

CITY COUNCIL MEETING

AGENDA

March 27, 2023 7:00 pm
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**
4. **LATE FILE**
5. **PUBLIC COMMENT**
6. **MAYOR'S COMMENT**

• APPT00388_03_27_2023 Wayne Amaral 2 Woodwell Circle, Amesbury Director DPS 4/1/2026 (PW&S)

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

- March 13, 2023 (Approve)

8. COMMUNICATIONS

- APPL00127_03_27_2023 Flag Day 5K Saturday, June 10th 4-8pm (L&P)
- APPL00128_03_27_2023 GNOCA 5K Sept. 24th 10am-1pm (L&P)
- APPL00129_03_27_2023 Love Local on Inn St. Thursday, May 18th 6:30-9:30 pm (L&P)
- COMM00472_03_27_2023 Ltr. Kathleen O'Connor Ives (GG)
- COMM00473_03_27_2023 2023 Parklets update (PW&S)

9. TRANSFERS

- TRAN00150_03_27_2023 Mayor: General Fund-Free Cash \$30,000 to City Hall Main Floor HVAC \$30,000 (B&F)

10. APPOINTMENTS

- APPT00387_03_27_2023 Thomas O'Brien 11 Moseley Ave. Water/Sewer Comm. 3/31/2025 (PW&S)

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

BUDGET & FINANCE

- TRAN00149_03_13_2023 Mayor: PRK Sal Parks Dir \$32,500 to HR Unemployment Claims \$20K, HR Job Advertising \$3K, PRK Maint-Equip \$7K, PRK Restroom Rentals \$2,500
- ODNC00144_03_13_2023 Amend Ch 2-394 Departmental Revolving Funds
- ODNC00129_11_01_2022 Defining Conflict Rule for Dept. Heads (COTW)
- ODNC00130_11_01_2022 Grants, Gifts, and Fees (COTW)
- ODNC00132_11_14_2022 Mandated Reporting (*amended*)

COMMUNITY SERVICES

- APPT00386_03_13_2023 Anita Greenwood 151 High St. Parks Comm. 3/30/2028
- ORDR00431_03_13_2023 Park Comm Bench Policy
- ODNC00145_03_13_2023 Amend Ch 11-5 Rules and Regulations Public Parks & Playgrounds
- ODNC00147_03_13_2023 Amend Municipal Fees 2-J Parks and Recreation
- COMM00471_03_13_2013 Resident letter: Pickleball Atkinson Common
- ORDR00422_02_13_2023 Newburyport Commission on Disabilities Bylaws (*amended*)

LICENSES & PERMITS

- APPL00123_03_13_2023 RL Currie 2nd Hand Motor Vehicle License
- APPL00125_03_13_2023 Wright Wedding Plum Island 9/30/2023

PUBLIC WORKS & SAFETY

- APPT00382_02_13_2023 Thomas O'Brien 11 Moseley Ave. Water/Sewer Comm. 3/1/2025
- ODNC00140_02_27_2023 Amend Municipal Fee Schedule Parking Fines
- COMM00466_03_13_2023 NCOD HP Violation Data and Info Sheet
- ORDR00432_03_13_2023 Crosswalk Federal and Water Street
- ORDR00433_03_13_2023 Street Layout cnr of Federal and Water Street

END OF CONSENT AGENDA

REGULAR AGENDA

9. MAYOR'S UPDATE

10. FIRST READING APPOINTMENTS

11. COMMUNICATIONS

12. TRANSFERS

13. SECOND READING APPOINTMENTS

- APPT00385_03_13_2023 Ilene Harnch-Grady 10 Cushing Ave. Human Rights Comm. 4/30/2026

14. ORDERS

- ORDR00434_03_27_2023 FY24 CPC Recommendations
- ORDR00435_03_27_2023 Buildings Up Grant Acceptance
- ORDR00436_03_27_2023 Katherine Day Gift Acceptance
- ORDR00437_03_27_2023 Morrill Foundation Gift Acceptance
- ORDR00438_03_27_2023 Election Cal 2023 EVIP

