

CITY COUNCIL “HYBRID”

MEETING AGENDA

OCTOBER 11, 2022

City Council Meeting 7:00 pm

LOCATION: City Council Chambers, City Hall

60 Pleasant Street, Newburyport

Zoom details for City Council Meeting:

<https://us02web.zoom.us/j/81299990548>

Or One tap mobile:

US: +19292056099,81299990548#

Or Telephone US: +1 929 205 6099

Webinar ID: 812 9999 0548

1. MOMENT OF SILENCE

2. PLEDGE OF ALLEGIANCE

3. CALL TO ORDER

4. LATE FILE

- APPT00344_10_11_2022 William Jarman 8 Harvard Road, Groveland Asst Harbormaster/ (PS)
Shellfish Constable/Special Police Officer
- APPT00345_10_11_2022 Ben Molnar 12B Summerwood Drive, Hampton Asst Harbormaster/ (PS)
Shellfish Constable/Special Police Officer
- APPT00346_10_11_2022 Michael Maillette 7 Summit Drive, Atkinson Asst Harbormaster/ (PS)
Shellfish Constable/Special Police Officer
- COMM00437_10_11_2022 MLP Project Update (Ad Hoc Committee on Market Landing Park Expansion)
- ORDR00385_10_11_2022 Sasaki Design Progress (Ad Hoc Committee on Market Landing Park Expansion)

5. PUBLIC COMMENT

6. MAYOR'S COMMENT

CONSENT AGENDA

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

7. APPROVAL OF MINUTES

- September 27, 2022 (Approve)

8. COMMUNICATIONS

- COMM00436_10_11_2022 Ann Marie Monziona Letter re: park bench (N&CS)

9. TRANSFERS

10. APPOINTMENTS

Re-Appointments:

- APPT00341_10_11_2022 Gregory A. Downs 40 Riverview Dr., Newbury Asst Harbormaster/ (PS)
Shellfish Constable/Special Police Officer
- APPT00342_10_11_2022 Mike Merriman 6 Little Pond Rd., Merrimac Asst Harbormaster/ (PS)
Shellfish Constable/Special Police Officer
- APPT00343_10_11_2022 Andrew C. Malatesta 37 Federal St. Asst Harbormaster/ (PS)
Shellfish Constable/Special Police Officer

ALL ITEMS NOTED BELOW ARE REMOVED FROM THEIR RESPECTIVE COMMITTEES WITH THE MOTION TO APPROVE THE CONSENT AGENDA

BUDGET & FINANCE

- ODNC00117_06_27_2022 Building Inspector Enforcement
- ODNC00118_07_11_2022 Amend Municipal Fees

PLANNING & DEVELOPMENT

- ORDR00379_08_08_2022 Acceptance of Public Easement - Colby Farm Lane Playground
- ORDR00383_09_27_2022 Easement from 7 Whites Court

END OF CONSENT AGENDA

REGULAR AGENDA

9. MAYOR'S UPDATE

10. FIRST READING APPOINTMENTS

11. COMMUNICATIONS

12. TRANSFERS

13. SECOND READING APPOINTMENTS

14. ORDERS

15. ORDINANCES

- ODNC00119_07_11_2022 2nd reading Amend Ch 13 Sec 168 Plummer Ave Restricted Parking
- ODNC00120_07_11_2022 2nd reading Plummer Ave Drop Off Zone
- ODNC00121_07_11_2022 2nd reading Merrimac-Plummer Safety Zone Revision
- ODNC00124_10_11_2022 Amend to Noise Ordinance
- ODNC00125_10_11_2022 Amend to Ch 5 Buildings
- ODNC00126_10_11_2022 Amend to Ch 13-180 Resident Zone
- ODNC00127_10_11_2022 Handicapped Space - Olive St

16. COMMITTEE ITEMS

Ad Hoc Committee on Adaptive Reuse of Brown School Property

In Committee:

Ad Hoc Committee on Economic Development

In Committee:

Ad Hoc Committee on Market Landing Park and COTW

In Committee:

Budget & Finance

In Committee:

- ODNC00117 06 27 2022 Building Inspector Enforcement
- ODNC00118 07 11 2022 Amend Municipal Fees
- ORDR00336_03_28_2022 ARPA Amesbury 250K (COTW)
- ORDR00384_09_27_2022 FY2023 Supplemental Budget with Memo

Education

In Committee:

- COMM00434_09_27_2022 Whittier Tech Annual Operational Report

General Government

In Committee:

License & Permits

In Committee:

- ODNC047_01_27_2020 General Ordinance - Short Term Rental Units Rules
- COMM00385_01_31_2022 STRU Fire Sprinkler Systems
- COMM00388_01_31_2022 UPDATED STRU Fire Sprinkler Systems

Neighborhoods & City Services

In Committee:

- COMM299_02_08_2021 Phillips Dr. Neighborhood Committee Ltr
- ODNC00103_01_10_2022 Streets, Sidewalks, and Other Public Places Alterations & Maintenance
- COMM00406_04_11_2022 Pioneer League Letter re: Pickleball
- APPT00339_09_12_2022 Kevin Hunt 14 10th St. Veteran's Agent 10/1/2023

Planning & Development

In Committee:

- ORDR00379 08 08 2022 Acceptance of Public Easement - Colby Farm Lane Playground
- ORDR00383 09 27 2022 Easement from 7 Whites Court

Public Safety

In Committee:

- COMM00412_05_31_2022 Ltr Ann Jaronyk re: Traffic Safety
- COMM00414_05_31_2022 Ltr. Emily Dunn re: Traffic on Merrimac Street
- ODNC00123_09_27_2022 Handicapped Parking Space – Plummer Ave

Public Utilities

In Committee:

Rules

In Committee:

- ORDR239_02_8_2021 Council Rule 7 and 10B

17. GOOD OF THE ORDER

18. ADJOURNMENT

LATE FILE ITEMS



CITY OF NEWBURYPORT
OFFICE OF THE MAYOR
SEAN R. REARDON, MAYOR

60 PLEASANT STREET - P.O. BOX 550
NEWBURYPORT, MA 01950
978-465-4413 PHONE
MAYOR@CITYOFNEWBURYPORT.COM

To: President and Members of the
City Council

From: Sean R. Reardon, Mayor

Date: October 11, 2022

Subject: Appointment

I hereby appoint, subject to your approval, the following named individual as Assistant Harbormaster/Shellfish Constable and Special Police Officer for the purposes of local, State and Federal laws and regulations with respect to waterways, marine activities and boating. This term will expire on October 31, 2025.

William Jarman
8 Harvard Road
Groveland, MA 01834

A large, handwritten signature in blue ink, appearing to read "Sean R. Reardon", written vertically along the left side of the page.

William Jarman

8 Harvard Road

Groveland MA 01834

978.360.4346

captainbilljarman@gmail.com

www.fishnewburyport.com

Summary:

Experienced Charter and Ferry Boat Captain seeking a position with the Newburyport Harbormaster Department

I currently hold a 50 ton Master Captains Licence on Inland Waters

Experience:

Rocky Point Fishing Charters LLC
2006-Present

President

- Owner and Operator of a fishing charter business in Newburyport
- Responsible for the daily operations of the business, and all maintenance of the boat

Active member of the Northeast Charter Boat Captains Association

Launch Operator for Cottage Park Yacht Club

4/2021-11/2021

- I was responsible for the day to day operation of the Cottage Park Yacht Club's Launch the Windajammer.
- Maintaning safe operation of the vessel while transferring passengers to and from their vessel in the mooring fields.
- Assist boaters ariving at their slips with lines if needed.

- Daily inspection of boats and moorings in the east and west fields

Licensed Mate at Boston Harbor Cruises

10/2019-10/2020

- Duties include safe loading and unloading of passengers on the ferry route from Hingham to Boston and Whale Watches for The New England Aquarium.
- Handle lines while approaching and departing the docks
- While under way maintain lookout and assist the Captain with Navigation when necessary

Town of Winthrop Harbormaster department

8/2016-9/2019

Captain of the Winthrop Ferry Valkyrie

- Responsible for the daily operations of the ferry, crew and minor maintenance of the boat
- Regularly perform and train crew on Man Overboard and Fire Fighting Procedures
- Maintain safe and timely routes from Winthrop to Marina Bay and Boston

BMW of Peabody (The Lyon Waugh Auto Group)

1/2005-12/2014

Internal Shop Supervisor

- Involved in all daily operations of the automotive shop.
- Coordinate with all vendors to solve current issues for both new and used cars with best possible turn around time.
- Responsible for the evaluation of the automobiles so they meet the appropriate BMW CPO Guidelines.
- Monitor the Dealerships Warranty Index.
- Dispatch all daily technician work.
- Authorize all warranty work for customers and internal vehicles.
- Maintain internal relations with the sales Department to keep informed of (inbound inventory, open work orders, warranty issues, certification issues and customer issues.)

- Responsible for the preparation of all inbound new car inventory.
- Responsible for the used car recondition process.

Atlantic Auto Glass

1988-2005

President - CEO

- Owned and operated a successful High End Automotive Glass repair organization, specializing in BMW, LandRover, Acura, Lamborghini, and other exotics.
- Responsible for both the installation process and all backend office operations.
- Managed relationships with suppliers to obtain the best current products.
- Successfully negotiated supplier pricing for the company
- Worked with Dealerships and independent body shops to maintain satisfied customers.
- Set up meeting and presentations with potential clients to obtain business.
- Managed all bookkeeping and financial operations.

Honda North

1980 - 1988

Shop Foreman

1984 - 1988

- Maintained relationships with dealership customers to ensure satisfaction and retention of the customer base.
- Supervised the quality control of all dealership technicians.
- Responsible for the training and mentoring of all dealership technicians.
- Involved in the interviewing process of all newly hired technicians.
- Worked with customer to write appropriate work order so the technicians could correct the customer issues.
- Accompanied customer on road tests to properly identify underlying issues with their automobile.

Mechanic

1980 - 1984

- Responsible for the troubleshooting and complete maintenance of customer’s automotive issues.
- The complete Rebuild Engines, carburetors and transmissions.
- Troubleshot electrical systems to fix electrical failures.
- Tire mount, wheel Balance and Alignment
- Schedule Maintenance Issue (Oil, Tune ups, Brake service, fluid)

Training, Certifications and Licenses:

Marine Radio Operators Permit		
U.S Coast Guard Master 50 Ton Inland Captains License	2007	
U.S Coast Guard OUPV License	2006	
TWIC		
2021		
CPR and Red Cross First Aid Training		Current
Massachusetts Licensed Safety and Emissions Inspector	2005	
STO 50 Training (BWM)	2005	
ASE Certified Technician (Honda)	1980-1995	

References:

Available upon request.



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Ben Molnar
12B Summerwood Drive
Hampton, NH 03842

A large, handwritten signature in black ink, appearing to read "Ben Molnar", written vertically on the left side of the page.

✉ bjmlbm@gmail.com

☎ 541-961-8070

📍 Hampton, USA

🌐 [linkedin.com/in/Benjamin Molnar](https://www.linkedin.com/in/BenjaminMolnar)

🔧 SKILLS

Boat Crew Examining Board, Chairman

Military Leadership

Organizational Leadership

Military Logistics

Operational Planning

Interagency Coordination

47' MLB Surfman

52' SPC-HW Surfman

RB-S II Coxswain

Boarding Officer

Military Operations

Weapons Handling

📖 INTERESTS

Reading

Volleyball

Drone Pilot

Ben Molnar

Retired Chief Boatswain's Mate, Executive Petty Officer

Dynamic leader of three successful Command tours. Ultimately responsible for the supervision, safety, efficiency, compliance, well-being, situational awareness, operational performance of command and control and the training of over 550 Active Duty members. Highly trained and considered as an expert for all Coast Guard missions at the units, to include Search and Rescue (SAR), Recreational Boating Safety (RBS), Maritime Law Enforcement (MLE), Port, Waterways and Coastal Security (PWCS).

📁 WORK EXPERIENCE

Executive Petty Officer

US Coast Guard Station Merrimack River

06/2018 - Present

Newburyport, MA.

Achievements/Tasks

- Acting Officer in Charge and Command Duty Officer
- Chairman, Boat Crew Examining Board, assisted in certifying over 90 members with more than 200 qualifications
- Station Funds Manager, Prioritizing and organizing the units \$130,000 annual budget
- Medical Officer, Urinalysis Coordinator
- Surfman 47' Motor lifeboat

Contact: Shawn Crahen - 978-992-6523

Executive Petty Officer

US Coast Guard Station Chetco River

06/2015 - 06/2018

Brookings, OR

Achievements/Tasks

- Acting Officer in Charge and Command Duty Officer
- Chairman, Boat Crew Examining Board, assisted in certifying over 120 members with more than 400 qualifications
- Station Funds Manager, Prioritizing and organizing the units annual \$160,000 operating expense and \$36,000 Housing budget
- Medical Officer, Urinalysis Coordinator
- Surfman 47' Motor Lifeboat

Contact: Kirk McKay - 616-402-6272

🏆 ACHIEVEMENTS

Led the unit in the execution of 2,063 missions, resulting in 256 lives and \$3.8 million property assisted (06/2018 - Present)

👤 PERSONAL PROJECTS

Winnacunnet High School Varsity Volleyball Coach (06/2019 - Present)

- Led the Varsity team to its third appearance in the NH State semi-finals, while recording the schools best winning season record ever.



CERTIFICATES

Master, near coastal 100 GT (02/2013 - 02/2018)



EDUCATION



Associate of Arts
Vincennes University

06/2016 - Present



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Michael Maillette
7 Summit Drive
Atkinson, NH 03811

A large, stylized handwritten signature in black ink, likely belonging to Michael Maillette, written vertically on the left side of the page.

Michael Maillette
7 Summit Dr. Atkinson NH. 03811
Cell 339-235-466
mmaillette@gmail.com

PROFILE

Master Sheet Metal Worker with 40 years of experience , including supervising apprentices, fabrication and installation procedures, also proficient in multiple welding processes. Effective communicator who enjoys teaching and sharing knowledge, a willingness to learn new skills, and the ability to take on demanding projects as the opportunities present themselves.

EXPERIENCE

Local 17 Sheet Metal Workers Union (April 2000-PRESENT)

Gained valuable and varied experience working on many different projects, both in the shop and in the field, which gave me a well rounded knowledge of the Sheet Metal Trade.

