recognized the teamwork and leadership that has made PRIM a model for others to emulate."

*Institutional Investor's* decision was driven in part by its recognition of PRIM's Project SAVE, which it described as "the most aggressive and systematic search for cost efficiencies by a U.S. public pension plan that we have ever seen."

"The Investor Intelligence Network congratulates Massachusetts' Pension Reserves Investment Management Board on winning Public Pension Plan of the Year", said Tripp Dolman, Senior Investor Relations Manager at *Institutional Investor*. "Among the many state-managed retirement funds we observed, PRIM stood out for the innovative results they delivered for their contributors."



Project SAVE ("Strategic Analysis for Value Enhancement") is an initiative that has identified more than \$100 million in annual savings or return enhancements. This compares favorably to PRIM's total annual expenses of approximately \$300 million.

"Our staff and board work hard every day to maintain PRIM's legacy of strong performance and innovation," said PRIM Executive Director and Chief Investment Officer Michael Trotsky, CFA. "We are proud of our accomplishments and grateful that others are taking notice of our achievements."

Trotsky was also recognized by *Institutional Investor* among the nominees for "Chief Investment Officer of the Year."

For more than 40 years, *Institutional Investor* has been a respected source of financial news and journalism for investors and asset managers across the globe. The *Investor Intelligence Awards* were presented April 24<sup>th</sup> at the California Science Center in Los Angeles, CA to honor nominees and celebrate winners. The ceremony is held in conjunction with *Institutional Investor's* Public Funds Roundtable, a two-day series of panels and workshops focused on developments in international investing.

In calendar year 2013, Mass PRIM generated a 15.2 percent return for its fund – an investment gain of \$7.9 billion. That performance drove the net asset value of the fund to \$57.9 billion, the highest since its inception in 1984. It also outperformed the pension fund's benchmark index by 264 basis points, resulting in \$1.4 billion in added value above the benchmark.

*ABOUT PRIM: PRIM's mission is to maximize the return on investment within acceptable levels of risk by broadly diversifying its \$58 billion investment portfolio, capitalizing on economies of scale to achieve cost-effective operations, and providing access to high quality, innovative investments, all under the management of a professional staff and members of the Board and its committees.*



EXECUTIVE OFFICES  
875 EAST STREET  
TEWKSBURY, MASSACHUSETTS 01876-1495  
978-851-8000

**Newburyport City Council Proposal  
Plastic Bag Reduction Ordinance  
(Plastic Bag Ban)**

Market Basket is a proud member of the Newburyport community and an environmentally caring company. We offer our customers plastic bags, paper bags, boxes, and sell several varieties of multi-use re-useable bags at an affordable cost. We proudly accept plastic bags that are returned to our stores. We have heard from many customers in regards to their appreciation for this environmentally friendly and successful practice. We also recycle multiple shipping materials at each store and warehouse facility. In 2013, we recycled 43,350 tons of cardboard and 756 tons of plastic.

In regards to the "Plastic Bag Reduction Ordinance", as it is written we disagree with the Ordinance, as it does not encourage consumers to be more environmentally friendly. We believe the negative environmental effects of the Ordinance outweigh the positive ones.

The proposal to ban single use plastic bags without addressing single use paper bags is not environmentally speaking "green" or wise. Consumers will simply switch from single use plastic bags to single use paper bags. Many customers will even request double paper bags leading to more waste. This increase in single use paper bags has already been observed in communities that have, in our opinion, already and unwisely introduced single use plastic bag bans with no incentive to promote re-useable bags at stores.

Any considered legislation to ban single use plastic bags should be modeled after single use bag laws in California. It is clear that California leads the nation in addressing this concern and should be looked to as a guide on how to effectively implement a bag reduction, reuse, and recycling program. In most of California, current state legislation requires a ban on single use plastic bags and a per bag charge for single use paper bags creating a powerful incentive for shoppers to bring in their own bags. This is a critical element that the Newburyport plan lacks. There is no incentive to recycle, reduce, or reuse single use bags. There is no incentive for customers to bring re-useable bags into their stores. In-fact, one large grocery store subject to a single use plastic bag ban, has adopted the practice of double bagging all of their single use paper bags without the customer even asking to do so. We believe this is done to compensate for the lost integrity of single use paper bags when damp perishable items are placed inside of them. The end result is excessive waste.

We strongly feel that a plastic bag ban as currently written will unequivocally result in a significant increase in single use paper bags and this is not acceptable. The "Plastic Bag Reduction Ordinance" is not the answer to the concerns of the council members of Newburyport.

A few important facts regarding single use paper bags:

- "Plastic Bag Reduction Ordinance" encourages the use of single use paper bags.
- Paper bags cause a greater impact on the carbon footprint, which is taking an environmental step backward.
- Paper is the number one material found in America's municipal solid waste.
- Paper bags require 70% more energy to manufacture than plastic bags.
- Paper bags require a drastic increase in the number of trees to be cut down and processed.
- It takes seven tractor trailer loads of bags to transport the same amount of paper bags comparative to plastic. This will have a greater effect on the carbon footprint.
- Paper bags produce more greenhouse gasses (influencing global warming) per use than plastic bags do.
- Paper bags take up 9 times more space in landfills than plastic bags.
- Paper bags are not waterproof.
- Paper bags are not recycled.

Plastic bags also have advantages that have not been mentioned:

- Plastic bags are recycled at all Market Basket Stores.
- Plastic bags burn at a high BTU during incineration assisting with incineration of other low combustible waste. Plastic bags are good for incineration practices.
- Plastic bags are often reused by consumers for many purposes and reduce the number of shelf bought plastic bags.
- Plastic bags are better at preventing cross contamination of food products that are commonly purchased in supermarkets. Plastic bags assist with protecting families from foodborne illness.
- Plastic bags are a sustainable way to carry purchases.
- Plastic bag production requires little energy and generates low emissions.
- Plastic bags are waterproof and assist with maintaining perishable product integrity, containing product moisture and bag strength.
- Plastic bag suppliers use recycled plastics during production assisting with completing the recycle products chain.

Market Basket is an environmentally friendly company continually looking for opportunities to improve in all areas of our operation. Besides reduce-reuse-recycle bag initiative programs, other environmentally friendly practices are listed below:

- We are participants in the Massachusetts Memorandum of Understanding and have been since 2009. This initiative has reduced the number of paper and plastic bags being produced by 33%.
- Newer stores target LEED certification.
- All of our facilities recycle cardboard, plastic wrap, and plastic bags.
- We have been recycling cardboard and related products since the 1960's.
- We recycle clean boxes for our customers to utilize.
- We are in the process of developing an organic recycling initiative with DEP.
- At warehouses we recycle all wooden pallets.
- Companywide our lighting is computer controlled minimizing waste. We also utilize energy efficient light bulbs.
- We recycle refrigerants and oils used in our facilities.

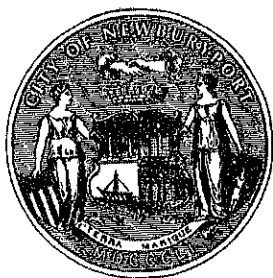
The implementation of the "Plastic Bag Reduction Ordinance", exclusively only to Newburyport supermarkets in this area is unfair to our customers and business.