15. ORDINANCES

- ODNC00139_02_27_2023 2nd Reading Amend Municipal Fee Schedule Food Truck
- ODNC00136_01_30_2023 2nd Reading General Code Amendment Planning Board Membership
- ODNC00137_01_30_2023 2nd Reading Zoning Amendment Planning Board Membership
- ODNC00138_02_27_2023 2nd Reading Amend Municipal Fee Schedule - Inn Permit

16. COMMITTEE ITEMS

Budget & Finance

In Committee:

- TRAN00149 03 13 2023 Mayor: PRK Sal Parks Dir \$32,500 to HR Unemployment Claims \$20K, HR Job Advertising \$3K, PRK Maint-Equip \$7K, PRK Restroom Rentals \$2,500
- ODNC00144 03 13 2023 Amend Ch 2-394 Departmental Revolving Funds
- ODNC00129 11 01 2022 Defining Conflict Rule for Dept. Heads (COTW)
- ODNC00130 11 01 2022 Grants, Gifts, and Fees (COTW)
- ODNC00132 11 14 2022 Mandated Reporting (amended)
- ORDR00336 03 28 2022 ARPA Amesbury 250K (COTW)

Community Services

In Committee:

- APPT00386 03 13 2023 Anita Greenwood 151 High St. Parks Comm. 3/30/2028
- ORDR00431 03 13 2023 Park Comm Bench Policy
- ODNC00145 03 13 2023 Amend Ch 11-5 Rules and Regulations Public Parks & Playgrounds
- ODNC00147 03 13 2023 Amend Municipal Fees 2-J Parks and Recreation
- COMM00471 03 13 2013 Resident letter: Pickleball Atkinson Common
- ORDR00422 02 13 2023 Newburyport Commission on Disabilities Bylaws (amended)

General Government

In Committee:

- ORDR239 02 8 2021 Council Rule 7 and 10B
- COMM00461 02 27 2023 Brown School Gymnasium Considerations (COTW)
- COMM00464 02 27 2023 Brown School RFI Councillor Zeid Redline (COTW)
- ORDR00428 02 27 2023 Request for Expressions of Interest (RFI) for Brown School Property (COTW)
- COMM00467 03 13 2023 Municipal Bldgs Report Sec 5 – 47
- COMM00468 03 13 2023 Brown School Proposal (COTW)
- ODNC00146 03 13 2023 Amend Ch 2-34 Responsibilities of Committee on Community Services

Licenses & Permits

In Committee:

- APPL00123 03 13 2023 RL Currie 2nd Hand Motor Vehicle License
- APPL00125 03 13 2023 Wright Wedding Plum Island 9/30/2023
- APPL00124 03 13 2023 Town & Country Half Marathon 6/11/2023
- APPL00126 03 13 2023 Artist Shanties in Pop Up Park 5/1-10/22
- ODNC047 01 27 2020 General Ordinance - Short Term Rental Units Rules

Planning & Development

In Committee:

- ODNC00135 01 30 2023 Zoning Amendment ITIF Remove Residential Use
- ODNC00141 02 27 2023 Zoning Amendment STRU (COTW)
- COMM00469 03 13 2023 Retail Sale of Marijuana

Public Works & Safety

In Committee:

- APPT00382 02 13 2023 Thomas O'Brien 11 Moseley Ave. Water/Sewer Comm. 3/1/2025
- ODNC00140 02 27 2023 Amend Municipal Fee Schedule Parking Fines
- COMM00466 03 13 2023 NCOD HP Violation Data and Info Sheet

- **ORDR00432 03 13 2023** **Crosswalk Federal and Water Street**
- **ORDR00433 03 13 2023** **Street Layout cnr of Federal and Water Street**
- COMM00412_05_31_2022 Ltr Ann Jaroncyk re: Traffic Safety
- COMM00414_05_31_2022 Ltr. Emily Dunn re: Traffic on Merrimac Street
- COMM00456_12_12_2022 Letters re: Curb Cut 4 Wilkinson Dr. & 34 Hale St.
- ODNC00103_01_10_2022 Streets, Sidewalks, and Other Public Places Alterations & Maintenance
- COMM00459_01_30_2023 Ltr. Residents concerned with speeding on Arlington St.
- COMM00462_02_27_2023 Ltr. From Kathleen O'Connor Ives re: drinking water concerns
- COMM00465_02_27_2023 Street Paving Plan FY23-FY28 (COTW)
- ODNC00143_03_13_2023 Municipal Fee Schedule Amend Water Sewer Fees

17. GOOD OF THE ORDER

18. ADJOURNMENT

LATE FILE ITEMS



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

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA
2023 MAR 27 A 9:04

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: March 27, 2023
Re: Appointment

I hereby appoint, subject to your approval, the following named individual as the Director of Public Services. This term will expire on April 1, 2026.