Hall Sheet Metal (January 1997-April 2000)

For three years I ran projects in the field as a foreman until the opportunity came to join Local 17 in Boston.

E. Amanti and Sons (February 1994-December 1997)

Worked as a sheet metal foreman on a number of schools throughout Massachusetts.

Hahnel Brothers Co. (January 1981-January 1994)

I began a four year apprenticeship program and after receiving my journeyman's certificate, I was able to run small projects which then led to larger projects and more responsibility.

Education

Leavitt Area High School (1978-1981)

High School Diploma

Certificate of Journeyman (1987)

HVAC 1 and HVAC 2 Northeastern University (1997)

Auto Cad Certificate Wentworth Institute of Technology (2004)

Certificate of Seamanship (January 2022)

Basic First Aid and CPR/AED (November, 2021)

Skills

- **Blueprint Reading**
- **Safety Oriented**
- **Computer Skills**
- **Rigging and Hoisting**
- **Welding**
- **Operating a Motor Powered Vessel**
- **Navigation Skills**
- **Extensive Knowledge of Merrimack River**



CITY OF NEWBURYPORT
OFFICE OF PLANNING AND DEVELOPMENT
 60 PLEASANT STREET • P.O. BOX 550
 NEWBURYPORT, MA 01950
 (978) 465-4400

MEMORANDUM

TO: Honorable Members of the Newburyport City Council

FROM: Andrew R. Port, Director of Planning & Development

CC: Sean R. Reardon, Mayor
Heather L. Shand, City Council President/Chair, Ad Hoc Committee on Market Landing Park Expansion

RE: Late File Communication & Order – Market Landing Park Expansion Project

DATE: October 11, 2022

As you know, this Department has been overseeing design, funding and other aspects of the long-awaited Market Landing Park Expansion project. Throughout the process to date the Council, and its designated Ad Hoc Committee, have provided guidance on both design and funding for the project.

Most recently the Council voted on 7/11/2022 to approve CPA bonding of \$3,000,000 to complete Phase I park improvements in spring 2023. We have since received confirmation of a \$400,000 grant award from the Massachusetts Division of Conservation Services (DCS) supplementing this and other funding sources for Phase I work. However, our ability to proceed with the timely preparation of complex bid plans and specifications suitable for public procurement in the weeks ahead is contingent upon a vote of the Council to approve the final schematic design plans pursuant to said bond order (see attached *ORDR00356 05 09 2022*). During the past few months Sasaki has worked to secure overlapping plan approvals from the Newburyport Planning Board given their jurisdiction under the Newburyport Zoning Ordinance. The final Planning Board approval/vote in relation to these project plans is expected on 10/19/2022. As such, **I hereby request a timely meeting of the Ad Hoc Committee on Market Landing Park Expansion, to be held tentatively on Tuesday 10/25/2022. I also request that the attached/associated Order relative to final plan approval, be accepted as a late file this evening, along with this memo/communication, and referred to said Ad Hoc Committee for consideration on 10/25/2022.** Attached to this memo and the Order are the most recent schematic plans and illustrations provided to us by the design team at Sasaki. Your timely approval of same would be greatly appreciated given the potential implications for design costs and bidding timeframes crucial to this project in the coming weeks.

Thank you in advance for your consideration, and your continued support for this long-awaited project.

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

October 11, 2022

AN ORDER APPROVING FINAL SCHEMATIC PLANS FOR THE EXPANSION OF MARKET LANDING PARK & THE RELATED VISITOR CENTER/RESTROOM FACILITY, INCLUDING THE SCOPE FOR PHASE I CONSTRUCTION OF THIS PROJECT

WHEREAS, Order 356 (*ORDR00356 05 09 2022*) authorized Community Preservation Act (CPA) bonding of \$3,000,000 for Phase I construction of Market Landing Park Expansion; and

WHEREAS, said Order 356 (*ORDR00356 05 09 2022*) was conditioned upon Sasaki's presentation of a final schematic plan for Council approval in relation to said bonding; and

WHEREAS, the Newburyport Planning Board recently voted to approve site plans for said Market Landing Park Expansion, and is expected to approve final architectural design for the associated Visitor Center/Restroom Facility on October 19, 2022; and

WHEREAS, Sasaki's plans for said Market Landing Park Expansion, and the associated Visitor Center/Restroom Facility, as further refined during Planning Board review and permitting, maintain consistency with guidance and direction previously given by the Council and its designed Ad Hoc Committee with respect thereto; and

WHEREAS, the City intends to begin with the construction of Phase I Market Landing Park Expansion improvements, in accordance with said plans, starting in Spring 2023; and

WHEREAS, Sasaki is under design contract to timely proceed with the preparation of detailed plans and specifications suitable for public bidding in the weeks immediately following Planning Board approval;

WHEREAS, further delay to Sasaki's timeline, work products and "deliverables," for this project, may result in increased cost to the City, and/or adversely impact the schedule for "shovel ready" construction plans later this year;

NOW, THEREFORE, the City Council hereby approves, in accordance with Order 356 (*ORDR00356 05 09 2022*), Sasaki's final schematic design plans for the project, including the initial construction of Phase I improvements, as depicted in Exhibit A attached to this Order.

Councillor Heather L. Shand

CITY OF NEWBURYPORT

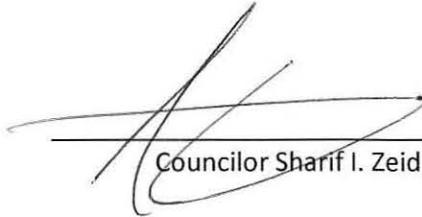


IN CITY COUNCIL

ORDERED:

May 9, 2022

THAT, upon the recommendation of the Community Preservation Committee, \$3,000,000 is appropriated, subject to a final plan being presented to the Council for approval, to pay costs of the Market Landing Park Expansion project, including the payment of all costs incidental and related thereto. To meet this appropriation, the Treasurer with the approval of the Mayor, is authorized to borrow said amount under and pursuant to M.G.L. c. 44, §7(1), M.G.L. c. 44B (the Community Preservation Act), or pursuant to any other enabling authority, and to issue bonds or notes of the City therefor; and that the Mayor and the Treasurer are authorized to take any other action necessary or convenient to carry out this vote.


Councilor Sharif I. Zeid

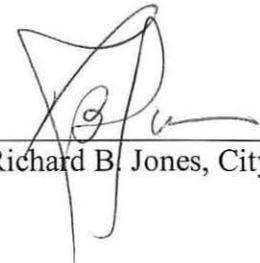
In City Council May 9, 2022:

Motion to waive the rules to accept the late files and refer to Budget & Finance by Councillor Zeid, seconded by Councillor McCauley. Roll call vote. 11 yes. Motion passes.

In City Council July 11, 2022:

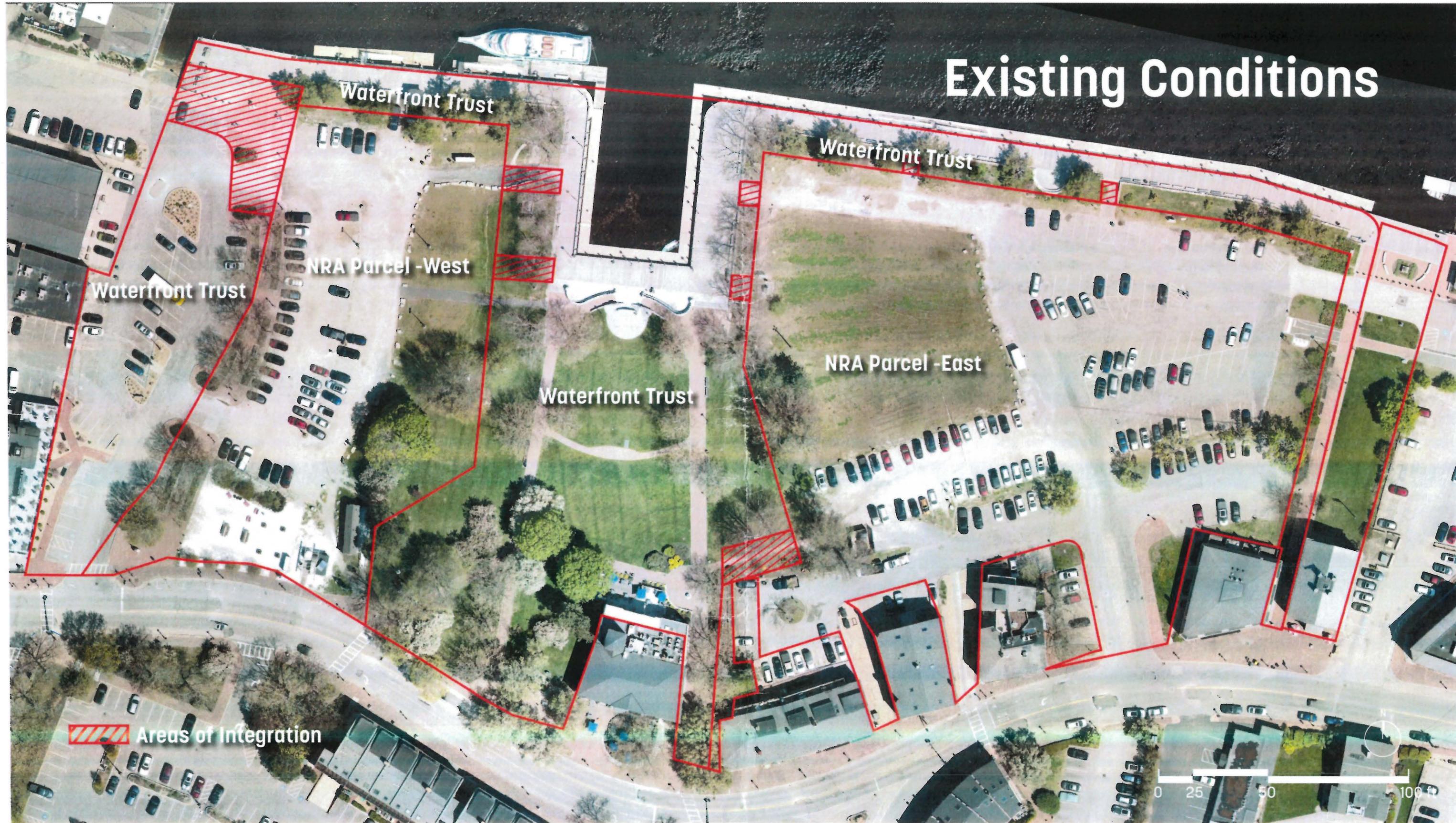
Motion to collectively approve ORDR00354 Project 9 and ORDR00356 by Councillor Zeid, seconded by Councillor Khan. Roll call vote. 9 yes, 2 no (BL, SZ). Motion passes.