- Supply costs in Newburyport for single use bags will conservatively increase more than 200% if this Ordinance is implemented.
- The implementation of this Ordinance will create yet another reason for customers who prefer plastic bags to shop in New Hampshire (along with no state tax, and no bottle deposit) or other MA towns.
- In California, estimates for lost sales in communities that have banned single use plastic bags have been reported as high as 20%.

Plastic bags as well as all post-consumer waste that becomes litter is not a product problem, it is a human behavior problem. As with this Ordinance, both positive and negative consequences of its intent proposal must be considered. Any discussion of banning single use bags should be addressed at the state level, as California has recognized

We appreciate the opportunity to serve the people of Newburyport and hope to do so for many years to follow.

## APPOINTMENTS



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

2014 MAY -5 P 1:11

To: President and Members of the City Council  
From: Donna D. Holaday, Mayor  
Date: May 5, 2014  
Re: Appointment

*Donna D. Holaday*

-----

I hereby appoint, subject to your approval, the following named individual as a member of the Newburyport Redevelopment Authority to fulfill the unexpired term of Patricia Dorfman. This term shall expire on March 1, 2017.

Robert Uhlig  
10 Ocean Street  
Newburyport, MA 01950

4 May 2014

10 Ocean Street  
Newburyport, Massachusetts 01950

Mayor Donna Holaday  
City of Newburyport  
City Hall  
Pleasant Street  
Newburyport, Massachusetts 01950

RE: Open Position on the Newburyport Redevelopment Authority

Dear Mayor Holaday:

This letter is intended to convey my interest in one of the open positions on the Newburyport Redevelopment Authority (NRA).

It is after much consideration and deliberation that I submit this letter. It is also with the acknowledgement and appreciation for the diligent and selfless efforts of those who have voluntarily served the NRA to date that I submit this letter of interest.

The past 50 years has provided numerous opportunities for the city, its residents and various stakeholders to consider and debate the program and vision for our central waterfront. These conversations through time have further defined the constraints and identified the opportunities for these parcels. I look forward being a part of the opportunity at hand to both refine that vision and to focus on making it a reality.

Why should I be appointed? I present three reasons: (1) my perspective as an active 24 year resident and volunteer in the community; (2) my understanding as an 18 year member and Chair of the Parks Commission of the city budget and staffing challenges as it relates to capital improvements and maintenance; and (3) my 30 years of experience as a landscape architect of urban parks, mixed use waterfronts and active pedestrian areas.

If I am chosen, I recognize that this position may limit my ability to pursue professionally the design contracts for these areas. However I have decided that it is more important to contribute my expertise collaboratively toward realizing a final conceptual site plan which can be implemented and enjoyed to the benefit of both residents and visitors to Newburyport in the near future.

As we move forward, I am enthusiastic about the opportunities made clearer by these past efforts. I am optimistic, but we need to focus on what we agree on collectively and enthusiastically work collaboratively to overcome those challenges yet before us.

I share some of my own guiding principals based on both my observations of the efforts to date and successful projects I have been apart of in the past. I hope these can be beneficial to our process and guide our conversation as we move forward:

>Think Holistically: to be successful we must look at the area from east to west holistically and collaboratively not as individual pieces by as a whole.

>Be Overtly Public: the central waterfront is to be designed to continue to be public and welcoming.

>Activate the edges and Create a Year Round Destination: Our harborwalk is a seasonal destination, our Ways to the Water provide pleasant connections from downtown to the boardwalk and Market Landing Park, provides a flexible open space which responds to a variety of scaled uses. However, aside from the Fire House Performing Arts Center, none of the buildings participate in the activation of the civic open spaces. Their backs all face the park. We should seek to activate the non-participating edges to create invitations. To make the park more viable and usable during the shoulder seasons of Spring and Autumn and aim to also create destinations and opportunities to draw people to the waterfront during the winter months.

>Successful Parks around the nation are a balance of Public and Private Investment: Post Office Square and Bryant Park are a few examples. The interfaces between public open space and buildings is where people gather. The main attraction for people is other people. The park should be an asset that brings in more business to Newburyport.

>Create a reliable Funding Stream: we need to establish a designated and continuous funding source for capital improvements and more importantly for ongoing maintenance, which has been a long time shortcoming of our city budget.

>Aim high: as this is our central waterfront, the focus of our city and attention – as evidenced by the attention given to the discussion – it should be nothing less than world class.

>Work Collaboratively: It is essential for our community to succeed both in its parks and other civic endeavors that we work together and optimistically.



Page 3  
Letter of Interest

It is with these thoughts and with my commitment that I look forward to assisting you and the community to advance the vision for the central waterfront to a successful conclusion.

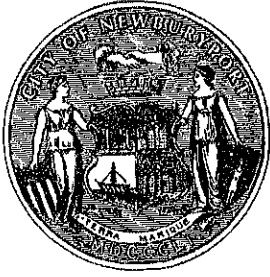
Sincerely,

A handwritten signature in black ink, consisting of a large, stylized 'R' followed by a series of loops and a final horizontal stroke.

Robert Uhlig

5/6/2014

**Robert Uhlig, ASLA**, is President of Halvorson Design Partnership, Inc., serving as Principal-in-Charge on many urban projects including the Lakewood Cemetery Mausoleum in Minneapolis, MN, ASLA Honor 2013, South Boston Maritime Park, Center City Park in Greensboro NC, the BAC Green Campus project, and numerous other sustainable landscapes. He holds a Bachelor of Environmental Design in Landscape Architecture for NC State. He is a Licensed Landscape Architect in MA, CT, RI, NC and MN, a LEED® Accredited Professional, and a Certified Construction Specifier with the Construction Specification Institute. He serves as the Chair of the Newburyport Parks Commission and was appointed to the Newburyport Community Preservation Committee. He was appointed by the Secretary of Housing and Economic Development to serve on Revere Beach Design Review Board. He serves on the Landscape Architectural Advisory Board for the Boston Architectural College and as a periodic guest lecturer and critique at the institution.



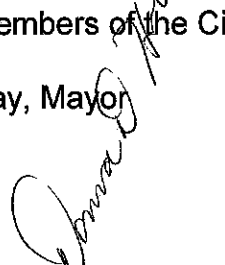
CITY OF NEWBURYPORT  
OFFICE OF THE MAYOR  
DONNA D. HOLADAY, MAYOR

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

2014 APR 29 A 10:59

To: President and Members of the City Council  
From: Donna D. Holaday, Mayor  
Date: April 29, 2014  
Subject: Re-Appointment



---

I hereby re-appoint, subject to your approval, the following  
named individual as a full member of the Harbor Commission.  
This term will expire on March 31, 2017.