Wayne S. Amaral
2 Woodwell Circle
Amesbury, MA 01913

Wayne S. Amaral

2 Woodwell Circle
Amesbury, MA 01913
978-992-8915

Accomplishments

Town of West Newbury

- Established first town-wide \$26M capital investment program.
- Modernized and updated street map, including stormwater infrastructure, pavement markings, speed limit and sign inventories.
- Established first snow and ice treatment and clearing route plan, improving efficiency and safety for winter operations.

City of Newburyport

- Established first sidewalk construction specification, as requested by City Council, for the standardization of sidewalk construction for public and private contractors.
- Streamlined Forestry Division, resulting in a 300% increase in citywide high hazard tree removals.
- Developed and implemented a citywide roadway crack-seal program to extend pavement quality.
- Implemented the CMMS work order system for all Highway Department operations.

City of Cambridge

- Developed and implemented improvements to the "Snow Emergency Route Program" and tow operation procedures, resulting in a reduction of the number of vehicles towed and improving the efficiency of Public Works plowing operations.

Experience

Town of West Newbury, Public Works Department

Director, Tree Warden and Chief Procurement Officer

2018 to present

- Oversee operations and capital implementation including all highway operations, Chapter 90 program, fleet management, parks, snow, and ice operations.
- Manage personnel including hiring, performance, and discipline.
- Oversee maintenance of all town facilities and town elementary school.
- Manage MS4 stormwater program and serve as Chairperson of the Stormwater Work Group.
- Serve as Chief Procurement Officer for the town and administer all department procurement efforts.
- Capital Project Manager for new Page School Playground Project, Soldiers and Sailors Building Renovation Project, and Town Hall Exterior Renovation Project.
- Oversee the design and construction of road and bridge projects and administer the MassWorks Grant and Small Bridge Program Grant.
- Represent the department at Town Meeting, and with Selectboard, Open Space, Tree, Capital, Community Preservation, and Conservation committees.

City of Newburyport, Department of Public Services

Deputy Director

2014 – 2018

- Oversaw operations including highway, facilities, electrical, engineering, water treatment and distribution, wastewater and solid waste collection and treatment, Chapter 90 program, fleet management, and snow and ice operations.
- Assumed responsibility for the department functions during the Director's absence.

- Oversaw facility maintenance and improvement for non-school buildings and properties.
- Served as Tree Warden and Cemetery Superintendent, Chairperson of the Traffic Safety Advisory Committee, and member of the Parking Advisory Committee.
- Managed personnel including hiring, performance, and discipline, and union matters.
- Managed MS4 stormwater program.

City of Cambridge, Department of Traffic, Parking and Transportation

Manager of Traffic Operations and Engineering

1999 – 2014

- Oversaw operations of the Traffic Engineering Division including fleet management, snow tow operations, parking lots, traffic signals and pavement markings.
- Assumed responsibility for the department functions during the Director's absence.
- Responded to large-scale events and emergencies, oversaw traffic operations and safety for presidential and envoy visits to Boston and Cambridge, Hasty Pudding parade, and Boston Pops 4th of July fireworks.
- Represented the department with the City Council, residents, private developers, and community organizations; served as the representative to the Bicycle Committee and local Emergency Planning Council.
- Prepared traffic studies and signal timing programs.
- Reviewed all major public and private development projects for safety and ordinance compliance, made recommendations on design and permitting.
- Collaborated on the design and construction of roadways and traffic calming projects including raised devices, chicanes, street tables, and shared use streets.

City of Somerville, Department of Traffic and Parking

Assistant Traffic Engineer

1990 – 1999

Education

2001

- Northeastern University, Degree in Highway Engineering and Surveying.