Approve: 
Sean R. Reardon, Mayor

Attest: 
Richard B. Jones, City Clerk

Date: 7/15/2022

Existing Conditions



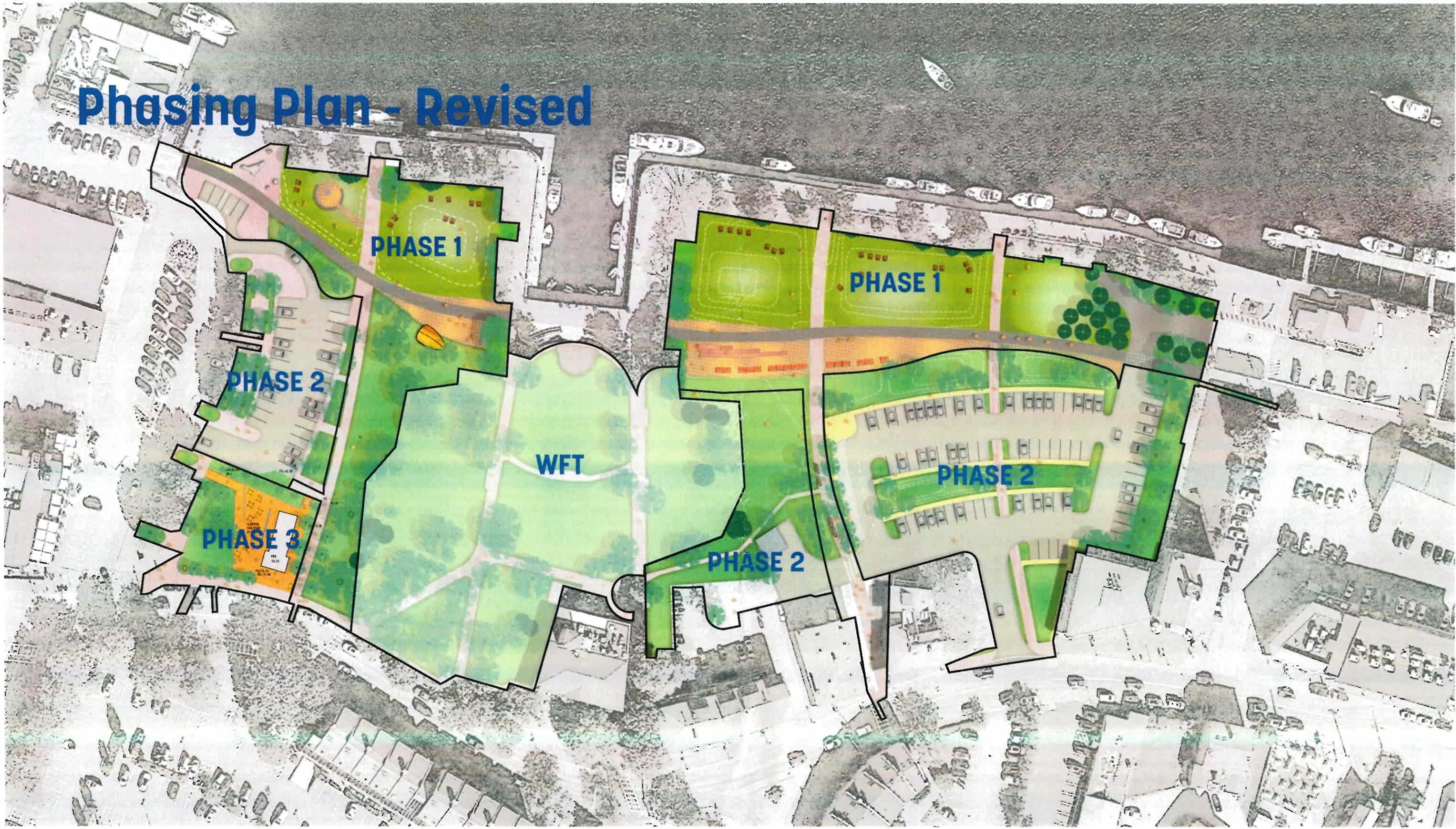
 Areas of Integration

0 25 50 100 ft

Proposed Plan



Phasing Plan - Revised



PHASE 1

PHASE 1

PHASE 2

PHASE 2

PHASE 3

PHASE 2

WFT

Phase 1

Interim conditions until parking areas are complete



View from Merrimac Street



Swing Trellis

75% Design



Swing Trellis

Design Parameters

Materials

Wood Slats + Metal Frame



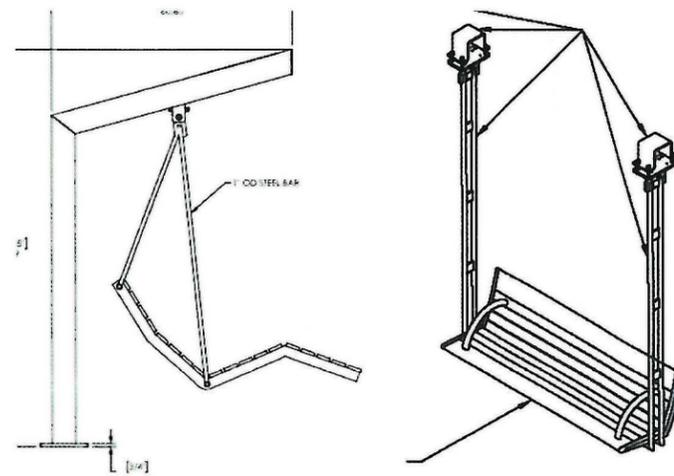
Metal



Wood

Function

Shade + Range of Swing Types



Scale

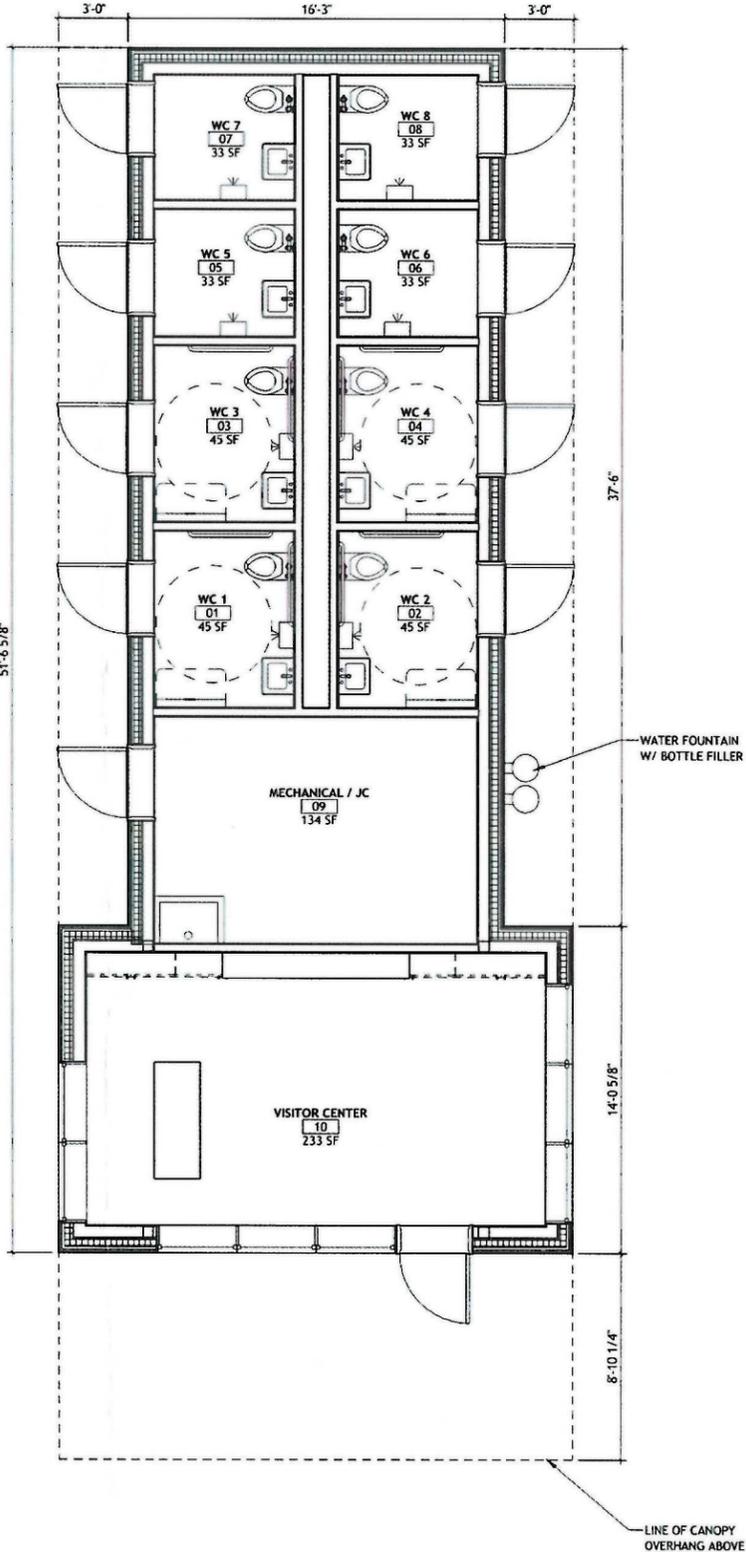
Presence on the Plaza



Visitor Center + Restroom Facility

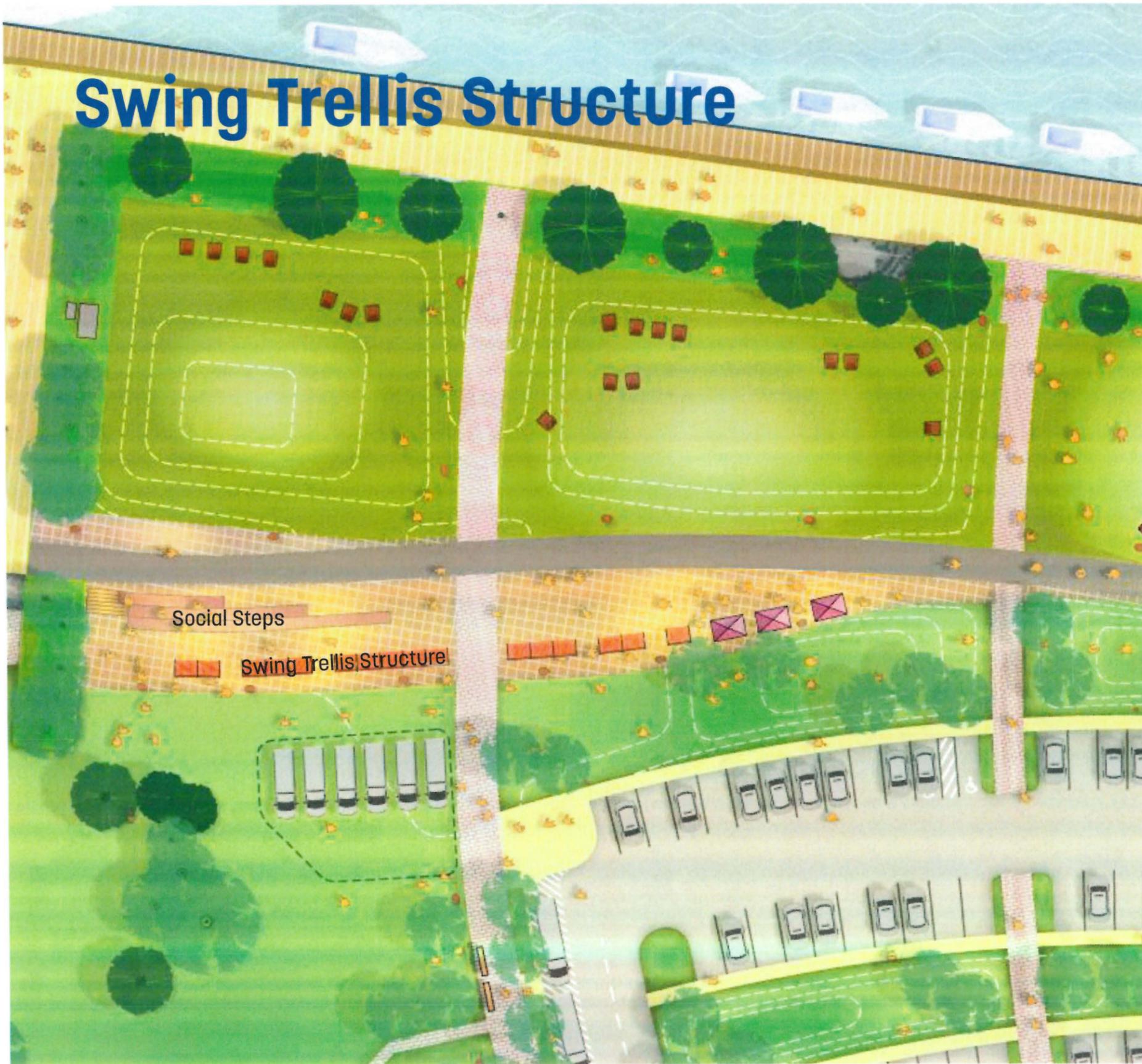


Visitor Center Plan

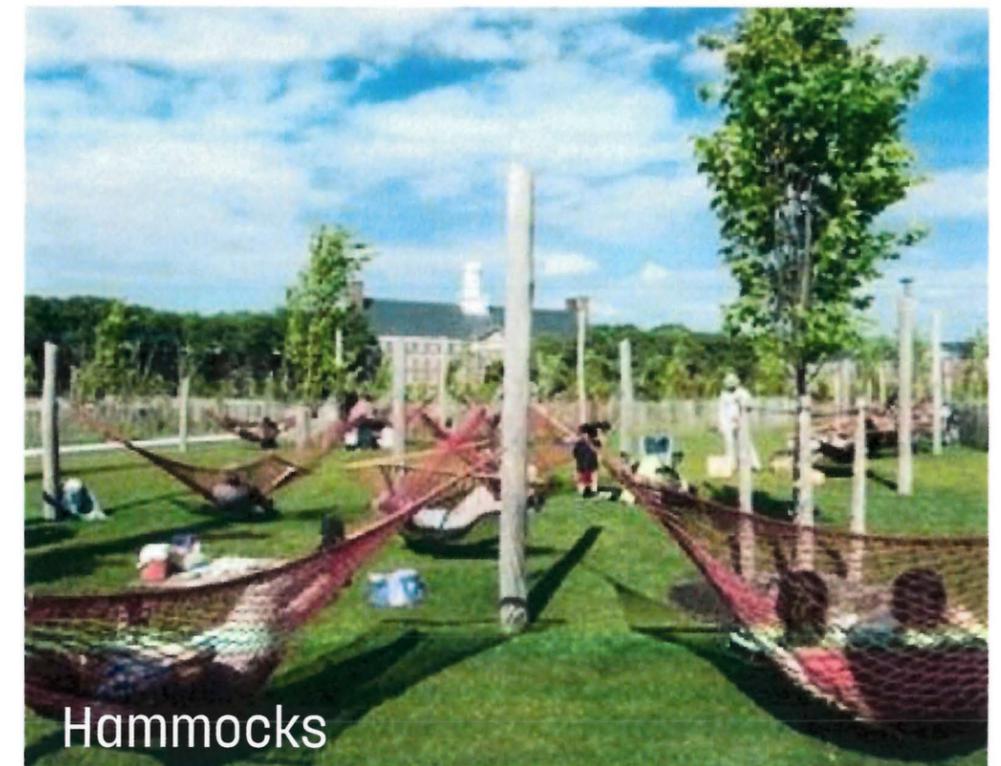


OVERALL BUILDING GROSS SQ FT - 922GSF

Swing Trellis Structure



Harbormaster Entry Drive + Hammock and Picnic Grove



Indigenous Peoples Plaza



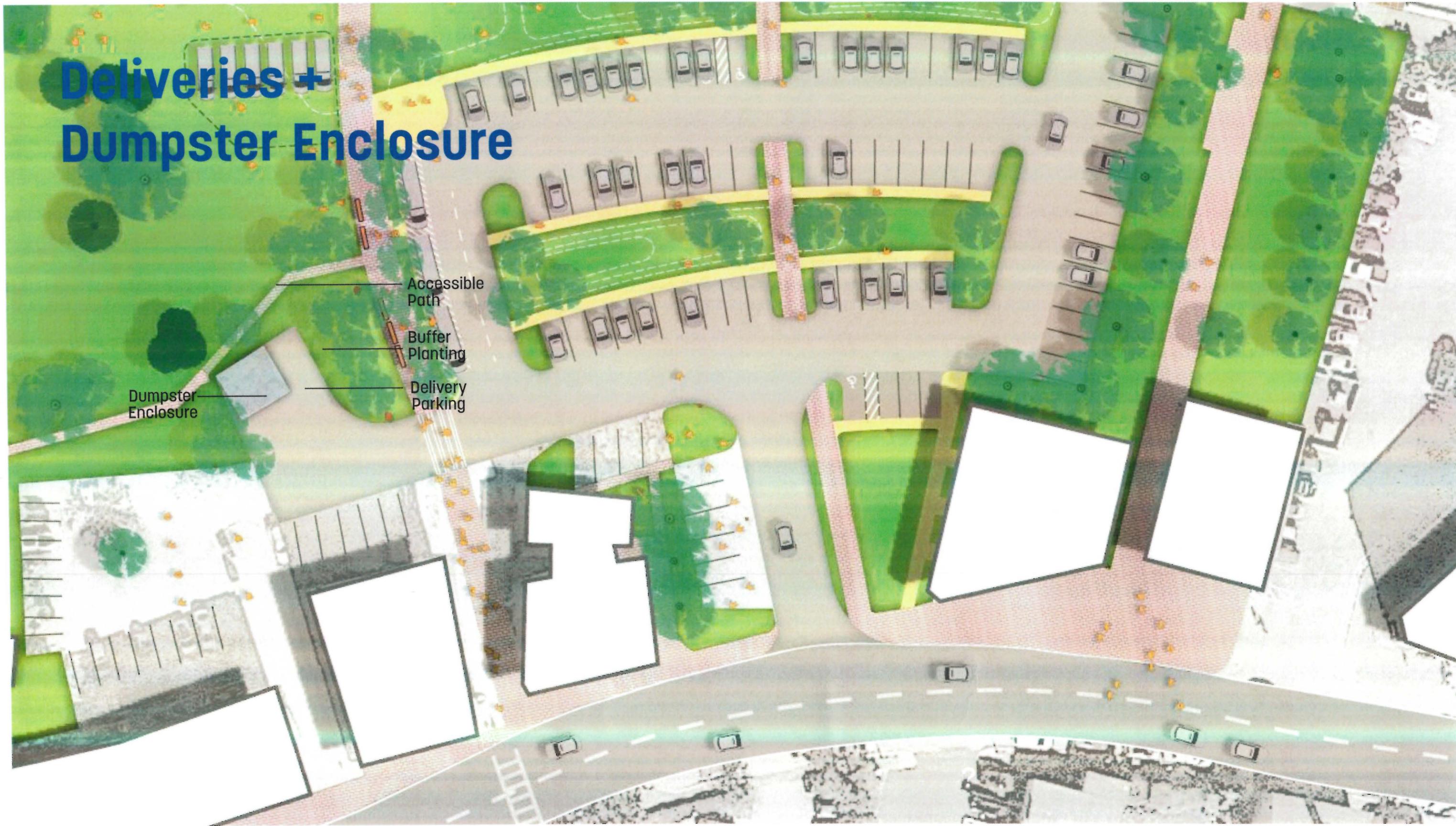
Deliveries + Dumpster Enclosure

Dumpster
Enclosure

Accessible
Path

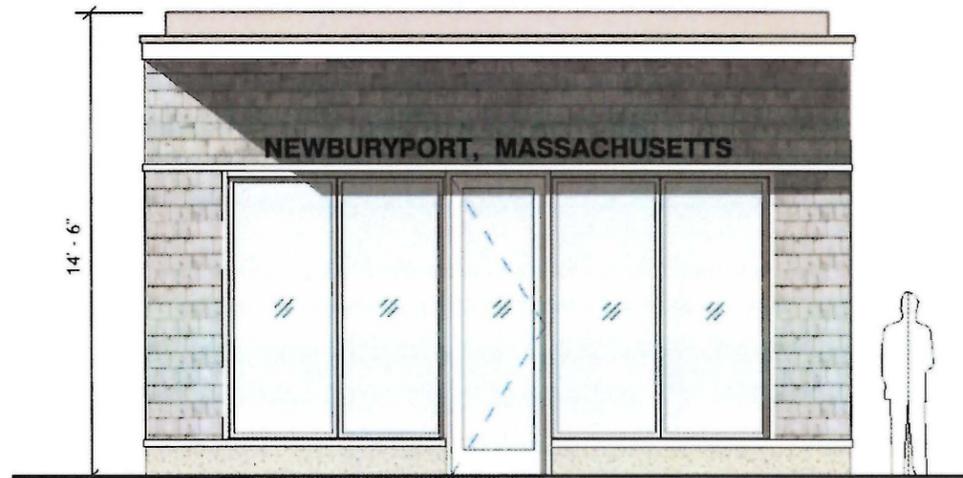
Buffer
Planting

Delivery
Parking



Building Elevations

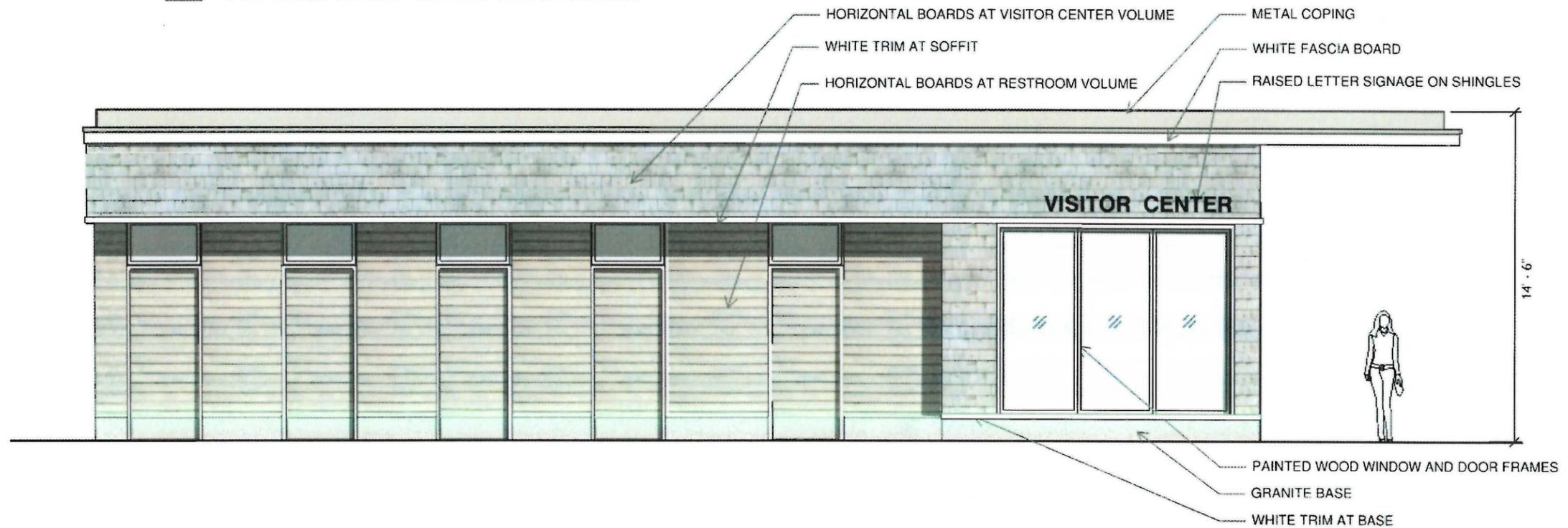
Option 2



NOTE: THIS IS A PROPOSED CHANGE TO FOUR WINDOWS AND CENTERED DOOR

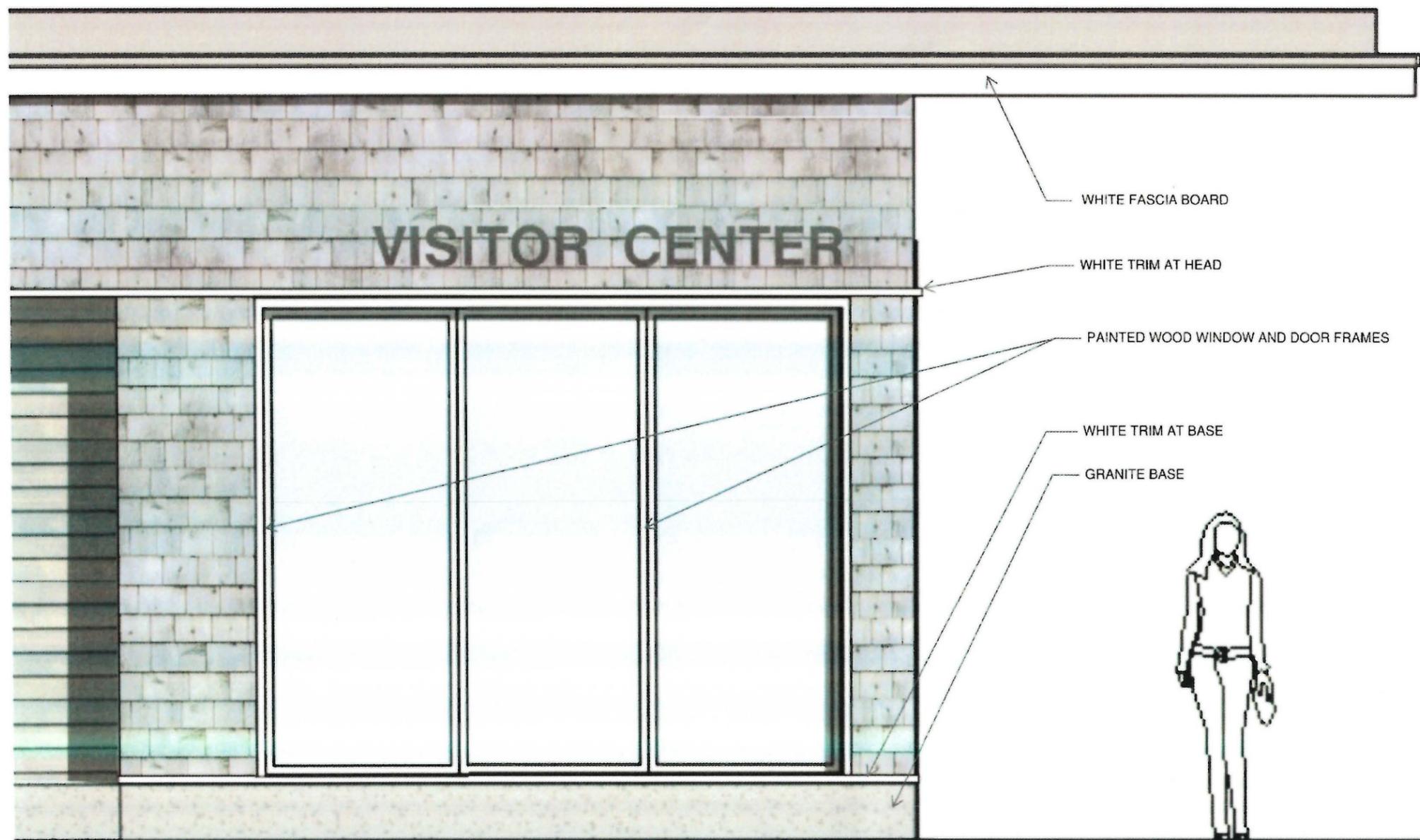
OPTION 2:

- WOOD SHINGLE SIDING, EITHER LEFT UNTREATED TO GREY NATURALLY OR STAINED
- WHITE PAINTED WOOD STOREFRONT WINDOWS
- WHITE FASCIA BOARD AT ROOF
- WHITE TRIM AT RESTROOM OVERHANG



Building Elevations

Enlarged Elevation of Option 2



CONSENT AGENDA

CITY COUNCIL “HYBRID”

MEETING MINUTES

SEPTEMBER 27, 2022

City Council Meeting 7:00 pm

LOCATION: City Council Chambers, City Hall

60 Pleasant Street, Newburyport

Zoom details for City Council Meeting:

<https://us02web.zoom.us/j/81299990548>

Or One tap mobile:

US: +19292056099,81299990548#

Or Telephone US: +1 929 205 6099

Webinar ID: 812 9999 0548

1. MOMENT OF SILENCE – Remembering Scott Wallace and Ed Twomey.

2. PLEDGE OF ALLEGIANCE

3. CALL TO ORDER

The City Council President Heather Shand called the meeting to order at 7:00 pm and asked the City Clerk, Richard B. Jones, to call the roll. The following City Councillors answered present: Cameron, Donahue, Khan, Lane, McCauley, Preston, Vogel, Wallace, Wright, Zeid, and Shand. 11 present (1 remote BL).

Motion to waive the rules to move the Mayor’s Comment up after the Late Files by Councillor McCauley, seconded by Councillor Zeid. Roll call vote. 11 yes. Motion passes.

4. LATE FILE

Motion to waive the rules and accept the Late Files by Councillor Zeid, seconded by Councillor McCauley. Roll call vote. 11 yes. Motion passes.

- APPL00095_07_11_2022 Artsville in Newburyport extended date 10/16

Motion to refer to Public Safety by Councillor McCauley, seconded by Councillor Zeid. Roll call vote. 11 yes. Motion passes.

- COMM435_09_27_2022 Sheila Reardon Spalding Resignation from School Committee

Motion to receive and file by Councillor Zeid, seconded by Councillor McCauley. Roll call vote. 11 yes. Motion passes.

5. MAYOR'S COMMENT

Mayor requested that the City Council withdraw ORDR00380 from consideration after his update.