Andrew Casson  
240 Merrimac Street  
Newburyport, MA 01950



CITY OF NEWBURYPORT

OFFICE OF THE MAYOR

DONNA D. HOLADAY, MAYOR

RECEIVED  
CITY CLERK'S OFFICE  
NEWBURYPORT, MA

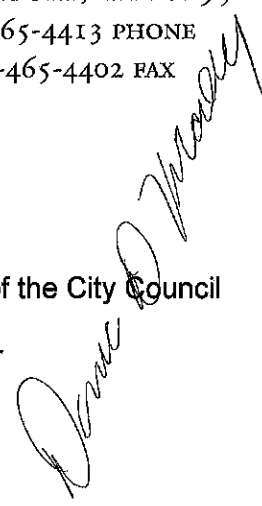
60 PLEASANT STREET - P.O. BOX 550  
NEWBURYPORT, MA 01950

978-465-4413 PHONE

978-465-4402 FAX

2014 MAY -5 P 1:11

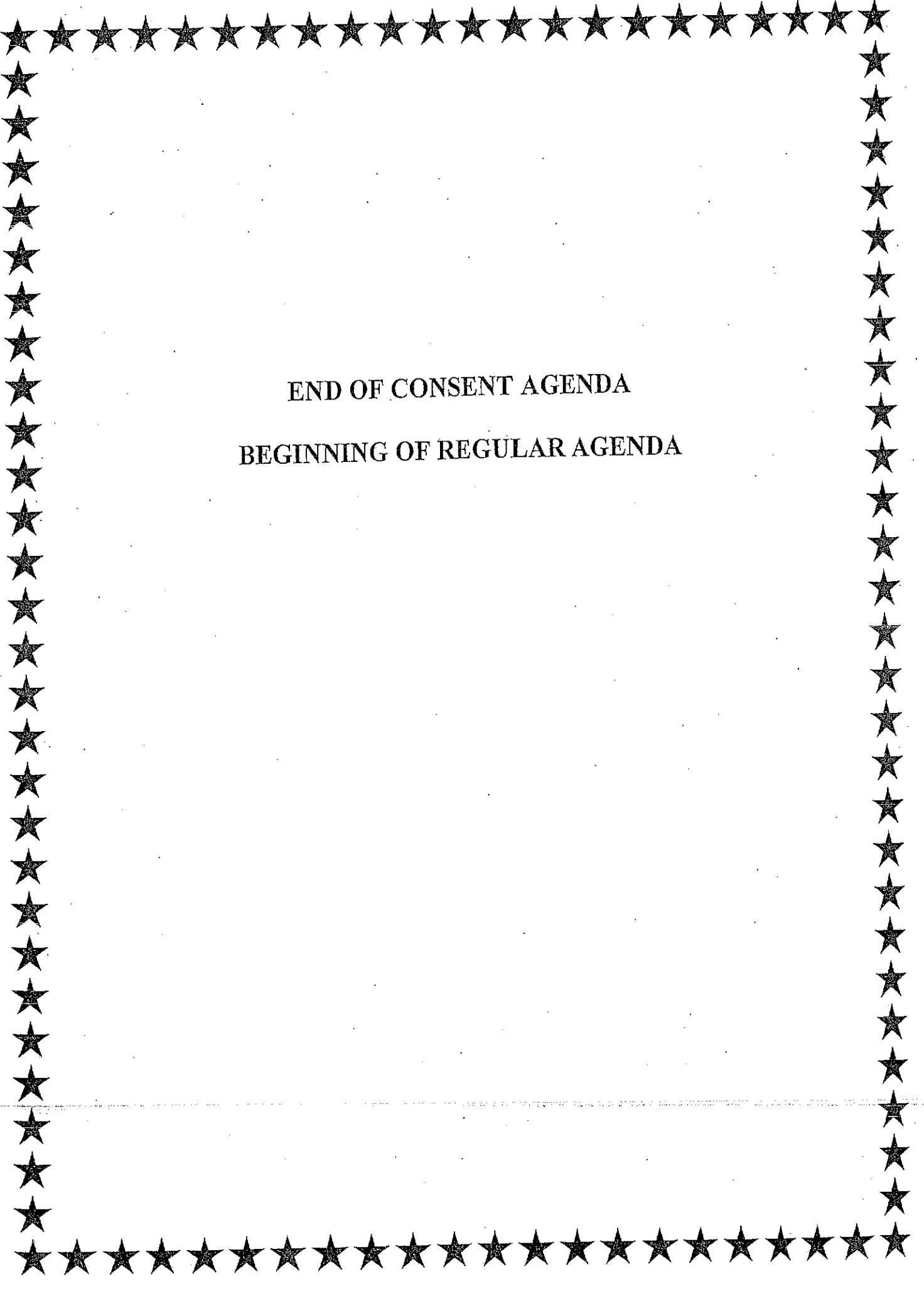
To: President and Members of the City Council  
From: Donna D. Holaday, Mayor  
Date: May 1, 2014  
Subject: Re-Appointment



---

I hereby re-appoint, subject to your approval, the following named individual as a full time member of the Harbor Commission. This term will expire on May 1, 2017.

James Knapp  
24 Cutting Drive  
Newburyport, MA 01950



**END OF CONSENT AGENDA**  
**BEGINNING OF REGULAR AGENDA**

# TRANSFERS



# City of Newburyport

## FY 2014

### BUDGET TRANSFER REQUEST

RECEIVED  
CITY CLERK'S OFFICE  
NEWBURYPORT, MA

2014 MAY -6 P 3:35

Department: Mayor

Submitted by: Mayor Donna D. Holaday

Date Submitted: 5/6/2014

#### Transfer From:

Account Name	General Fund - Free Cash	YTD Bal:	\$ 1,386,677.98
Account Number:	01-35900	Trans In:	\$ -
Amount:	\$255,170.80	Trans Out:	\$ 1,105,431.02
Why are Funds Available:	<i>The Mass Dept of Revenue has certified Free Cash for FY 2014 at \$2,492,109.</i>		
<i>These funds are available for any legal purpose with the approval of the Mayor and a majority vote of the City Council.</i>			

#### Transfer To:

Account Name	Multiple - See attached	YTD Bal:	
Account Number:	Multiple - See attached	Trans In:	
Amount:	\$255,170.80	Trans Out:	
Why are Funds Required:	<i>See attached memo and project listing.</i>		

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

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

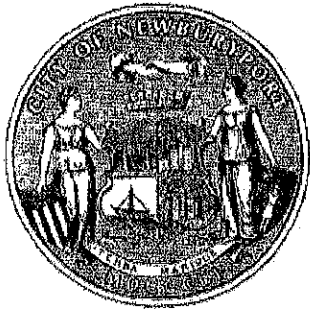
Date: 5/6/14  
Date: 5/6/14

## Capital Project Transfer Requests May 12, 2014

Department/Location	Purpose	Amount	Account Name	Account Number	Current Balance
Schools	High School Woodwork	50,000.00	HS Renovation Project	045-50000	66,006.59
IT	Electronic Requisition/PO and Content Management System	39,820.00	IT Software Upgrade	01151002-53002	192.89
Parks	Nock/Molin Baseball Field Preliminary Design	4,950.00	PRK Field Design	01630002-58510*	0.00
Schools	Defibrillators	4,870.00	School Expenses	01300002-53201	6,518,419.94
DPS	Highland Cemetery Granite Posts	13,204.80	HWY Highland Cemetery	01421008-58923	0.00
Fire	Fire Station Alerting/PA System and Comm. Logging Recorder	36,246.00	FIR Dispatch Console	01220008-58406	35,593.00
Police	Reflective Jackets	13,500.00	POL Uniform Upgrades	01210002-52274	0.00
Library	Carpet Replacement	16,700.00	LIB Maint-Bldg	01610002-52401	2,145.29
DPS	Street Sweeper	67,000.00	HWY Street Sweeper	01421008-58462*	0.00
DPS	Virginia Lane Tree Planting	8,880.00	DPS Maint-City Wide	01421002-52410	4,692.76