Memberships and Certifications

- MCPPO – Certified Associate designation
- Essex County Highway Association
- IMSA – International Municipal Signal Association
- Certified "Traffic Signal Field Electrician - Level 3" and "Work Zone Safety"

Recognitions and Presentations

- GoGreen Awardee for encouraging environmentally friendly forms of transportation, 2011.
- Employee of the Year, City of Cambridge, 2001
- ITE – Institute of Transportation Engineers, presenter; "School Crossing Supervisor Placement Study" at the 2000 ITE international Conference in Chicago.

References furnished upon request.

March 7, 2023

Ms. Donna Drelick
Director Human Resources
60 Pleasant Street
Newburyport, MA 01950

Dear Ms. Drelick,

I am writing to submit my resume for the position of Department of Public Services (DPS) Director as advertise on the Collins Center web-site. As the former Deputy Director of DPS, I am excited to have the opportunity to express my interest in the Director Position.

Over the past 32 years, I have worked in the traffic operations and public works for large cites and small towns, with populations ranging from 4,500 to 110,000 residents. I understand both the big and small picture of daily operations and the effectiveness of long-term planning in all types of political environments and financial challenges.

I have managed budgets ranging from \$1.9M to 7.9M, and supervised teams ranging from eight to 70 employees covering various bargaining unit contracts. I have also been responsible for the development of capital plans and the implementation of public works capital projects ranging in size from \$25,000 to \$3.2M.

Currently, I am employed as the DPW Director for the Town of West Newbury, where I am leading the department into the future with new means and methods that improve day-to-day and long-term efforts of the Town. I have address lagging technology, out-of-date procedures and policies, and non-compliance issues ranging from Chapter 90 funds management and MS4 activities. I have recently been appointed Chief Procurement Officer for the Town and modernized and expanded the Towns Capital Investment Program into a detailed \$26M program.

During my four years in Newburyport, I became certified as a MCPPO to handle all procurement for the department and offered support to other town departments regarding their procurements. Also established the first citywide sidewalk construction standards, pavement marking maintenance program, and crack-seal program. I streamlined the Forestry Division by assigning a dedicated trained team to perform all tree task and very proud to create a honest transparent relationship with the Tree Commission. One of my proudest accomplishments is offering my expertise and hundreds of hours of hard work during the snow and ice events of the 2015 season.

As a supervisor, I focus on supporting professional development for employees and give recognition to anyone who is willing and capable of performing additional responsibilities. I believe all positions within an organization are important and express the value of teamwork. My department is successful and well-respected by the Selectboard and the community due to our continued effort to succeed as a department.

Over my career, I have been a strong opponent of collaboration between departments, organizations and boards and commissions by encouraging open dialog with honest opinions and guidance.

I believe my experience, accomplishments, public relations strength, and attention to detail make me a strong candidate for the position of DPS Director for the City of Newburyport. I welcome the opportunity to discuss my leadership skills in greater details with you.

If I can supply additional information or if you have any questions, please contact me at 978-992-8915 or amaral.wayne@yahoo.com. Thank you for your consideration.

Sincerely,

Wayne S. Amaral

CONSENT AGENDA

CITY COUNCIL MEETING

MINUTES

**March 13, 2023 7:00 pm
City Council Chambers, City Hall
60 Pleasant Street, Newburyport**

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Webinar ID: 812 9999 0548

1. MOMENT OF SILENCE

2. PLEDGE OF ALLEGIANCE

3. CALL TO

7:00 pm City Clerk Richard B. Jones called the role, the following City Councillors answered present: Donahue, Khan, Lane, McCauley, Vogel, Wallace, Wright, Zeid, and Shand. 10 present, 1 absent (CP).

4. LATE FILE

- COMM00470_03_13_2023 Planning Board Report on proposed Ordinance changes
- COMM00471_03_13_2013 Resident letter: Pickleball Atkinson Common

Motion to waive the rules and accept the Late Files by Councillor Zeid, seconded by Councillor Cameron. Roll call vote 10 yes, 1 absent (CP). Motion passes.

Councillor Preston present (remote) at 7:07 pm.