Motion to accept the Mayor’s request to withdraw ORDR00380 from consideration by Councillor McCauley, seconded by Councillor Preston. Roll call vote. 11 yes. Motion passes.

- **ORDR00380 08 08 2022 Parks Department Reorganization (with Mayor’s message) (COTW)**

Motion to withdraw by Councillor McCauley, seconded by Councillor Zeid. Roll call vote. 11 yes. Motion passes.

6. PUBLIC COMMENT

Ted Boretti 67 Marlboro St.

Charles Griffin 3 Vernon St.

Andrea Eigerman 83 High Street

Andy Simpson 1 ½ Greenleaf St.

Jane Snow 9 Coffin St.

Owen Smith 179 Storey Ave.

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

- September 12, 2022
- September 13, 2022

(Approve)

(Approve)

8. COMMUNICATIONS

- COMM00434_09_27_2022 Whittier Tech Annual Operational Report (ED)

9. TRANSFERS

10. APPOINTMENTS

ALL ITEMS NOTED BELOW ARE REMOVED FROM THEIR RESPECTIVE COMMITTEES WITH THE MOTION TO APPROVE THE CONSENT AGENDA

BUDGET & FINANCE

- ORDR00354_05_09_2022 FY23 CPC Recommendations (Project 4)
- ORDR00355_05_09_2022 Loan Order \$2,574,000 Bartlet Mall Improvements Project (COTW)
- COMM00430_09_12_2022 FY22 Year-End Financial Report
- ORDR00382_09_12_2022 Approval to Pay Prior Year Bills

GENERAL GOVERNMENT

- COMM00402_04_11_2022 12 Cushing Ave Paper St. Inquiry
- COMM00417_05_31_2022 Ltr. Jane Snow re: Coffin St.
- COMM00410_05_31_2022 Ltr. Lawrence Cavalieri Coffin St. Ext
- APPT00340_09_12_2022 Jennifer Groskin 11 Myrtle Ave. Human Rights Comm. 10/1/2025

NEIGHBORHOOD & CITY SERVICES

- ORDR00373_07_11_2022 Crosswalk Plummer Ave (Amended 9/22/22)
- ORDR00374_07_11_2022 Plummer Ave Concept Plan (Amended 9/22/22)
- ORDR00380_08_08_2022 Parks Department Reorganization (with Mayor's message) (COTW)

PLANNING & DEVELOPMENT

- APPT00338_09_12_2022 Joseph C. Teixeira 44 Hale St. Community Preservation Cmte. 10/1/2025
- COMM432_09_12_2022 Ad Hoc Committee on Adaptive Reuse of Brown School Property (Amended 9/22/22)

PUBLIC SAFETY

- APPL00107_09_12_2022 Chamber of Commerce Fall Fest 2022 10/15-10/16 10am-7pm
- APPL00108_09_12_2022 BHHS Verani Blood Drive East Parking Lot 10/7 8:30am-4:30pm
- APPL00110_09_12_2022 Indigenous Peoples Day Observance Sat Oct. 8th 10am-3pm
- ODNC00119_07_11_2022 Amend Ch 13 Sec 168 Plummer Ave Restricted Parking (Amended 9/22/22)
- ODNC00120_07_11_2022 Amendment Plummer Ave Drop Off Zone (Amended 9/22/22)
- ODNC00121_07_11_2022 Amendment Merrimac-Plummer Safety Zone Revision (Amended 9/22/22)

PUBLIC UTILITIES

- ORDR00352_05_09_2022 Licensed Contractor Robert Pike Construction, Inc.
- ORDR00353_05_09_2022 Licensed Contractor Commonwealth and Consulting Co., Inc.
- ORDR00370_06_27_2022 M. L. Mazzotta - Licensed Contractor
- COMM00420_06_27_2022 Ltr. Owen Smith re: Water/Sewer Rates
- COMM00421_06_27_2022 Communication re: Water/Sewer Rates b/w Mayor Reardon, Roger Jones, and Owen Smith
- APPT00336_08_29_2022 Barry J. McBride 5 Pine St. Salisbury Asst. Wiring Inspector 09/15/2024

END OF CONSENT AGENDA

Motion to approve the Consent Agenda as amended by Councillor Zeid, seconded by Councillor Wright. Roll call vote. 11 yes. Motion passes.