**Total Transfers:** **\$255,170.80**





CITY OF NEWBURYPORT  
OFFICE OF THE MAYOR  
DONNA D. HOLADAY

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

To: President and Members of the City Council  
From: Donna D. Holaday, Mayor  
Date: May 6, 2014  
Subject: FY14 Capital Project Request

---

The City's current Free Cash balance is \$1,386,677.98. The following projects/purchases have been identified as a priority to be addressed before the close of this fiscal year. Several are included in the Capital Improvement Plan for FY14, while others are in response to new and timely needs that have arisen over the course of the past year. I am asking that you consider transfer requests for the following projects to be funded from Free Cash:

- High School Woodwork  
Cost: \$50,000.00  
Rationale: This project is funded in large part through a prior CPA award. However, based on an escalation in construction costs over the past year, the bids came in significantly higher than initially projected. The scope of work includes the front, center section of the high school including the columns, portico, windows and up to (but not including) the cupola and dome. The two ground level portico entrances on the Auditorium side of the building and the one on the Library side of the building are also included in this phase because of the extent of the deterioration to those structures. While the initial engineering work has been completed, this additional funding is required to cover the shortfall and complete the project in a timely manner.
- Electronic Requisition/Purchase Order and Content Management System  
Cost: \$39,820.00  
Rationale: The City currently does not have any comprehensive requisition or purchase order system. It also has a very paper-intensive, antiquated warrant process. The implementation of these systems will help ensure better compliance with public procurement laws and will allow Departments to track expenditures in real-time, thereby ensuring better budget management. This funding will cover the design, installation, and training associated with the implementation of both an electronic requisition and PO

system as well as a paperless warrant process, a long-standing goal of my administration and a priority to be fully completed and integrated in FY15.

- Nock-Molin Baseball Field Preliminary Design

Cost: \$4,950.00

Rationale: To continue to address our field space issues, this project would lay the groundwork for constructing a new baseball field at the Nock-Molin School to replace the field that was displaced by the new Bresnahan School. This design work will include preparing a grading plan and preliminary design for a new 90' diamond baseball field, and preparing a presentation to include the proposed athletic program, existing conditions, a construction cost estimate, and a site plan.

- Defibrillators

Cost: \$4,870.00

Rationale: The existing School Department AEDs are all outdated and in poor condition. The state recently initiated a 50% reimbursement program for AEDs located in schools that we will be taking advantage of. This funding will account for eight new AEDs for the Nock-Molin and High School. These units are the same as what was just recently approved for the Police Department and are what the City's EMS provider, Cataldo/Atlantic, currently uses.

- Highland Cemetery Granite Posts

Cost: \$13,204.80

Rationale: After feedback from neighbors and members of Cemetery Commission, the fencing replacement project that was originally funded through the FY13 Supplemental Budget did not occur. Working with DPS, these improvements were agreed to be a priority.

- Fire Station Alerting/Public Address System and Communications Logging Recorder

Cost: \$36,246.00

Rationale: This system will connect the dispatch center with both stations simultaneously, replacing the outdated notification system currently in place. Currently, there is no way to record or retrieve incoming/outgoing communications. The existing radio equipment is 10 years old and not integrated. This funding will complete the Fire Department dispatch system upgrade, one of the Chief's priorities after assessing the facilities and equipment.

- Reflective Jackets

Cost: \$13,500.00

Rationale: The green reflective rain/winter jackets that the officers are issued are eight years old and are in need of replacement. These jackets are used during inclement weather and meet the American National Standards Institutes (ANSI) requirements for public safety personnel. Through constant use, these jackets are worn, have lost reflective color, and are no longer water resistant. The loss of reflectiveness places officers at risk when assigned to traffic assignments and accident scenes.

- Library Carpet Replacement

Cost: \$16,700.00

Rationale: The carpeting in the first floor reading room, the media area, and the back hallway is 13 years old and is showing considerable wear due to the heavy volume of foot traffic. We have been systemically addressing carpet replacement at the Library each year in the Capital Improvement Plan to lessen the one-time costs over multiple fiscal years.

- Street Sweeper

Cost: \$67,000.00

Rationale: This request is to replace the existing 2003 Elgin Pelican street sweeper. The useful life of this equipment is 10-12 years. Over the past few years, the repairs have become more frequent and more costly. With only one sweeper in service, it takes longer to sweep the entire City and has resulted in more wear and tear on the vehicle. We also have to comply with new stormwater regulations from the state that require biannual sweeping at minimum. This expenditure will cover the first year's payment on a three-year lease-to-own arrangement. Future payments for FY15 and FY16 have been accounted for in the CIP.

- Virginia Lane Tree Planting

Cost: \$8,880.00

Rationale: The purpose of this transfer is to provide for the cost of replacement plantings along a drainage swale adjacent to Storeybrooke Road lost in 2013 as part of the Virginia Lane Drainage Swale Improvement Project. Due to the steep slopes along the original swale, tree removal was necessary for both the contractor's access to the site and for the placement of rip-rap stone to permanently stabilize the swale slopes. The drainage swale is now stabilized and erosion is no longer an issue, but the trees that were taken down now need to be replaced.

These projects represent \$255,170.80 in total capital investments. I look forward to discussing these funding needs in further detail when this request has been referred to the Budget and Finance Committee for their review.



# City of Newburyport

## FY 2014

### BUDGET TRANSFER REQUEST

RECEIVED  
CITY CLERK'S OFFICE  
NEWBURYPORT, MA

2014 MAY -6 P 3:34

**Department:** Mayor

**Submitted by:** Mayor Donna D. Holaday

**Date Submitted:** 5/6/2014

**Transfer From:**

Account Name	General Fund - Free Cash	YTD Bal:	\$ 1,386,677.98
Account Number:	01-35900	Trans In:	\$ -
Amount:	\$238,241.30	Trans Out:	\$ 1,105,431.02
Why are Funds Available: <i>The Mass Dept of Revenue has certified Free Cash for FY 2014 at \$2,492,109.</i>			
<i>These funds are available for any legal purpose with the approval of the Mayor and a majority vote of the City Council.</i>			

**Transfer To:**

Account Name	Snow & Ice - Labor	YTD Bal:	\$ (29,132.60)
Account Number:	01423001-51301	Trans In:	\$ -
Amount:	\$29,132.60	Trans Out:	\$ -
Why are Funds Required: <i>Snow and ice expenses are variable depending on winter weather conditions.</i>			
<i>Weather conditions during this past winter were severe and the amount appropriated for S/I Labor was exceeded by \$29,132.60. State law allows communities to deficit spend in this category, however the deficit must be removed by fiscal year-end with available funds, or raise in FY 2015.</i>			

**Transfer To:**

Account Name	Snow & Ice - Expenses	YTD Bal:	\$ (209,108.70)
Account Number:	01423002-52901	Trans In:	\$ -
Amount:	\$209,108.70	Trans Out:	\$ -
Why are Funds Required: <i>Snow and ice expenses are variable depending on winter weather conditions.</i>			
<i>Weather conditions during this past winter were severe and the amount appropriated for S/I Expenses was exceeded by \$209,108.70. State law allows communities to deficit spend in this category, however the deficit must be removed by fiscal year-end with available funds, or raise in FY 2015.</i>			