5. PUBLIC COMMENT

Rick Taintor	10 Dexter St.
Dominick Garibaldi	14 67 th St.
Rev. Rebecca Bryan	Pleasant St.
Brian Belts	14 67 th St.
Elizabeth Arthurs	3 Zabriskie
David Detmold	
Dawn Brandmark	36 Hale St.
Kathleen O'Connor Ives	2 Prince Pl.
Linda Lu Burciaga	18 Hoyt's Ln.
Lynn Schow	75 High St.
Josh Baumfeld	75 High St.
Al Jason	4 Warren St.
Matt Kane	63 Curzon Mill Rd.
Philip Cooley	22 Phillip Dr.

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

- February 27, 2023

(Approve)

8. COMMUNICATIONS

- APPL00123_03_13_2023 RL Currie 2nd Hand Motor Vehicle License (L&P)
- APPL00124_03_13_2023 Town & Country Half Marathon 6/11/2023 (L&P)
- APPL00125_03_13_2023 Wright Wedding Plum Island 9/30/2023 (L&P)
- APPL00126_03_13_2023 Artist Shanties in Pop Up Park 5/1-10/22 (L&P)
- COMM00466_03_13_2023 NCOD HP Violation Data and Info Sheet (PW&S)
- COMM00467_03_13_2023 Municipal Bldgs Report Sec 5 – 47 (GG)
- COMM00468_03_13_2023 Brown School Proposal (GG/COTW)

9. TRANSFERS

- TRAN00149_03_13_2023 Mayor: PRK Sal Parks Dir \$32,500 to HR Unemployment Claims \$20K, (B&F)
HR Job Advertising \$3K, PRK Maint-Equip \$7K, PRK Restroom Rentals \$2,500

10. APPOINTMENTS

- APPT00385_03_13_2023 Ilene Harnch-Grady 10 Cushing Ave. Human Rights Comm. 4/30/2026
- APPT00386_03_13_2023 Anita Greenwood 151 High St. Parks Comm. 3/30/2028 (CS)

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

Ad Hoc Committee on Market Landing Park and COTW

In Committee:

- ORDR00389_11_01_2022 Naming Rights Market Landing Park

BUDGET & FINANCE

- COMM00463_02_27_2023 NYS Facility Funding Discussion (COTW)
- ORDR00425_02_27_2023 Exchange Club Gift Acceptance
- ORDR00426_02_27_2023 Police Cruiser Equipment Lease
- ORDR00427_02_27_2023 NYSA Gift Acceptance

COMMUNITY SERVICES

- ODNC00139_02_27_2023 Amend Municipal Fee Schedule Food Truck
- ORDR00418_01_30_2023 Resolution Purple Heart City

GENERAL GOVERNMENT

- ORDR00415_01_30_2023 Brown School Ad Hoc Update
- ORDR00429_02_27_2023 Amended City Council Rules 2023 (COTW)
- ORDR00423_02_27_2023 Resolution in Support of Changing the State Flag & Seal of Massachusetts

LICENSES & PERMITS

- APPL00121_02_27_2023 IPA5K Road Races 4/16/23, 7/16/23, & 10/1/23
- APPL00122_02_27_2023 2nd Hand Vehicle License-Newburyport Sunoco

PLANNING & DEVELOPMENT

- ODNC00136_01_30_2023 General Code Amendment Planning Board Membership (COTW)
- ODNC00137_01_30_2023 Zoning Amendment Planning Board Membership (COTW)
- COMM00445_11_14_2022 59 Low Street Plan (COTW)

PUBLIC WORKS & SAFETY

- APPT00384_02_27_2023 Jon-Eric White Temporary DPS Director
- ODNC00138_02_27_2023 Amend Municipal Fee Schedule - Inn Permit

END OF CONSENT AGENDA

APPL00125 and APPL00126_03_13_2023 removed from the Consent Agenda at the request of Councillor Wright. Motion to approve the Consent Agenda by Councillor Zeid, seconded by Councillor Cameron. Roll call vote. 11 yes. Motion passes.

REGULAR AGENDA

9. MAYOR'S UPDATE

Motion to receive and file by Councillor Zeid, seconded by Councillor Donahue.