REGULAR AGENDA

9. MAYOR'S UPDATE

Motion to receive and file by Councillor Zeid, seconded by Councillor Wright. Roll call vote. 11 yes. Motion passes.

10. FIRST READING APPOINTMENTS

11. COMMUNICATIONS

12. TRANSFERS

13. SECOND READING APPOINTMENTS

14. ORDERS

- **ORDR00383_09_27_2022** Easement from 7 Whites Court
Motion to refer to Planning & Development by Councillor Zeid, seconded by Councillor McCauley. Roll call vote. 11 yes. Motion passes.
- **ORDR00384_09_27_2022** FY2023 Supplemental Budget with Memo
Motion to refer to Budget & Finance by Councillor Zeid, seconded by Councillor McCauley. Roll call vote. 11 yes. Motion passes.

15. ORDINANCES

- **ODNC00123_09_27_2022** Handicapped Parking Space – Plummer Ave
Motion to refer to Public Safety by Councillor McCauley, seconded by Councillor Cameron. Roll call vote. 11 yes. Motion passes.

16. COMMITTEE ITEMS

Ad Hoc Committee on Adaptive Reuse of Brown School Property

In Committee:

Ad Hoc Committee on Economic Development

In Committee:

Ad Hoc Committee on Market Landing Park and COTW

In Committee:

Budget & Finance

In Committee:

- **ORDR00354 05 09 2022 FY23 CPC Recommendations (Project 4)**
Motion to approve ORDR00354 and ORDR00355 collectively by Councillor Zeid, seconded by Councillor Donahue. Roll call vote. 11 yes. Motion passes.
- **ORDR00355 05 09 2022 Loan Order \$2,574,000 Bartlet Mall Improvements Project (COTW)**
Motion to approve ORDR00354 and ORDR00355 collectively by Councillor Zeid, seconded by Councillor Donahue. Roll call vote. 11 yes. Motion passes.
- **COMM00430 09 12 2022 FY22 Year-End Financial Report**
Motion to receive and file by Councillor Zeid, seconded by Councillor Khan. Roll call vote. 11 yes. Motion passes.
- **ORDR00382 09 12 2022 Approval to Pay Prior Year Bills**
Motion to approve by Councillor Zeid, seconded by Councillor McCauley. Roll call vote. 11 yes. Motion passes.
- **ODNC00117_06_27_2022** Building Inspector Enforcement
- **ODNC00118_07_11_2022** Amend Municipal Fees
- **ORDR00336_03_28_2022** ARPA Amesbury 250K (COTW)

Education

In Committee:

General Government

In Committee:

- **COMM00402 04 11 2022 12 Cushing Ave Paper St. Inquiry**

Motion to receive and file COMM00402 by Councillor Shand, seconded by Councillor Vogel. Roll call vote. 10 yes, 1 no (CW). Motion passes.

- **COMM00417 05 31 2022 Ltr. Jane Snow re: Coffin St.**

Motion to receive and file COMM00417 and COMM00410 collectively by Councillor Shand, seconded by Councillor Vogel. Roll call vote. 9 yes, 2 no (JD, CW). Motion passes.

- **COMM00410 05 31 2022 Ltr. Lawrence Cavalieri Coffin St. Ext**

Motion to receive and file COMM00417 and COMM00410 collectively by Councillor Shand, seconded by Councillor Vogel. Roll call vote. 9 yes, 2 no (JD, CW). Motion passes.

- **APPT00340 09 12 2022 Jennifer Groskin 11 Myrtle Ave. Human Rights Comm. 10/1/2025**

Motion to approve by Councillor Shand, seconded by Councillor Zeid. Roll call vote. 11 yes. Motion passes.

License & Permits

In Committee:

- ODNC047_01_27_2020 General Ordinance - Short Term Rental Units Rules
- COMM00385_01_31_2022 STRU Fire Sprinkler Systems
- COMM00388_01_31_2022 UPDATED STRU Fire Sprinkler Systems

Neighborhoods & City Services

In Committee:

- **ORDR00373 07 11 2022 Crosswalk Plummer Ave (Amended 9/22/22)**

Motion to approve by Councillor Preston, seconded by Councillor Zeid. Roll call vote. 11 yes. Motion passes.

- **ORDR00374 07 11 2022 Plummer Ave Concept Plan (Amended 9/22/22)**

Motion to approve by Councillor Wallace, seconded by Councillor Zeid. Motion to amend to include the language "The City Council approves the field test of traffic calming measures as described in the Plummer Ave Safety Zone Concept plan submitted herewith, and authorizes the Department of Public Service and the City Engineer to use said plan" by Councillor Khan, seconded by Councillor Wright. Roll call vote. 11 yes. Motion passes. Motion to approve as amended by Councillor Zeid, seconded by Councillor Wallace. Roll call vote. 11 yes. Motion passes.

- ORDR00380_08_08_2022 Parks Department Reorganization (with Mayor's message) (COTW)
- COMM299_02_08_2021 Phillips Dr. Neighborhood Committee Ltr
- ODNC00103_01_10_2022 Streets, Sidewalks, and Other Public Places Alterations & Maintenance
- COMM00406_04_11_2022 Pioneer League Letter re: Pickleball
- ORDR00380_08_08_2022 Parks Department Reorganization (with Mayor's message) (COTW)
- APPT00339_09_12_2022 Kevin Hunt 14 10th St. Veteran's Agent 10/1/2023

Planning & Development

In Committee:

- **APPT00338 09 12 2022 Joseph C. Teixeira 44 Hale St. Community Preservation Cmte. 10/1/2025**

Motion to approve by Councillor Cameron, seconded by Councillor McCauley. Roll call vote. 11 yes. Motion passes.

- **COMM432 09 12 2022 Ad Hoc Committee on Adaptive Reuse of Brown School Property (Amended 9/22/22)**

Councillor Khan recused. Motion to approve by Councillor Cameron, seconded by Councillor McCauley. Roll call vote. 9 yes, 1 no (SZ), 1 recused (AK). Motion passes.

- ORDR00379_08_08_2022 Acceptance of Public Easement - Colby Farm Lane Playground

Public Safety

In Committee:

- **APPL00107 09 12 2022 Chamber of Commerce Fall Fest 2022 10/15-10/16 10am-7pm**
- **APPL00108 09 12 2022 BHHS Verani Blood Drive East Parking Lot 10/7 8:30am-4:30pm**
- **APPL00110 09 12 2022 Indigenous Peoples Day Observance Sat Oct. 8th 10am-3pm**

Motion to collectively approve APPL00107, APPL00108, and APPL00110 by Councillor McCauley, seconded by Councillor Donahue. Roll call vote. 11 yes. Motion passes.

- **APPL00095 07 11 2022 Artsville in Newburyport extended date 10/16**

Motion to waive the rules to remove and approve by Councillor McCauley, seconded by Councillor Donahue. Roll call vote. 11 yes. Motion passes.

- **ODNC00119 07 11 2022 Amend Ch 13 Sec 168 Plummer Ave Restricted Parking (Amended 9/22/22)**

Motion to approve on 1st reading by Councillor by Councillor McCauley, seconded by Councillor Wallace. Roll call vote. 11 yes. Motion passes.

- **ODNC00120 07 11 2022 Amendment Plummer Ave Drop Off Zone (Amended 9/22/22)**

Motion to approve on 1st reading by Councillor by Councillor McCauley, seconded by Councillor Cameron. Roll call vote. 11 yes. Motion passes.

- **ODNC00121 07 11 2022 Amendment Merrimac-Plummer Safety Zone Revision (Amended 9/22/22)**

Motion to approve on 1st reading by Councillor by Councillor McCauley, seconded by Councillor Cameron. Roll call vote. 11 yes. Motion passes.

- COMM00412_05_31_2022 Ltr Ann Jaroncyk re: Traffic Safety
- COMM00414_05_31_2022 Ltr. Emily Dunn re: Traffic on Merrimac Street

Public Utilities

In Committee:

- **ORDR00352 05 09 2022 Licensed Contractor Robert Pike Construction, Inc.**
- **ORDR00353 05 09 2022 Licensed Contractor Commonwealth and Consulting Co., Inc.**
- **ORDR00370 06 27 2022 M. L. Mazzotta - Licensed Contractor**

Motion to collectively approve for the construction year 2023 ORDR00352, ORDR00353, and ORDR00370 by Councillor Vogel, seconded by Councillor Preston. Roll call vote. 11 yes. Motion passes.

- **COMM00420 06 27 2022 Ltr. Owen Smith re: Water/Sewer Rates**
- **COMM00421 06 27 2022 Communication re: Water/Sewer Rates b/w Mayor Reardon, Roger Jones, and Owen Smith**

Motion to collectively receive and file COMM00420 and COMM00421 by Councillor Vogel, seconded by Councillor Zeid. Roll call vote. 11 yes. Motion passes.

- **APPT00336 08 29 2022 Barry J. McBride 5 Pine St. Salisbury Asst. Wiring Inspector 09/15/2024**

Motion to approve by Councillor Vogel, seconded by Councillor Wright. Roll call vote. 11 yes. Motion passes.

Rules

In Committee:

- ORDR239_02_8_2021 Council Rule 7 and 10B

17. GOOD OF THE ORDER

Council President Shand announced that there will be a joint City Council and School Committee meeting to be held on October 20th at 6:00 pm at the Senior and Community Center to address the School Committee vacancy.

18. ADJOURNMENT

Motion to adjourn at 9:02 pm by Councillor Donahue, seconded by Councillor Khan. Roll call vote. 11 yes. Motion passes.

COMMUNICATIONS

From: tackm4@gmail.com
Date: October 3, 2022 at 10:40:24 AM EDT
To: Michael Hennessey <MHennessey@cityofnewburyport.com>, Byron Lane <byron@byronlanenbpt.com>
Subject: Fwd: Memorial bench refund

Please see email below.

So this is how it ends? I am beyond disappointed. How is this just coming to light as late as this? As the anniversary of my sister's death approaches, I am beyond disappointed that I could not put something in place this past year. With so many people trying to make this work, it is amazing that yet another ridiculous roadblock has come crashing down in this process.

In addition, my future visits to Newburyport will be forever tainted by this memory.

Ann Marie Monzione

----- Forwarded message -----
From: Lise Reid <lreid@newburyportparks.org>
Date: Mon, Oct 3, 2022 at 10:06 AM
Subject: Memorial bench refund
To: <tackm4@gmail.com>

Dear Ann Marie,

I am sorry to say the engraving was not completed on Friday after all. I will request a full refund for you today.

It seems I had gotten approval for placement of the granite seating when I was still acting as Parks Director, but apparently failed to obtain the proper approvals for engraving. Parks Commissioners shut down the engraving work while it was in progress on Friday. I have been in contact with City representatives over the weekend. It sounds like we will be mounting plaques rather than engraving the stone directly. The process of gaining approvals and ordering the plaques will take at least another six weeks, maybe longer based on the fact that winter weather may be upon us by the time we receive the plaques.

I am sorry this process has been so frustrating and, ultimately, disappointing. I wish you the best in finding a less problematic way to memorialize your sister's life.

Best regards,
Lise

Lise Reid, Volunteer
Newburyport Parks Conservancy
888-465-1733
lreid@newburyportparks.org

**APPOINTMENTS
FIRST READING**



CITY OF NEWBURYPORT
OFFICE OF THE MAYOR
SEAN R. REARDON, MAYOR

60 PLEASANT STREET - P.O. Box 550
NEWBURYPORT, MA 01950
978-465-4413 PHONE
MAYOR@CITYOFNEWBURYPORT.COM

To: President and Members of the
City Council

From: Sean R. Reardon, Mayor

Date: October 11, 2022

Subject: Re-Appointment

I hereby re-appoint, subject to your approval, the following named individual as Assistant Harbormaster/Shellfish Constable and Special Police Officer for the purposes of local, State and Federal laws and regulations with respect to waterways, marine activities and boating. This term will expire on October 31, 2025.

Gregory A. Downs
40 Riverview Drive
Newbury, MA 01951

A handwritten signature in cursive script, appearing to read 'for Mr. Reardon'.

Newburyport Harbormaster
Newburyport, MA

05-Oct-2022

To: Paul Hogg, Newburyport Harbormaster

Attached is my resume for reappointment to the position of Newburyport Assistant Harbormaster and Newburyport Pump-Out Boat Operator.