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

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

Date:

Date:

*5/6/14*  
*5/6/2014*



# City of Newburyport

## FY 2014

### BUDGET TRANSFER REQUEST

RECEIVED  
CITY CLERK'S OFFICE  
NEWBURYPORT, MA  
2014 MAY -6 P 3:34

Department: Mayor

Submitted by: Mayor Donna D. Holaday

Date Submitted: 5/6/2014

#### Transfer From:

Account Name	Insurance - 32-B	YTD Bal:	\$	1,777,318.37
Account Number:	01914001-51700	Trans In:	\$	-
Amount:	\$471,078.18	Trans Out:	\$	-
Why are Funds Available:	<i>A surplus is anticipated in this account at year-end.</i>			

#### Transfer To:

Account Name	School Expenses	YTD Bal:	\$	6,518,419.94
Account Number:	01300002-53201	Trans In:	\$	-
Amount:	\$250,000.00	Trans Out:	\$	-
Why are Funds Required:	<i>The Newburyport Public Schools are anticipating a year-end deficit of \$250,000.00. See attached explanatory memo from Superintendent Viccaro.</i>			

#### Transfer To:

Account Name	Fire Overtime	YTD Bal:	\$	1,074.93
Account Number:	01220001-51301	Trans In:	\$	-
Amount:	\$100,000.00	Trans Out:	\$	-
Why are Funds Required:	<i>The FY 2014 appropriation for Fire Overtime was \$205,000. The Fire Department anticipates total overtime costs to exceed \$300,000 by year-end.</i>			

#### Transfer To:

Account Name	DPS Streetlights	YTD Bal:	\$	(19,196.61)
Account Number:	01421002-52103	Trans In:	\$	-
Amount:	\$120,000.00	Trans Out:	\$	-
Why are Funds Required:	<i>Planned savings from the procurement of the street lights was initiated during FY 2014, but is not yet fully complete. Future savings will reduce FY 2015 street light costs.</i>			

#### Transfer To:

Account Name	Retirement Appropriation	YTD Bal:	\$	-
Account Number:	01911001-51740	Trans In:	\$	-
Amount:	\$1,078.18	Trans Out:	\$	-
Why are Funds Required:	<i>The City/School retirement appropriation for FY 2014 was underfunded by the above-referenced amount due to the receipt of an updated invoice from the Massachusetts State Board of Retirement.</i>			

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

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

Date: 5/6/14  
Date: 5/6/2014



# City of Newburyport

## FY 2014

### BUDGET TRANSFER REQUEST

RECEIVED  
CITY'S OFFICE  
NEWBURYPORT, MA

Department: Health -Energy/Recycling

2014 MAY -6 P 3:57

Submitted by: Molly Ettenborough

Date Submitted: 5/6/2014

#### Transfer From:

Account Name	Solid Waste Fee	YTD Bal:	\$ 267,012.13
Account Number:	2747-59600	Trans In:	
Amount:	\$21,580.87	Trans Out:	\$ 37,500.00
Why are Funds Available:	Funded through compost sticker fees and recycling rebate.		
<i>This transfer is the standard method for moving funds from Reserve for Appropriations accounts into General Fund accounts.</i>			

#### Transfer To:

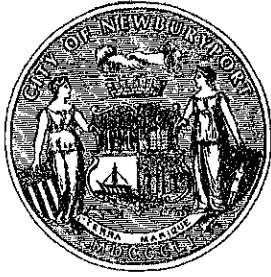
Account Name	Health Dept Salary Energy/Recycling Coor	YTD Bal:	\$ (11,046.99)
Account Number:	01519001-51160	Trans In:	
Amount:	\$21,580.87	Trans Out:	\$ -
Why are Funds Required:	To cover salary for Energy/Recycling Coordinator for remainder of FY 2014.		

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

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

Date: 5/6/2014  
Date: 5/6/2014

## APPOINTMENTS



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

Appointment #4  
May 12, 2014

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

2014 APR 29 A 10:59

To: President and Members of the City Council  
From: Donna D. Holaday, Mayor  
Date: April 29, 2014  
Subject: Appointment

-----  
I hereby appoint, subject to your approval, the following named individual as Newburyport City Auditor. This term will commence effective July 7, 2014 and expire on February 1, 2017.

Ethan R. Manning  
31 Howard Street  
Newburyport, MA 01950



**APPOINTMENTS  
SECOND READING**

**MAYOR'S APPOINTMENTS**  
**May 12, 2014**  
**SECOND READING**

**Appointment**

- |    |                  |                  |                  |                  |
|----|------------------|------------------|------------------|------------------|
| 5. | Ethan R. Manning | 31 Howard Street | Finance Director | February 1, 2017 |
| 6. | Kimberly Turner  | 27 High Street   | Parks Commission | May 1, 2019      |

**Re-Appointment**

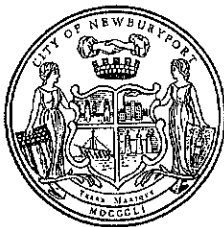
- |     |                      |                   |                              |                  |
|-----|----------------------|-------------------|------------------------------|------------------|
| 7.  | Jeffrey R. Tomlinson | 21 Hill Street    | Highland Cemetery Commission | February 1, 2017 |
| 8.  | Robert Dow           | 185 Storey Ave.   | Harbor Commission            | May 1, 2017      |
| 9.  | Douglas A. Muir      | 10 Hancock Street | Conservation Commission      | May 1, 2017      |
| 10. | Madeline Nash        | 19 Arlington St.  | Affordable Housing Trust     | February 1, 2016 |
| 11. | Ellen Hanick         | 9 Hallisey Drive  | Bartlett Mall Commision      | May 31, 2017     |

**In City Council April 28, 2014**

Motion to approve the Consent Agenda as amended by Councillor Cameron, seconded by Councillor Tontar. So voted.

# ORDERS

## CITY OF NEWBURYPORT



IN CITY COUNCIL

Date: April 28, 2014

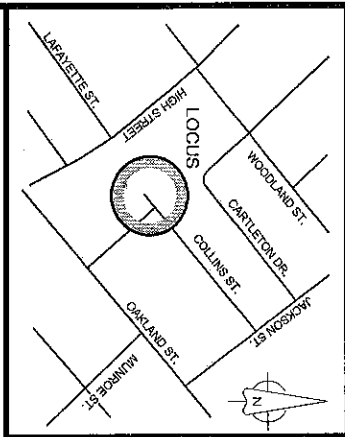
**ORDERED:**

**THAT** pursuant to General Laws Chapter 82, Sections 21 and 32A the City Council of the City of Newburyport hereby abandon and discontinue permanently the vacant (*unimproved*) land (*between 24 and 28 Collins Street*) which is portion of Collins Street (a public way) as shown on a plan, a copy of which is on file with the City Clerk and Office of Planning & Development, entitled "*Plan Showing a Portion of Collins Street to be Discontinued, Located in Newburyport, MA,*" prepared by Christiansen & Sergi, Inc., 160 Summer Street, Haverhill, Massachusetts 01830 and dated April 18, 2014. Said portion of Collins Street hereby abandoned and discontinued is bounded and described, according to said plan, as the area labeled "Area to be Discontinued," consisting of approximately 1,664 sq.ft.