10. FIRST READING APPOINTMENTS

11. COMMUNICATIONS

- COMM00469_03_13_2023 Retail Sale of Marijuana
Motion to refer to Planning & Development by Councillor Donahue, second by Councillor Vogel. Motion to amend to receive and file by Councillor McCauley, seconded by Councillor Zeid. Roll call vote. 3 yes (JM, CW, SZ), 8 no (JD, AK, BL, CP, BV, MW, EC, HS). Motion fails. Motion to refer to P&D on floor. Roll call vote. 8 yes (JD, AK, BL, CP, BV, MW, EC, HS), 3 no (JM, CW, SZ). Motion passes.
- COMM00470_03_13_2023 Planning Board Report on proposed Ordinance changes
Motion to receive and file by Councillor Zeid, seconded by Councillor Cameron. Roll call vote. 11 yes. Motion passes.
- COMM00471_03_13_2013 Resident letter: Pickleball Atkinson Common
Motion to refer to Community Services by Councillor Zeid, seconded by Councillor Cameron. Roll call vote. 11 yes. Motion passes.
- APPL00125_03_13_2023 Wright Wedding Plum Island 9/30/2023
Councillor Wright recused. Motion to refer to Licenses & Permits by Councillor Zeid, seconded by Councillor Lane. Roll call vote. 10 yes, 1 recused (MW). Motion passes.
- APPL00126_03_13_2023 Artist Shanties in Pop Up Park 5/1-10/22
Motion to receive and file by Councillor McCauley, seconded by Councillor Zeid. Roll call vote. 3 yes (BL, JM, SZ), 8 no. Motion fails. Motion to refer to Licenses & Permits by Councillor Vogel, seconded Khan. Roll call vote. 8 yes, 3 no (BL, JM, SZ). Motion passes.

12. TRANSFERS

13. SECOND READING APPOINTMENTS

14. ORDERS

- ORDR00431_03_13_2023 Park Comm Bench Policy
Motion to collectively refer ORDR00431 to Community Services, and to refer ORDR00432 and ORDR00433 to Public Works & Safety by Councillor Zeid, seconded by Councillor McCauley. Roll call vote. 11 yes. Motion passes.
- ORDR00432_03_13_2023 Crosswalk Federal and Water Street
Motion to collectively refer ORDR00431 to Community Services, and to refer ORDR00432 and ORDR00433 to Public Works & Safety by Councillor Zeid, seconded by Councillor McCauley. Roll call vote. 11 yes. Motion passes.
- ORDR00433_03_13_2023 Street Layout cnr of Federal and Water Street
Motion to collectively refer ORDR00431 to Community Services, and to refer ORDR00432 and ORDR00433 to Public Works & Safety by Councillor Zeid, seconded by Councillor McCauley. Roll call vote. 11 yes. Motion passes.

15. ORDINANCES

- **ODNC00143_03_13_2023** **Municipal Fee Schedule Amend Water Sewer Fees**
Change sponsor to Councillor Wallace noted.
Motion to collectively refer ODNC00143 to Public Works & Services, ODNC00144 to Budget & Finance, ODNC00145 to Community Services, ODNC00146 to General Government, and ODNC00147 to Community Services by Councillor Zeid, seconded by Councillor McCauley. Roll call vote. 10 yes, 1 absent (BL). Motion passes.
- **ODNC00144_03_13_2023** **Amend Ch 2-394 Departmental Revolving Funds**
Motion to collectively refer ODNC00143 to Public Works & Services, ODNC00144 to Budget & Finance, ODNC00145 to Community Services, ODNC00146 to General Government, and ODNC00147 to Community Services by Councillor Zeid, seconded by Councillor McCauley. Roll call vote. 10 yes, 1 absent (BL). Motion passes.
- **ODNC00145_03_13_2023** **Amend Ch 11-5 Rules and Regulations Public Parks & Playgrounds**
Motion to collectively refer ODNC00143 to Public Works & Services, ODNC00144 to Budget & Finance, ODNC00145 to Community Services, ODNC00146 to General Government, and ODNC00147 to Community Services by Councillor Zeid, seconded by Councillor McCauley. Roll call vote. 10 yes, 1 absent (BL). Motion passes.
- **ODNC00146_03_13_2023** **Amend Ch 2-34 Responsibilities of Committee on Community Services**
Motion to collectively refer ODNC00143 to Public Works & Services, ODNC00144 to Budget & Finance, ODNC00145 to Community Services, ODNC00146 to General Government, and ODNC00147 to Community Services by Councillor Zeid, seconded by Councillor McCauley. Roll call vote. 10 yes, 1 absent (BL). Motion passes.
- **ODNC00147_03_13_2023** **Amend Municipal Fees 2-J Parks and Recreation**
Motion to collectively refer ODNC00143 to Public Works & Services, ODNC00144 to Budget & Finance, ODNC00145 to Community Services, ODNC00146 to General Government, and ODNC00147 to Community Services by Councillor Zeid, seconded by Councillor McCauley. Roll call vote. 10 yes, 1 absent (BL). Motion passes.