Best Regards

Greg Downs
40 Riverview Drive
Newbury, MA 01951
1-978-270-6205
gdowns@captdowns.com

Attachments:
1, Resume
2, References



Gregory A Downs

40 Riverview Drive
Newbury, MA 01951
978-270-6205
Email: gdowns@captdowns.com

Experience

Vessel/Marine

- 2016 – Present Assistant to the Harbormaster for the town of Salisbury, Ma
Operate Salisbury 30ft Patrol boat as both a lead operator and crew
Duties include, vessel assistance including towing, dewatering, boater education, enforcement of town bylaws and state laws relative to 90B.
- 2016 – Present Pump out boat operator for Salisbury and West Newbury
Operate pump out boat and related equipment to include maintaining logs and records.
- 2008 – Present Provide hired captain service delivering boats, providing docking and boat handling training on the Merrimack River.
- 2005- 2016 Assistant to the Harbormaster for the town of Newbury, Ma
Operated the Town of Newbury’s 26 ft and 16ft patrol boat logging over 200 hours duties include, provided towns ramp assistance, vessel assistance including towing, dewatering, boater education, enforcement of town bylaws and state laws relative to 90B.
- 2000- 2018 Own and operate a 36 FT Grand Banks Trawler. I operate it all over New England to include several cruises up and down the Maine coast.
- 1995-2000 Owned and operated a 35 FT Bruno& Stillman Lobster boat. Cruised all over Maine and spent a lot of time ground fishing and Tuna fishing.

Other than Marine

- 2016 – Present Mechanical Engineer, Portsmouth Naval Ship Yard, Kittery Maine
- 2001 – 2016 Lead Mechanical Project Engineer for Goss International.
I am responsible for all documents, drawing and designs relative to installing of large commercial print presses. I am with the customer and review and document all mechanical interfaces at the site.
- 1980– 2001 Engineer for Northeast Ford engines.
I am responsible for all / OEM application engineering and testing from Maine to Florida. Through the years I worked as a marine diesel mechanic, fabricator and had the opportunity to design several marine cooling systems.
- 1980-2001 Field Artillery Officer, Captain (03) Retired – MANG. I had the opportunity to develop my career within 2 Artillery Battalions and a Division Artillery Headquarters commanding several units and detachments.

Education / Licenses

Master Near Coastal (100 Ton)- #2804705 – Current (3rd Issue)
 Towing Endorsement – Current
 Radar Observer Training
 USCG Deck License renewal Training (2017) - Mariners Learning System
 Master/OUVP Training – Boatwise (80hrs) – S.Hampton, NH
 Current – CPR, EDD and First Aid Certification, MA State Ethics Training
 MROP (Marine Radio Operators Permit)
 Homeland Security -Terminal Worker Identification Card (TWIC) – Current
 Random Drug Test and Dive Certification– Current
Bachelor Degree in Mechanical Engineering
 Wentworth Institute of Technology, Boston MA
Associate Degree in Mechanical Power Engineering
 Wentworth Institute of Technology, Boston MA

References

Professional

Willem Van Des Stadt – Harbormaster, Salisbury (978-395-7123)

Brendan Stokes – Past Harbormaster - Newbury, MA (978-270-1702)

John Lorry – Mechanical Engineer - Portsmouth Naval Shipyard, ME (207-438-6093)

Character /Personal

Ralph D'Ambrosio – Wenham, MA (978-214-6517)

Terry O'Malley - Byfield, MA (978-420-6236)



CITY OF NEWBURYPORT
OFFICE OF THE MAYOR
SEAN R. REARDON, MAYOR

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MAYOR@CITYOFNEWBURYPORT.COM

To: President and Members of the
City Council

From: Sean R. Reardon, Mayor

Date: October 11, 2022

Subject: Re-Appointment

I hereby re-appoint, subject to your approval, the following named individual as Assistant Harbormaster/Shellfish Constable and Special Police Officer for the purposes of local, State and Federal laws and regulations with respect to waterways, marine activities and boating. This term will expire on October 31, 2025.

Mike Merriman
6 Little Pond Road
Merrimac, MA 01860

A handwritten signature in cursive script, reading 'for Sean R. Reardon'.

MIKE MERRIMAN

6 Little Pond Road, Merrimac, MA 01860

508-523-7724

mike.merriman1@icloud.com

EXPERIENCED SAILOR

I am an experienced New England boater and sailor, licensed USCG Captain and boating instructor. I perform all maintenance on my vessels, and personally restored Quissett with new standing & running rigging, electrical and fuel systems. I am an active member of the Salem Willows Yacht Club and have served as a Flag Officer responsible for all club and waterfront facilities. I also serve as a launch operator at SWYC.

I am an accomplished and comfortable public speaker, developed by years as a professional engineer and marketer, a USAF veteran, Scouting leader, boating instructor and SCUBA instructor.

VESSELS AND EXPERIENCE

Fame – Commercial 35 Ton Gaff rigged wooden schooner in Salem, MA holding 49 passengers. I serve as Captain making multiple 2 hours cruises in Salem Sound daily. Average 8 cruises/week in season.

Assistant Harbormaster – Newburyport MA – Operate various single and twin engine power vessels for Pump-out, boater assistance, safety, law enforcement and public relations within the Merrimack River and coastal waters since 2019.

Assistant Harbormaster – Salisbury MA – Operate various single and twin engine power vessels for Pump-out, boater assistance, safety, law enforcement and public relations within the Merrimack River and coastal waters since 2021.

Finesse – 1984 Sabre 32 – Sloop rigged. Moored in Salem, MA. Owner since 2005. Regularly day sail Salem Sound, make multiday trips to Boston Harbor, Gloucester, Rockport, Newburyport, Scituate. Annually make 1-2 week cruises to Casco and Penobscot Bays, Buzzards Bay and the Islands, and Newport, RI. Occasional overnight passages to Provincetown and back. Average sailing 60 days annually.

Quissett – 1969 Galaxy 32 – Sloop rigged. Moored in Salem, MA. Owned 1999 - 2005. Regularly day sail Salem Sound, made multiday trips to Boston Harbor, Gloucester, Rockport, Newburyport, Scituate. Annually made 1-2 week cruises to Casco and Penobscot Bays, Buzzards Bay and the Islands, and Newport, RI. Occasional overnight passages to Provincetown and back. Average sailing 60 days annually.

Boston Sailing Center vessels – Member 1990 – 2000. Operated and crewed numerous sloops: J24s, J30s, C&C34s, and Beneteau 40s. Regularly day sailed Boston Harbor and the Harbor Islands. Annually made 1-2 week cruises within the Gulf of Maine. Average sailing 40 days annually.

I have operated and crewed J-24s and J-30s in Newport, RI, and Key West, FL.

In addition, I operate the two launches owned by Salem Willows Yacht Club as a launch operator, and regularly operate other member's power vessels ranging from 17-32'.

CERTIFICATIONS

USCG Master of self-propelled vessels including auxiliary sail of less than 100 GRT upon near coastal waters with assistance towing endorsement

PADI Master Instructor (SCUBA) – teaching all diver levels up to and including Instructors, and various specialty courses

Adult & Child CPR/AED/First Aid Instructor with Emergency First Response

Adult & Child CPR/AED/First Aid Instructor Trainer with Emergency First Response

Emergency O2 Administration Instructor

United States Power Squadron Certified Instructor of NASBLA Approved America's Boating Course, Cruise Planning, Electronic Navigation, Seamanship, Piloting and Advanced Piloting

100 Hour certificate in Marine Technology from Whittier Regional Vocational Technical

OSHA 10-Hour Construction Industry Certified #14-006246814

Yamaha Marine University: Introduction to Outboard Systems – Certified

TWIC valid until Jan 26 2027

APCA Drug Testing Consortium – Member #121404



Emergency First Response® Corp

30151 Tomas Street

Rancho Santa Margarita, CA 92688-2125

Tel 800 337 1864 • +1 949 766 4261 Ext. 2224

emergencyfirstresponse.com

21 December 2021

To whom it may concern:

Re: Michael F. Merriman, d.o.b. 12 September 1962

This letter verifies Michael F. Merriman #188011 is an EFR (Emergency First Response) Instructor Trainer.

This person is a current member of EFR through 31 December 2022 and is authorized to teach EMERFR-197 - EFR® Primary and Secondary Care - First Aid, CPR & AED courses (adult/child/infant) at the provider and instructor levels as outlined by current EFR Standards. This person is also current with their personal CPR and first aid skills and knowledge having recertified on the 17 November 2021.

If anyone has any questions about EFR, PADI or any other aspect of Mr. Merriman's accreditations with PADI or EFR, please do not hesitate to contact me directly.

Sincerely,

Eric Albinsson
Instructor Development Program Specialist
PADI Americas



CITY OF NEWBURYPORT
OFFICE OF THE MAYOR
SEAN R. REARDON, MAYOR

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MAYOR@CITYOFNEWBURYPORT.COM

To: President and Members of the
City Council

From: Sean R. Reardon, Mayor

Date: October 11, 2022

Subject: Re-Appointment

I hereby re-appoint, subject to your approval, the following named individual as Assistant Harbormaster/Shellfish Constable and Special Police Officer for the purposes of local, State and Federal laws and regulations with respect to waterways, marine activities and boating. This term will expire on October 31, 2025.

Andrew C. Malatesta
37 Federal Street
Newburyport, MA 01950

A handwritten signature in black ink, reading "Andrew C. Malatesta", written vertically on the right side of the page.

Andrew C Malatesta

andrew.malatesta@comcast.net *(978) 808-7348 * <https://www.linkedin.com/in/andrew-malatesta-55342728/>
Salisbury, MA 01952

PROFESSIONAL ACCOUNT MANAGER

Versatile, driven Regional Account Manager with 10 years of experience. Most known for strong communication with customers, maintaining an updated knowledge base of all products and innovating methods for selling to clients of all types. Dedicated to the continued success of the organization through strong Account Management skills.

CORE COMPETENCIES

- Leadership
- CRM master / Salesforce dot com
- Microsoft Office
- Call points; Director level, and C-Suite
- 3PL, Third party logistics
- Supply Chain
- Trend analysis
- Product Demo
- Dataset analysis / Pivot table
- Business Plan Development
- Teamwork
- Communication

PROFESSIONAL EXPERIENCES

OnStar, North East region, New England

Account Manager February 2021 – Present

- Increased customer acquisitions and engagement on OnStar and Connected Services by directly working with GM-franchised dealerships.
- Initiates dealer interactions, meetings, training, promotions and sales contests throughout assigned territory.
- Monitor dealership performance within assigned territory.
- Create action plans for improving performance and profitability of assigned territory by analyzing sales and performance reports.
- Influence dealers to install or modify dealership process to improve performance and dealership profitability,
- Assigned as a leader in the OnStar Account Management coaching program.
- Upward scorecard movement; June 2021 ranked 79 out of 102, May 2022 ranked 37 out of 91.
- Implemented incremental revenue stream while saving customer 16% on Connected Services.

Assistant Harbor Master: Salisbury MA. June 2014 – Present. Newburyport MA. May 2018- Present.

- See LinkedIn profile for details / job functions.

S2S Global, Charlotte NC

Regional Account Manager, April 2016- Sept 2019

- Managed territory with annual revenue exceeding 13 Million.
- 8 State territory consisting of; New England, New York, New Jersey and Eastern Pennsylvania.
- Built strong relationships with distributors to ensure members receive S2S products as needed.
- Conduct business reviews with membership to identify additional contract uptake opportunities.
- Log all activity into Salesforce.com manage the sales process to competition.
- Increased revenue by 1.3 million in FY19
- Top conversions;
 - Surgical and Isolation Masks- Jefferson Health, entire enterprise.
 - Topical Skin Adhesive- Geisinger Health.
 - Surgeon Gloves- Exeter Hospital.

- Develop and execute successful product clinical trials at customer and prospect facilities.

Yankee Alliance, Andover MA

Account Manager, October 2012-April 2016

- Consistent top performer in contact uptake – **revenue** and documented savings.
- Developed and executed overall strategy to optimize the Yankee/ Premier contract portfolio.
- Managed relationships with suppliers and distributors.
- Invited to attend customer Value Analysis committee meetings.
- Developed and maintained strong relationships with all internal departments and business units.
- Achieved trusted advisor status providing analytic support at both acute and non acute members.
- Consistently prospected for new membership opportunities, both acute and non acute.

Quest Diagnostics, Madison NJ

Physician Sales Representative, , January 2011-May 2012

- Increased revenue with a successfully negotiated new contract with a Federally Qualified Health Center, (Families First) Portsmouth NH, annualized additional revenue at \$300,000.
- Top performer with territory trending at 1.2 million.
- Revenue growth performance of 14% increase over prior year.
- Retention rate 97% vs. Goal.
- Anchor test performance of 112% to goal.

Universal Hospital Services, Edina, MN

Account Executive, October 2007-August 2010

- **Eagle Award Winner 2008**
- Promote Standardization within each account based on their GPO affiliation
- Increased outsourcing revenue 2007, 2008, 2009, 2010
 - 2007 Outsourcing revenue: \$501,624
 - 2008 Outsourcing revenue: \$671,825
 - 2009 Outsourcing revenue: \$718,496
 - 2010 Outsourcing revenue through June: 449,399
- Focused on selling solutions to Nursing and Clinical staff
- Experienced in calling on C-level for proprietary Asset Management Partnership Program
- Capital Equipment Sales;
 - Infusion Pumps
 - Dialysis
 - Med Surge and Low Beds
 - Respiratory equipment

EDUCATION AND TRAINING

Graduate Certificate
UMass Lowell, Lowell MA

Healthcare Informatics

- Summa cum laude graduate

Bachelor of Science Business Administration
Plymouth State University, Plymouth NH
Major –Marketing
Minor- Psychology

- Lambda Chi Fraternity, Secretary

END OF CONSENT AGENDA

BEGINNING OF REGULAR AGENDA

ORDINANCES

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

July 11, 2022

AN ORDINANCE TO AMEND CH. 13 SEC. 168 WITH RESPECT TO TRAFFIC AND MOTOR VEHICLES ON PLUMMER AVENUE

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

THAT Chapter 13 Section 13-168 of the Code of Ordinances, City of Newburyport, Massachusetts, is hereby amended to include the following parking restrictions:

CHAPTER 13. – TRAFFIC AND MOTOR VEHICLES

Sec. 13-168. – Parking restricted on certain streets

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

<u>Street</u>	<u>Restriction</u>
<u>Plummer Avenue</u>	<u>Easterly side from Merrimac Street for a distance of 240 120 feet in a southerly direction</u> <u>On the Easterly side from Merrimac St for a distance of 40 feet in a southerly direction, to place a “No parking here to corner sign”</u> <u>Continuing on the Easterly side from Merrimac for a distance of an additional 80 feet, to place a “Variable time (ie no parking 7:30-9, 3-4:30) no parking sign”</u>
<u>Plummer Avenue</u>	<u>Westerly side from Merrimac Street for a distance of 60 120 feet in a southerly direction,</u> <u>And to place a “Variable time (ie no parking 7:30-9, 3-4:30) no parking sign”</u>

Councillor Christine E. Wallace

In City Council July 11, 2022:

Motion to add the late files to the Consent Agenda, referring them to the respective Committees as noted (ODNC00119 to PS).