Said portion of Collins Street is hereby declared abandoned and is unused for ordinary travel and the common convenience and necessity no longer requires this portion of the public way to be maintained in a condition reasonably safe and convenient for travel (*based upon the opinion of the Director of Public Services*). The City shall no longer be bound to keep such way or portion thereof in repair. Within thirty (30) days from the adoption of this Order the Department of Public Services shall install at least one sign in this location (*at this bend in the Collins Street layout*) indicating "End of Public Way" or "Private Property" as sufficient notice to warn the public that the way is no longer maintained by the City.

Further, pursuant to General Laws Chapter 40, Sections 15 and 15A, the Council hereby designates this property (*any residual fee ownership and/or easements that may exist*) as surplus property, no longer needed by the City for such purposes or for other public purposes, and that the Council hereby transfers the care, custody, management and control of the subject land (*as applicable*) to the Mayor for the purposes of further conveyance, on such terms and conditions, and for such consideration, as the Mayor deems appropriate.

Councillor Charles Tontar



# LOCUS MAP

SCALE: NO SCALE

## NOTES

1. ABUTTER INFORMATION AND DEED REFERENCES ARE FROM THE LATEST NEWBURYPORT ASSESSOR RECORDS.
2. THE NEWBURYPORT CITY CLERK HAS NO DESCRIPTION OR RECORD OF THE LAYOUT AND/OR ACCEPTANCE OF COLLINS STREET. IT IS HOWEVER FOUND IN A LISTING OF PUBLIC STREETS MAINTAINED BY THE CITY CLERK. THE WIDTHS SHOWN ARE BASED ON DEEDS FOR THE ORIGINAL PARCELS ALONG COLLINS STREET AT THE TIME OF ITS CREATION.
3. THE 40' PORTION OF COLLINS STREET WAS ORIGINALLY KNOWN AS COLLINS COURT.

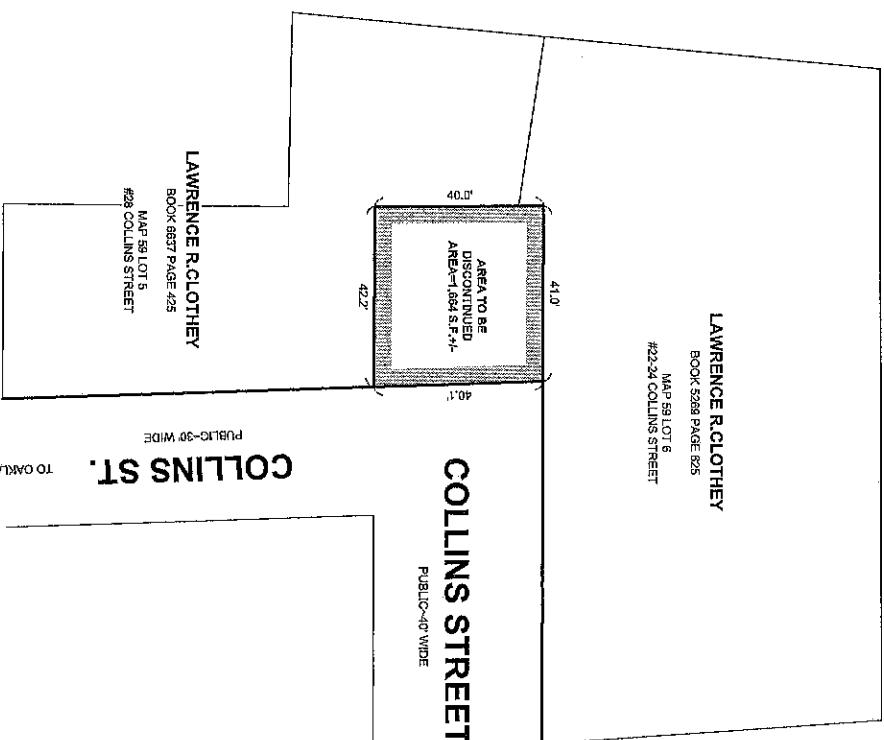
I CERTIFY THAT THE PROPERTY LINES SHOWN ARE THE LINES DURING EXISTING OWNERSHIPS, AND THE LINES OF STREETS AND WAYS SHOWN ARE THOSE OF PUBLIC OR PRIVATE STREETS OR WAYS ALREADY ESTABLISHED, AND NO NEW LINES FOR DIVISION OF EXISTING OWNERSHIPS OR FOR NEW WAYS ARE SHOWN.

CHAPTER 41 SECTION 81X

MICHAEL J. SERGI P.L.S.

DATE

THE CERTIFICATION SHOWN ABOVE IS INTENDED TO MEET THE REQUIREMENTS OF MASSACHUSETTS REGULATION 800 CMR 12.00, AND IS NOT A GUARANTEE OF TITLE OR OWNERSHIP OF PROPERTY. SHOWN OWNERSHIP OF ADJOINING PROPERTIES ARE ACCORDING TO ASSESSORS RECORDS.



LAWRENCE R. CLOTHIER

BOOK 5288 PAGE 825

MAP 89 LOT 6

#22-34 COLLINS STREET

COLLINS STREET

PUBLIC-40' WIDE

TO JACKSON ST. →

LAWRENCE R. CLOTHIER

BOOK 8837 PAGE 425

MAP 89 LOT 5

#28 COLLINS STREET

COLLINS ST. ↓

PUBLIC-30' WIDE

TO OAKLAND ST. ↓

**DRAFT FOR  
REVIEW ONLY**

**PLAN SHOWING A  
PORTION OF COLLINS  
STREET TO BE  
DISCONTINUED**

LOCATED IN

**NEWBURYPORT, MA.**



DATE: 4/18/14

SCALE: 1"=20'

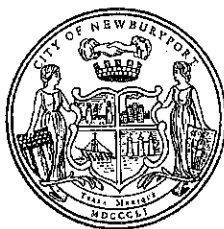
**CSI**  
PROFESSIONAL ENGINEERS & LAND SURVEYORS  
**CHRISTIANSEN & SERGI, INC.**  
160 SUMNER STREET, HAVERHILL, MASSACHUSETTS 01830  
WWW.CSI-ENG.COM TEL: 978-373-0310 FAX: 978-373-3860

I CERTIFY THAT THIS PLAN CONFORMS TO THE RULES AND REGULATIONS OF THE REGISTER OF DEEDS.

DATE

FOR REGISTRY USE ONLY

## CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

May 12, 2014

**THAT** the General Fund budget for the City of Newburyport for **Fiscal Year 2015** (July 1, 2014 through June 30, 2015) be approved in the amount of \$ \_\_\_\_\_, and \$ \_\_\_\_\_ of this amount is established as a School Department Budget for Fiscal Year 2015.

The following Enterprise Fund budgets for Fiscal Year 2015 are also approved as follows:

Water Enterprise Fund	\$
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Sewer Enterprise Fund	\$
-----------------------	----

Harbormaster Enterprise Fund \$

The above approved budget represents the budget submitted by Mayor Holaday on May 12, 2014 as amended.

## President Thomas O'Brien

**Councillor Edward C. Cameron**

**Councillor Barry N. Connell**

**Councillor Robert J. Cronin**

Councillor Jared J. Eigerman

Councillor Larry G. Giunta

### Councillor Allison Heartquist

Councillor Ari B. Herzog

Councillor Meghan C. Kinsey

**Councillor Charles F. Tontar**

Councillor Bruce L. Vogel

# ORDINANCE

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

MARCH 31, 2014

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

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

*General Ordinance Amendment:*

**Chapter 13: TRAFFIC AND MOTOR VEHICLES**  
**Article IV: Specific Street Schedules**  
**Division 4: Stop Intersections**  
**Section 13-136: Designated**

The following streets are designated as stop intersections and vehicles traveling thereon shall come to a complete stop before entering such intersections:

**ADD:**

Pond Street:	Westbound traffic at the corner Greenleaf Street
Green Street	Northbound traffic at the corner of Merrimac Street

Councillor Robert J. Cronin  
Public Safety Chair

**In City Council March 31, 2014**

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

**In City Council April 15, 2014**

Motion to remove ordinance by Councillor Cronin, seconded Councillor Cameron. So voted. Motion to approve and order published by Councillor Cronin seconded by Councillor Connell. Roll call vote, 10 yes, 1 absent (Kinsey). So voted.



CITY OF NEWBURYPORT



IN CITY COUNCIL

March 31, 2014

**ORDERED:**

AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED TRAFFIC AND MOTOR VEHICLES

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

Chapter 13	Traffic and Motor Vehicles
Article 4	Specific Street Schedules
Division 6	Stopping, Standing and Parking
Section 13-180	Resident Parking

*Delete from (g) (2)*

Ashland Street – Beginning at the lower corner of Ashland Court and proceeding northerly on the westerly side of Ashland Street to a point 6 feet north of the property line between 2 Ashland Street and 345 Merrimac Street.

Beginning at the lower corner of Ashland Court and proceeding northerly on the easterly side of Ashland Street to Merrimac Street.

*Add the following streets or portions thereof to the resident only parking zone as defined in subsection (a)(3):*

Ashland Street – Beginning at the lower corner of Ashland Court and proceeding northerly on the westerly side of Ashland Street to a point 6 feet north of the property line between 2 Ashland Street and 345 Merrimac Street.

Beginning at the lower corner of Ashland Court and proceeding northerly on the easterly side of Ashland Street to Merrimac Street.

“Resident only parking zones shall mean a residential district where curbside parking on public highways is restricted to vehicles of residents that properly display a parking permit authorized by this section.” Section 13-180 (a) (3)

---

Councillor Charles F. Tontar

**In City Council March 31, 2014**

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

**In City Council April 15, 2014**

Motion to remove ordinance by Councillor Cronin, seconded Councillor Tontar. So voted.  
Motion to approve and order published by Councillor Cronin seconded by Councillor Tontar. Roll call vote 10 yes , 1 absent (Kinsey)

CITY OF NEWBURYPORT



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IN CITY COUNCIL

ORDERED:

April 8, 2014

**AN ORDINANCE TO ADD AN ORDINANCE ENTITLED ANNUAL MASTER BOX CONNECTION FEE**

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

**Chapter 7: FIRE PREVENTION AND PROTECTION**  
**Article 1: IN GENERAL**  
**Section 7-4: ANNUAL MASTER BOX CONNECTION FEE**

Each fire alarm user shall, on or before July 1 of each year, remit to the City Treasurer/Collector a connection fee of three hundred dollars (\$300.00) for each master box connection to the municipal fire alarm system.

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Councillor Edward C. Cameron

**In City Council April 15, 2014**

Motion to refer to Public Safety and Budget & Finance by Councillor Cameron, seconded by Councillor Cronin. So voted.

**In City Council April 28, 2014**

Motion to remove by Councillor Tontar, seconded by Councillor Vogel. So voted. Motion to approve 1<sup>st</sup> reading and order published by Councillor Tontar, seconded by Councillor Vogel. Roll call vote, 11 yes. Motion approved.

# CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

APRIL 15, 2014

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

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

*General Ordinance Amendment:*

**Chapter 13:** TRAFFIC AND MOTOR VEHICLES  
**Article IV:** Specific Street Schedules  
**Division 4:** Stop Intersections  
**Section 13-136:** Designated

The following streets are designated as stop intersections and vehicles traveling thereon shall come to a complete stop before entering such intersections:

**ADD:**

Storey Avenue                      Westbound traffic at 56 feet from entrance to Rte. 113; said sign to be opposite Virginia Lane

Councillor Larry G. Giunta

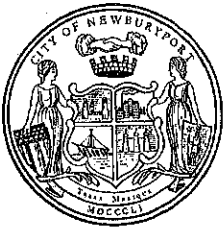
**In City Council April 15, 2014**

Motion to refer to Public Safety by Councillor Giunta, seconded by Councillor Tontar. So voted.

**In City Council April 28, 2014**

Motion to remove by Councillor Giunta, seconded by Councillor Connell. So voted. Motion to approve 1<sup>st</sup> reading and order published by Councillor Giunta, seconded by Councillor Connell. Roll call vote, 11 yes. Motion approved.

CITY OF NEWBURYPORT



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

ORDERED:

MAY 12, 2014

**AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED ADMINISTRATION**

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

*General Ordinance Amendment:*

**Chapter 2: ADMINISTRATION**

**Article II: City Council**

ADD:

**Sec. 2-45. Salary of the City Council**

The members of the city council shall receive on an annual basis a salary equal to eight percent of the annual compensation of the mayor effective the first Monday in January, 2016. The President of the City Council shall receive an additional amount of One Thousand (\$1,000) Dollars effective the first Monday in January, 2016.

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

**CITY OF NEWBURYPORT**



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

**ORDERED:**

MAY 12, 2014

**AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED ADMINISTRATION**

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

*General Ordinance Amendment:*

**Chapter 2:     ADMINISTRATION**  
**Article II:    Boards, Committees, Commissions**  
**Division 1:    Generally**

**ADD:**

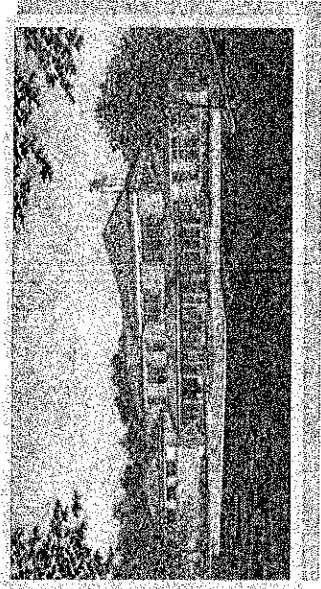
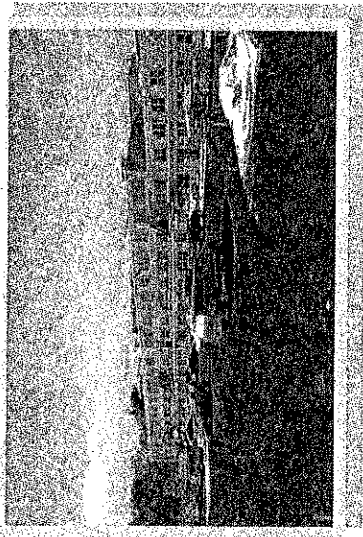
**Sec. 2-61A. Salary of the School Committee**

The members of the school committee shall receive on an annual basis a salary equal to four percent of the annual compensation of the mayor effective the first Monday in January, 2016. The Vice Chair of the School Committee shall receive an additional amount of One Thousand (\$1,000) Dollars effective the first Monday in January, 2016.