ORDR00373_07_11_2023 and ORDR00374_07_11_2022 are removed from the late files to be added to the Consent Agenda at the request of Councillor Wallace. Roll call vote. 11 yes. Motion passes.

Motion to approve as amended by Councillor Zeid, seconded by Councillor Lane. Roll call vote. 11 yes. Motion passes.

09-22-22 Amended in Committee. Recommend Approval 2-0.

In City Council September 27, 2022:

Motion to approve on 1st reading by Councillor by Councillor McCauley, seconded by Councillor Wallace. Roll call vote. 11 yes. Motion passes.

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

July 11, 2022

AN ORDINANCE TO ALLOW A DROP OFF ZONE ON PLUMMER AVENUE

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

THAT Chapter 13 Article IV of the Code of Ordinances, City of Newburyport, Massachusetts, is hereby amended to read as follows:

Sec. 13-171.1. - Pick-up and drop-off areas.

Designated school drop-off zone in front of the Community Action, Inc. school, along the Westerly side of Plummer Ave for a distance of ~~180~~ 80 feet. (beginning 40 feet from the intersection of Merrimac and Plummer)

Councillor Christine E. Wallace

In City Council July 11, 2022:

Motion to add the late files to the Consent Agenda, referring them to the respective Committees as noted (ODNC00120 to PS).

ORDR00373_07_11_2023 and ORDR00374_07_11_2022 are removed from the late files to be added to the Consent Agenda at the request of Councillor Wallace. Roll call vote. 11 yes. Motion passes.

Motion to approve as amended by Councillor Zeid, seconded by Councillor Lane. Roll call vote. 11 yes. Motion passes.

9-22-22 Amended in Committee. Recommended Approval 2-0

In City Council September 27, 2022:

Motion to approve on 1st reading by Councillor by Councillor McCauley, seconded by Councillor Cameron. Roll call vote. 11 yes. Motion passes.

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

July 11, 2022

DIVISION 9. SAFETY ZONES

Sec. 13-192. Established.

The City of Newburyport establishes safety zones under the provisions of M.G.L.A. c. 90, § 18B that regulate statutory speed limits to twenty (20) miles per hour in these designated areas. Regulatory speed limit signs, including safety zone speed limit signs, are required to conform to the Manual on Uniform Traffic Control Devices, per M.G.L.A. c. 85 § 2.

Sec. 13-193. Designated.

The following portions of streets are located in designated safety zones:

Street	Extent
Merrimac Street	Between the intersection with Moulton Street and the intersection with Plummer Avenue, in both directions of travel
Plummer Avenue	Between the intersection with Merrimac Street and approximately 125 <u>725</u> 250 feet south on Plummer Avenue <u>to the intersection with the Atkinson Common parking lot</u> , in both directions of travel

Councillor Christine E. Wallace

In City Council July 11, 2022:

Motion to add the late files to the Consent Agenda, referring them to the respective Committees as noted (ODNC00121 to PS).

ORDR00373_07_11_2023 and ORDR00374_07_11_2022 are removed from the late files to be added to the Consent Agenda at the request of Councillor Wallace. Roll call vote. 11 yes. Motion passes.

Motion to approve as amended by Councillor Zeid, seconded by Councillor Lane. Roll call vote. 11 yes. Motion passes.

09-22-22 Amended in Committee. Recommended Approval 2-0

In City Council September 27, 2022:

Motion to approve on 1st reading by Councillor by Councillor McCauley, seconded by Councillor Cameron. Roll call vote. 11 yes. Motion passes.

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

October 11, 2022

AN ORDINANCE TO AMEND THE NOISE ORDINANCE

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

THAT the Code of Ordinances, City of Newburyport, Massachusetts, is hereby amended by amending existing Section 8-801, of ARTICLE IV. – NOISE, to read as follows, with deletions ~~double stricken and italicized~~, and additions double-underlined and italicized:

ARTICLE IV. – NUISANCES

Sec. 8-801. – Noise.

(d) *Vehicle deliveries and idling vehicles and mechanical equipment.* Except in non-residential districts, or as expressly approved in writing, in advance, by the mayor, the city marshal, the director of the department of public services, or the administrative official charged to enforce the recycling ordinance, no vehicular deliveries shall occur, nor shall any commercial or non-commercial vehicle or mechanical equipment be left idling or otherwise operating audibly within the City of Newburyport between the hours of 10:00 p.m. and 7:00 a.m., on any day of the year. This restriction shall apply, without limitation, to all construction vehicles and equipment related to demolition and construction. This restriction shall not apply to an emergency as declared by the director of the department of public works.

Provided however in the Business district described in Sec. 8-81, Department of Public Service and the Parks Department vehicles or mechanical equipment may be left idling or otherwise operating audibly between the hours of 5:00 a.m. and 10:00 p.m. during Monday through Friday from April 1 to January 1.

Councillor Jennie L. Donahue

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

October 11, 2022

AN ORDINANCE TO AMEND CHAPTER 5 BUILDINGS AND BUILDING REGULATIONS

CHAPTER 5 **BUILDINGS AND BUILDING REGULATIONS**
ARTICLE III **BUILDING CONSTRUCTION STANDARDS**
SEC. 5 – 66 **GENERAL CONSTRUCTION STANDARDS**

THAT the City Council of the City of Newburyport hereby amends Chapter 5 Buildings and Building Regulations, Article III Building Construction Standards by adding Section 5-66 to the City of Newburyport Code of Ordinances as follows, with deletions ~~double-stricken-through and in bold~~, and additions double-underlined and in bold:

5.66 Basement Floor/Slab Elevation. The elevation of the basement floor or slab of any new building shall be no less than two (2) feet higher than the estimated seasonal high ground water table as determined by a Massachusetts Certified Soil Evaluator and approved by the Building Commissioner.

Councillor James J. McCauley

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

October 11, 2022

AN ORDINANCE TO AMEND THE RESIDENTIAL PARKING PERMIT PROGRAM

CHAPTER 13	TRAFFIC AND MOTOR VEHICLES
ARTICLE IV	SPECIFIC STREET SCHEDULES
DIVISION 6	STOPPING, STANDING AND PARKING
SEC. 13 – 180	RESIDENT PARKING

THAT the City Council of the City of Newburyport hereby amends existing subsection (c) of section 13-180 the City of Newburyport Code of Ordinances as follows, with deletions ~~double-stricken-through and in bold~~, and additions double-underlined and in bold:

Sec. 13-180. - Residential parking zones.

Preamble. Residential parking zones may be established: (1) where a bona fide hardship exists caused by unique or special conditions; and/or (2) where the city has imposed one- or two- or four- hour parking limits on residential streets bordering commercial zones; and/or (3) where the residents of these residential districts suffer from unreasonable burdens in gaining access to their residences.

(a) *Definitions.* As used in this section:

(1) Residential parking permit zone shall mean a residential district where curbside parking on public highways is limited to not more than two (2) or four (4) consecutive hours between 8:00 a.m. and 6:00 p.m. Monday—Saturday from ~~October~~ November 1 through ~~April 30~~ March 31, and between 8:00 a.m. and 8:00 p.m. Monday—~~Saturday~~ Sunday from ~~May 1~~ April 1 through ~~September 30~~ October 31 excepting ~~Sundays~~ and holidays throughout the year, and unless a parking permit authorized by this section has been validly issued for the parked vehicle.

Councillor James J. McCauley

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

October 11, 2022

AN AMENDMENT TO AN ORDINANCE TO ADD A NEW HANDICAPPED PARKING SPACE PURUSANT TO SECTION 179 OF CHAPTER 13 (TRAFFIC AND MOTOR VEHICLES) OF THE MUNICIPAL CODE

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

Chapter 13	Traffic and Motor Vehicles
Article 4	Specific Street Schedules
Division 6	Stopping, Standing and Parking
Section 13-179	Handicapped Zones

Amend Section 13-179 by inserting a new line, as follows, with deletions ~~double-stricken through~~, and additions double-underlined:

No person, without a duly authorized handicapped vehicle registration or placard, as described in M.G.L.A. c. 90, § 2 shall park a vehicle in any of the following described parking spaces as designated by signs and symbols:

Liberty Street

One (1) space in front of 13 Olive Street. Said space shall expire in two (2) years from the date of first written above.

Councillor Heather L. Shand

COMMITTEE ITEMS

Committee Items – October 11, 2022

Budget & Finance

In Committee:

- ODNC00117_06_27_2022 Building Inspector Enforcement
- ODNC00118_07_11_2022 Amend Municipal Fees

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

June 27, 2022

AN AMENDMENT TO AN ORDINANCE ENTITLED BUILDINGS AND BUILDING REGULATIONS

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

THAT the Code of Ordinances, City of Newburyport, Massachusetts, is hereby amended as follows:

Chapter 5	Buildings and Building Regulations
Article II	Administration
Division 2	Generally
Sec. 5-45	Enforcement of chapter

These amendments are to read as follows, with deletions ~~double stricken through and italicized~~, and additions double-underlined and italicized:

Sec. 5-45. - Enforcement of chapter.

(a) The building inspector shall, acting under the city council, see to the enforcement of the regulations of this chapter.

(b) Violation penalties

Any person who violates a provision of the current adopted edition of 780 CMR, 521 CMR, the International Building Code or the International Residential Code or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive of the building official, or of a permit or certificate issued under the provisions of this code, shall be subject to a fine of:

(1) 1st offense – written warning ~~or~~ and one hundred (100) dollar fine

- (2) 2nd offense – two hundred (200) dollar fine
- (3) 3rd offense – three hundred (300) dollar fine
- (4) 4th and subsequent offenses – three hundred (300) dollar fine and/or enforcement action

Accessibility violation fines shall be deposited in the Disabilities Commission Revolving Account.

Councillor James J. McCauley

In City Council June 27, 2022:

Motion to refer to Budget & Finance by Councillor McCauley, seconded by Councillor Vogel.
Roll call vote. 9 yes, 2 absent (AK,JD). Motion passes.

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

July 11, 2022

AN AMENDMENT TO AN ORDINANCE ON APPROVED FEES AND THE CODIFYING PROCEDURE OF PUBLISHING IN A “MUNICIPAL FEE SCHEDULE”

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

The Code of Ordinances, City of Newburyport Massachusetts, Appendix B – Municipal Fee Schedule is amended to make the following insertions and deletions related to municipal fees. ~~Furthermore, Appendix B – Municipal Fee Schedule will be updated to reflect the city council approved fees for city departments.~~

All changes will be noted with insertions in double-underline and deletions in double-strike.

2-A - Animals

No changes in Rates for ‘Licensing of dogs and kennels’ or ‘Stray Animal Fees’

<i>Kennel license fees</i>	<i>Fee</i>
Four (4) dogs	\$30.00
Five (5) to nine (9) dogs	\$50.00
Ten (10) or more dogs	\$100.00

2-B - Boats, Docks and Waterways

No changes in Rates for 'Central Waterfront Docks'

Commercial Fish Pier	Fee
Five cents (\$0.05) per pound for each pound in excess of twenty thousand pounds (20,000) of fish per day	\$500
Annual Docking Permit, includes use of hoist/parking	\$1,700
Commercial Shellfish Pier	Fee
Residents License	\$100
Non-Residents License	\$200
Rack Fee	\$2.00 per rack
Waterways, Moorings, etc. Annual Permits	Fee
Dinghies up to 16 ft	\$20
Waterways	\$5 per foot
Moorings	\$4 per foot
Moorings, overnight only	\$50
Dinghy Dock	\$250

2-C - Building Inspection Permits (Plumbing, Gas, Metal, & Electrical)

Building Permits	Fees
First one thousand dollars (\$1,000) of cost estimate	\$50

Each additional one thousand dollars (\$1,000) of estimate or part thereof.	\$10
Certificate of Occupancy	\$40
Work without a Permit	Lesser of double permit cost or \$2,000
Certificate of Inspection	\$50
Plumbing Permit Fees	Fees
Permit fee	\$40
Inspection/Re-inspection fee	\$45
Charge for each fixture	\$10, residential \$20, commercial
Replacement hot water heater	\$60, residential \$75, commercial
Work without a permit	\$150, residential \$300, commercial
Gas Permit Fees	Fees
Permit fee	\$40
Inspection/Re-inspection fee	\$45
Appliance fee	\$5, residential \$10, commercial
Replacement hot water heater	\$60, residential \$75, commercial
Work without a permit	\$150, residential \$300, commercial
Sheet Metal Permit Fees	Fees
Permit fee	\$75.00, residential \$150.00, commercial
Inspection/Re-inspection fee:	\$45.00

Re-inspection fee:	\$35.00
Charge for each fixture	\$5.00, residential \$10.00, commercial
If residential work started before a permit If commercial work started before permit	\$150.00 \$300.00

Residential Electrical Permit Fees (3 or more units use Commercial Rate)	Fee
New Construction - Fee is based on the projected building cost as shown on the building permit. Includes 3 inspections	First \$50,000 = \$180 Each additional \$1,000 = \$1.00
Additions/Remodel/Alteration/Replacement (service not included) Includes 2 inspections	\$130 for the first five fixtures then \$3 per additional fixture unless otherwise listed, maximum allowable charge \$300
Garages Added On	\$80, attached \$125, detached
Services—New, changed, or altered Includes 1 inspection	Single Family Overhead = \$65 Single Family Underground = \$85 Multi Family = \$85 plus \$20 each additional unit-, sub- or house- panel
Solar Includes 1 inspection	\$100 up to 10kW (>10kW use commercial solar rate)
Work without a Permit	\$150
Note: Any Re-inspection, additional or failed inspection will require an additional \$45 fee.	

Commercial Electrical Permit Fees	Fee
New construction - Fee is based on the projected building cost as shown on the building permit. Includes 3 inspections	First \$100,000 is \$350 Each additional \$1,000 or fraction thereof is \$1.00
Remodel/Alteration/Replacement (service not included) Includes 2 inspections	\$150 for the first five fixtures then \$3 per additional fixture unless otherwise listed
Services—New, changed, or altered	Each 200 amps or fraction thereof \$75 Underground: \$85 Each additional panel \$75 Temporary Service \$65
Solar Includes 1 inspection	\$100 plus \$1.00 per kW over 10kW
Work without a Permit	\$300
Note: Any Re-inspection, additional or failed inspection will require an additional \$45 fee.	