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

## COMMITTEE ITEMS

## Budget & Finance



# Capital Improvement Program

## Fiscal Years 2014-2018



*Donna D. Holaday, Mayor*

FULL COPY AVAILABLE IN  
THE CITY CLERK'S OFFICE



## General Government

## OFFICE OF THE MAYOR

RECEIVED  
CITY CLERK'S OFFICE  
NEWBURYPORT, MA

50  
2014 APR 22 P 3/58

978-465-4413 PHONE

BV want  
rules  
ref to  
AR

Ch. 601  
committee  
whole

oil call -  
YPS - MK - CT - BV - PC - LG - JK  
PH PH  
NO - EE - PC - TO  
SV

## License & Permits



# NEWBURYPORT LIONS CLUB

RECEIVED  
CITY OF NEWBURYPORT  
NEWBURYPORT, MA

2014 FEB 18 A 11: 21

February 18, 2014

Newburyport City Council  
City Hall  
Newburyport, MA

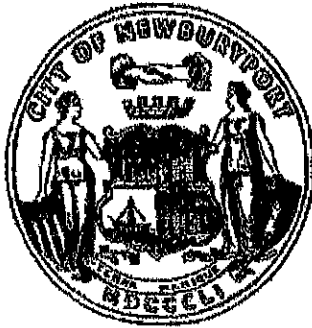
The Newburyport Lions Club would like to request a prominent spot in downtown Newburyport on which to locate a surplus U. S. Postal Service mailbox for the purpose of collecting used eyeglasses for recycling. The collection of eyeglasses is a major project of Lions Clubs. The collected eyeglasses are inspected, cleaned, reconditioned and then sent to countries where needy citizens can receive eyeglasses that meet their prescriptions. These people would not normally have access to eyeglasses.

The mailbox will be reconditioned, repainted a different color and labeled "NOT FOR MAIL." It will also be identified as a Lions eyeglass collection box. The box will be emptied regularly and maintained by the Newburyport Lions Club.

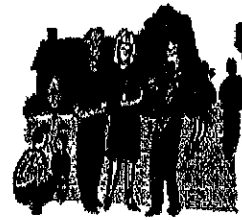
Thank you for your consideration.

A handwritten signature in cursive script, appearing to read 'Mark Quinlan'.

Mark Quinlan  
Vice President  
Newburyport Lions Club



RECEIVED  
CITY CLERK'S OFFICE  
NEWBURYPORT, MA  
MAR 18  
2014 FEB 31 A 8:33



CITY OF NEWBURYPORT  
60 PLEASANT STREET  
NEWBURYPORT, MA 01950

### BLOCK PARTY APPLICATION

Please fill out the application below and obtain the approving signatures for the street closure. Mail or drop off the completed signed application at: City Clerk's Office, City Hall, 60 Pleasant St., Newburyport, MA 01950 at least 8 business days prior to a City Council meeting. The requested Block Party needs approval by the City Council. For any questions, please contact The City Clerk's Office at (978)465-4407.

DATE OF REQUEST:	<u>Set Order, May 31, 2014 2/28/14</u>
<b>CONTACT INFORMATION</b>	
FIRST AND LAST NAME:	<u>Douglas Johnson</u>
MAILING ADDRESS:	<u>2 Arthur Welch Dr.</u>
PHONE NUMBER:	<u>617-413-1084</u>
E-MAIL ADDRESS:	<u>djohnson@equipnet.com</u>
<b>BLOCK PARTY INFORMATION</b>	
BLOCK PARTY DATE:	<u>Saturday, May 31, 2014</u>
DESIRED STREET CLOSING LOCATION:	<u>Cherry Hill Soccer Field</u>
Please indicate cross streets when requesting the closing of street sections <u>parking lot (off of Daniel Lucy Way)</u>	
STREET TO BE BARRICADED:	<u>none - we will close soccer entrance gate</u>
DESIRED STREET CLOSING TIME:	<u>N/A</u>
Block Parties should run no later than 10:00 p.m.	

See attached email approval from President  
of Newburyport Soccer, Matt McInerney

## REGULATIONS

By signing, I agree that I am a legal adult 18 years of age or older and understand this permit does not release me of any liability for damages that may result from the conducting of this Block Party. Further, I agree to comply with all requirements listed below:

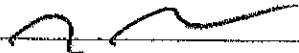
I understand that applications for block party permits may take up to four weeks to process.

Block parties will be conducted only on low-volume residential streets, dead-end streets, or cul-de-sacs. No thoroughfares or collector streets may be used.

It is hereby agreed that, by signing and presenting this application, signer(s) represents to the City of Newburyport that the following statements are true and correct, and agrees to and will abide by the following:

1. All residents living on the street or block for which the party is planned request the Block party, or have been contacted and do not object to the Block Party.
2. To be responsible for placement, maintenance and removal of barricades.
3. A block party permit does not allow the sale of alcohol or the consumption of alcohol on public property (in city streets, sidewalks, parks, etc.) alcohol is allowed only on private property. All state and city alcohol laws still apply during Block Parties.
4. Amplified music shall be permitted with permission of the City Council.
5. To leave AT LEAST a TWELVE (12) FOOT AISLE in the street to permit passage of emergency vehicles or vehicles of residents. Failure to maintain a ten foot aisle during the entire period of the party will necessitate denial of requests for subsequent block parties. Public safety personnel will monitor the party for strict adherence to this rule.
6. To maintain adult supervision at all times during the party.
7. Applicant(s) shall be responsible for the pick-up of trash and garbage within 2 hours of the end the party.
8. Streets may not be barricaded later than 10:00 P.M.
9. No residents of the area designated shall be prohibited from attending the party.
10. No such activity may be conducted within 500 feet of any school, church, hospital, nursing home or similar operation unless endorsed by the management of such institution e
11. Only approved readily removable Barricades will be permitted such as, orange cones and sawhorses with a sign. No vehicles will be permitted to be used as a Barricade.
12. Block parties are permitted 10AM-10PM

Applicant Signature



Date

7/28/14

## APPROVAL SIGNATURES REQUIRED FOR STREET CLOSURE

CITY MARSHALL

4 Green Street

FIRE CHIEF

Greenleaf Street

DEPUTY DIRECTOR

1 Perry Way

CITY CLERK

60 Pleasant St.

City use only:

Approved

-Denied

Date

## Public Safety

# CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

APRIL 28, 2014

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

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

*General Ordinance Amendment:*

<b>Chapter 13:</b>	<b>TRAFFIC AND MOTOR VEHICLES</b>
<b>Article IV:</b>	<b>Specific Street Schedules</b>
<b>Division 4:</b>	<b>Stop Intersections</b>
<b>Section 13-136:</b>	<b>Designated</b>

The following streets are designated as stop intersections and vehicles traveling thereon shall come to a complete stop before entering such intersections:

### ADD:

Russell Terrace Extension	On the southerly side at the intersection of Russell Terrace.
---------------------------	---

Councillor Larry G. Giunta

Refer to  
PS  
LG  
ARL  
SV