Miscellaneous Electrical Permits (includes 1 inspection unless noted otherwise)	Fee
Annual Electrical Permit	\$150
Generators (includes 2 inspections)	\$130
Burglar/fire alarm systems	\$65, residential \$85, commercial
Central Heat/AC	\$65, residential \$85, commercial
Temporary Service Includes 1 inspection	\$65, residential \$85, commercial
Swimming pool (includes 3 inspections)	\$160.00

Miscellaneous Electrical Permits (includes 1 inspection unless noted otherwise)	Fee
Swimming Pool – In Ground	\$95
Marina Commercial (includes 2 inspections)	\$150
Re-inspection	\$45
Hot water heater replacement	\$65, residential \$85, commercial
Utility lighting retrofit	\$65
Tel/data systems	\$85
Remove and reinstall for siding	\$65
Gas piping grounding	\$65

2-D - City Clerk (Vital Records, Certifications and Parking)

No changes in Rates for 'Central Waterfront Docks'

2-E - Finance Department

No changes in Rates

2-F - Fire Prevention and Protection

No changes in Rates

2-G - Licenses, Permits and Business Regulations

No changes in Rates

2-H - Municipal Facility Use Fee

Senior/Community Center	Fee (see note below)
<i>Weekday Rates: Monday through Thursday 4:00pm – 10:00pm</i>	
Community Room A + B + Dining Room / Kitchen	\$100/hour – Commercial/Private Function \$50/hour – Non-Profit/Civic Organization
Community Room A or B	\$50/hour – Commercial/Private Function \$25/hour – Non-Profit/Civic Organization
Dining Room/Kitchen	\$75/hour – Commercial/Private Function \$50/hour – Non-Profit/Civic Organization
Arts & Crafts Room, Billiards Room, Board Room, Computer Lab, Exercise Equipment Room, Library, Wellness Room	\$50/hour – Commercial/Private Function \$25/hour – Non-Profit/Civic Organization
Set-up/access to reserved space prior to event	No charge for first hour \$50/hr per additional hour
<i>Weekend Rates: Friday 4:00pm through Monday 7:00am (two hour minimum)</i>	
Community Room A + B + Dining Room / Kitchen – Weekday	\$150/hour – Commercial/Private Function \$100/hour – Non-Profit/Civic Organization
Community Room A or B	\$100/hour – Commercial/Private Function \$75/hour – Non-Profit/Civic Organization

Dining Room/Kitchen	\$125/hour – Commercial/Private Function \$100/hour – Non-Profit/Civic Organization
Arts & Crafts Room, Billiards Room, Board Room, Computer Lab, Exercise Equipment Room, Library, Wellness Room	\$100/hour – Commercial/Private Function \$75/hour – Non-Profit/Civic Organization
Set-up/access to reserved space prior to event	No charge for first hour \$50/hr per additional hour

Note: For community organizations that do not charge membership fees, do not hold fundraisers and do not accept donations, the fee to use municipal facilities is \$0/hour on weekdays and \$50/hour on weekends. Includes up to one hour of set-up/access to reserved space prior to event; each additional hour per fee schedule.

City Hall Auditorium	Fee (see note below)
<i>Weekday Rates: Monday through Thursday 8:00am – 10:00pm, Friday 8:00am – 4:00pm</i>	
Auditorium	\$75/hour – Commercial/Private Function \$50/hour – Non-Profit/Civic Organization
Set-up/access to reserved space prior to event	No charge for first hour, \$50/hr per additional hour
<i>Weekend Rates: Friday 4:00pm through Monday 7:00am (two hour minimum)</i>	
Auditorium	\$125/hour – Commercial/Private Function \$75/hour – Non-Profit/Civic Organization
Set-up/access to reserved space prior to event	No charge for first hour, \$50/hr per additional hour

Note: For community organizations that do not charge membership fees, do not hold fundraisers and do not accept donations, the fee to use municipal facilities is \$0/hour on weekdays and \$50/hour on weekends. Includes up to one hour of set-up/access to reserved space prior to event; each additional hour per fee schedule..

2-I - Parking Fees (Permits, Rates)

No changes in Rates

2-J - Parks and Recreation Fees

No changes in Rates

2-K - Planning Department Fees

<i>Planning Board Application</i>	<i>Fee</i>
Form A - Approval Not Required	\$200/lot or lot line change
Form B - Preliminary Subdivision	\$100 base plus \$100 per lot
Form C - Definitive Subdivision	\$1,000 base plus \$250/lot if Preliminary Plan was approved or \$500/lot otherwise
Modification of a Definitive Plan	\$500 base plus \$175/lot
Special Permit / Amendment	\$200 \$500 \$200
Site Plan Review – Major Project	\$500
Site Plan Review – Minor Project	\$200
Repetitive Petition	\$200
Smart Growth Plan Review	\$1,000
Publication and Abutters fee	\$500 per project
Minor Modification	\$50

<i>Planning Board ReviewPeer Review</i>	<i>Fee</i>
Preliminary Plan, Modification of Definitive Plan, or Special Permit Amendment	
2 - 15 Lots/Units	\$2,000
16 - 20 Lots/Units	\$3,000
21 - 25 Lots/Units	\$4,250
More than 25 Lots/Units	\$5,000
Fewer than ten (10) Parking Spaces	\$1,000
Ten (10) or more Parking Spaces	\$1,500
Definitive Plan, Special Permit or Site Plan	Fees
2 - 15 Lots/Units	\$4,000
16 - 20 Lots/Units	\$6,000
21 - 25 Lots/Units	\$10,000
More than 25 Lots/Units	\$20,000
Fewer than ten (10) Parking Spaces	\$2,000
Ten (10) or more Parking Spaces	\$5,000
Site Plan Review - Major	\$1,500
Site Plan Review - Minor	\$500
Smart Growth Plan Review	\$5,000

<i>Zoning Board of Appeals Applications</i>	<i>Fee</i>
Appeal	\$200
Special Permit/Amendment	\$200
Variance	\$200
Publication and Abutters fee	\$450

Minor Modification	\$50
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<i>Other Commission Applications</i>	Fee
Historical Commission: Demolition Delay Application	\$100
Fruit Street Historical Commission: Certificate of Appropriateness/Non-Applicability	\$25

<i>Conservation Commission Applications</i>	Fee
Request for Determination	\$100
Notice of Intent (NOI)	
Category 1.....	\$50 for each activity
Category 2.....	\$150 for each activity
Category 3.....	\$300 for each activity
Category 4.....	\$500 for each activity
Category 5.....	\$1/linear foot, not less than \$100 or more than \$1,000
Category 6.....	\$1/linear foot, not more than \$100 for a single-family home or \$1,000 for all other activities
Certificate of Compliance	\$25 for active Orders of Conditions \$100 for expired Orders of Conditions \$50 for each additional request
Amendments to Orders of Conditions	\$50 for the first amendment, \$75 for any subsequent amendments
Abbreviated Notice of Resource Area Delineation	\$25/100 linear feet of resource area not to exceed \$1,000
Minor Modifications	\$25
Extension Permit	\$50
Emergency Certification	\$100
Letter Permit	\$25

Publication	\$175
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2-L - Police Department

No changes in Rates

2-M - Public Health Department

Only changes to 'Day Camps, Funeral Directors and Miscellaneous' section, 'Food Service Establishment Permits' and 'Temporary Food Events'

Day Camps, Funeral Directors and Other Fees	Fee
Bed & Breakfast License	\$50
Body Art Practitioner (tattoo/piercing)	\$200
Body Art Establishment	\$200
Day Camp for Children	\$100
Day Care Service for Children	\$50
Certificate of Compliance	\$50
Burial Permit	\$15
Funeral Directors	\$50
General License / Permit	\$100
Housing Section 8 Inspection	\$50
Special Inspection	\$75

Title V /Septic and Wells	Fee
Disposal Works Installers Exam	\$50
Disposal Works Installers Permit	\$100
Ground Water Test (Deep Hole)	\$100
Perk Test	\$150
Well – Plan Review & Permit	\$50

Food Service Establishment – Plan Review	Fee
Plan Review (Food Establishment)	\$150
Plan Review (Mobile Food Kitchen)	\$150
Plan Review (Residential Kitchen)	\$75

Food Service Establishment - Permits	Fee
Permit Fee	\$230
- Each Seat (Max of \$450)	\$5/seat
Frozen Dessert	\$25
Milk & Ice Cream	\$10
Mobile Food Kitchen Annual	\$350

Catering Establishment	\$230
Retail Food	\$230
Residential Kitchen	\$230
Seasonal Establishment	\$165
Event Organizer	\$100
Re-Inspections (Additional)	\$35

<i>Temporary Food Events</i>	<i>Fee</i>
Temporary Event	\$50/day

<i>Solid Waste Hauler Permit</i>	<i>Fee</i>
Permit	\$200
Each Vehicle	\$50/vehicle

<i>Septage / Fats, Oils, Grease / Other Offal Substances Hauler Permit</i>	<i>Fee</i>
Permit	\$250
Each Vehicle	\$50/vehicle

<i>Choke Saver Registration</i>	<i>Fee</i>
Newburyport Resident	\$20
Newburyport Restaurant Employee	\$20
Non-Newburyport Resident	\$25
Non-Newburyport Restaurant Employee	\$25

2-N - Highway Department

No changes in Rates

2-O - Recycling and Solid Waste

<i>Yard Waste Facility and Landscaper Permit</i>	<i>Fee</i>
Under 65 years of age, First Vehicle	\$20
Second Vehicle	\$10
65 years of age and older	\$5
Replacement Sticker	\$10
Landscaper Permit	\$250
<i>Curbside Bulk Waste Stickers</i>	<i>Fee</i>
Any furniture item	\$5
Mattress (trash)	\$20
Mattress (recycled)	\$25

<i>Recycling Center Fees – Appliances</i>	
Clothes Washer/Dryer (stackable) - \$20.00	Microwave - \$1.00 (metal), \$5.00 (plastic)
Clothes Washer/Dryer - \$10.00	Refrigerator - \$15.00 (regular), \$5.00 (dorm-size)
Dehumidifier - \$10.00	Room Air Conditioner - \$10.00
Dishwashers - \$5.00	Stove - \$10.00

Recycling Center Fees – Electronics	
Copier Machine - \$5 (<30lbs), \$25 (>30lbs)	Televisions (CRT) - \$10 (10-19”), \$15 (20-31”),
Computer (CPU Tower) - \$5	Televisions (CRT) - \$20 (32-35”), \$25 (>=36”)
Electronics, miscellaneous - \$0 to \$3, varies by size	Televisions (Flatscreen) - \$5 <= 32”, \$10 >32”
Monitor - \$10 (CRT), \$5 (flat-screen)	TV (wood case) - \$25
Printer - \$5 (inkjet), \$10 (laser)	TV (Projection) - \$30 <= 200lbs, \$0.22/lb > 200 lbs
Printer over 30lbs - \$25	VCR/DVD - \$2
Recycling Center Fees – Miscellaneous	
Mattresses - \$15 (recycling)	Tire - \$3/each (rim or no rim)
Helium Tank - \$1	Water Cooler - \$5 (small), \$10 (large)
Propane tank - \$1 (gas grill size)	Water Tank - \$3

2-P - Water and Sewer Department

Only changes in Rates for ‘Water Consumption Usage Rates’ as established by City Council Order on June 27, 2022. All other rates remain unchanged.

Water Consumption Usage Rates	Fee
First 3,000 cu-ft for Residential and Non-residential	\$6.61/100 cu-ft
3,001 cu-ft and over for Residential and Non-residential	\$7.37/100 cu-ft

Councillor Afroz Khan

In City Council July 11, 2022:

Motion to refer to Budget & Finance by Councillor Khan, seconded by Councillor Wright. Roll call vote.
11 yes. Motion passes.

Committee Items – October 11, 2022

Planning & Development

In Committee:

- ORDR00379_08_08_2022 Acceptance of Public Easement - Colby Farm Lane Playground
- ORDR00383_09_27_2022 Easement from 7 Whites Court

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

August 8, 2022

THAT the City Council of the City of Newburyport hereby approve and authorize the acceptance of a Non-Exclusive Use Easement to the City pursuant to a Special Permit granted by the Newburyport Planning Board originally Pursuant to the Special Permit issued by the Newburyport Planning Board dated June 3, 2020 and recorded in the South Essex Registry of Deeds in Book 38776 Page 363 (the "Special Permit") the Grantor is required to provide a public access easement to the Grantee more specifically shown as "Playground Public Access Easement" on a Plan entitled "THE STABLES AT BASHAW FARM", prepared by LandPlex, LLC, Civil Engineering and Surveying, 10 George Street, Suite 208 Lowell MA 01852 and dated, August 2, 2022 and attached hereto has Exhibit A.

Further, that the Mayor of the City of Newburyport is hereby authorized to act on behalf of the City and enter into any and all instruments, including acceptance of said Non-Exclusive Construction Easement, substantially in the form attached hereto, and to take any other actions necessary to execute this acceptance accordingly.

Councillor James J. McCauley

In City Council August 8, 2022:

Motion to refer to Planning & Development by Councillor McCauley, seconded by Councillor Vogel. So voted.

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

September 27, 2022

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

THAT the City Council of the City of Newburyport hereby approves and authorizes the acceptance of a Sidewalk Easement between the City (Grantee) and Wendy Mahoney and Dennis Mahoney (Grantors) for the property located at 7 Whites Court, Newburyport. Said Easement to be substantially in the form submitted to this Council at its meeting on September 27, 2022; and

Further, that the Mayor of the City of Newburyport is hereby authorized to sign the subject Non-Exclusive Use Easement ("UE") and to act on behalf of the City and enter into any and all instruments, including acceptance of said UE in accordance with Section 41 of Chapter 40 and Section 32 of Chapter 184 of the Massachusetts General Laws, and to take any other actions necessary to execute this acceptance and the associated UE accordingly.

Said UE is attached hereto and incorporated herewith and marked Attachment 'A'.

Councillor Edward C. Cameron, Jr.

In City Council September 27, 2022:

Motion to refer to Planning & Development by Councillor Zeid, seconded by Councillor McCauley. Roll call vote. 11 yes. Motion passes.