16. COMMITTEE ITEMS

Ad Hoc Committee on Market Landing Park and COTW

In Committee:

- **ORDR00389 11 01 2022** **Naming Rights Market Landing Park**
Motion to receive and file by Councillor Shand, seconded by Councillor McCauley. Roll call vote. 11 yes. Motion passes.

Budget & Finance

In Committee:

- **COMM00463 02 27 2023** **NYS Facility Funding Discussion (COTW)**
Motion to receive and file by Councillor Zeid, seconded by Councillor McCauley. Motion to move the question by Councillor Lane, seconded by Councillor Vogel. Roll call vote. 10 yes, 1 no (JD). Motion passes. Motion to r&f on floor. Roll call vote. 10 yes, 1 no (JD). Motion passes.
- **ORDR00425 02 27 2023** **Exchange Club Gift Acceptance**
Motion to approve by Councillor Zeid, seconded by Councillor Wright. Roll call vote. 11 yes. Motion passes.
- **ORDR00426 02 27 2023** **Police Cruiser Equipment Lease**
Motion to approve by Councillor Zeid, seconded by Councillor Wright. Roll call vote. 11 yes. Motion passes.
- **ORDR00427 02 27 2023** **NYSA Gift Acceptance**
Motion to approve by Councillor Zeid, seconded by Councillor Wright. Roll call vote. 11 yes. Motion passes.
- **ORDR00336_03_28_2022** **ARPA Amesbury 250K (COTW)**
- **ODNC00129_11_01_2022** **Defining Conflict Rule for Dept. Heads (COTW)**
- **ODNC00130_11_01_2022** **Grants, Gifts, and Fees (COTW)**
- **ODNC00132_11_14_2022** **Mandated Reporting**

Community Services

In Committee:

- **ODNC00139 02 27 2023** **Amend Municipal Fee Schedule Food Truck**
Motion to approve on 1st reading by Councillor McCauley, seconded by Councillor Wright. Roll call vote. 9 yes, 1 no (SZ), 1 absent. Motion passes.

- **ORDR00418 01 30 2023** **Resolution Purple Heart City**
Motion to approve on 1st reading by Councillor McCauley, seconded by Councillor Wright. Roll call vote. 10 yes, 1 no (SZ). Motion passes.
- **ORDR00422_02_13_2023** Newburyport Commission on Disabilities Bylaws

General Government

In Committee:

- **ORDR00415 01 30 2023** **Brown School Ad Hoc Update**
Motion to receive and file by Councilor Shand, seconded by Councillor Vogel. Roll call vote. 11 yes. Motion passes.
- **ORDR00429 02 27 2023** **Amended City Council Rules 2023 (COTW)**
Motion to approve by Councillor Shand, seconded by Councillor Vogel. Roll call vote. 11 yes Motion passes.
- **ORDR00423 02 27 2023** **Resolution in Support of Changing the State Flag & Seal of Massachusetts**
Motion to approve by Councillor Shand, seconded by Councillor Vogel. Roll call vote. 7 yes, 3 no (BL, JM, MW), 1 present (SZ). Motion passes.
- **ORDR239_02_8_2021** Council Rule 7 and 10B
- **COMM00461_02_27_2023** Brown School Gymnasium Considerations (COTW)
- **COMM00464_02_27_2023** Brown School RFI Councillor Zeid Redline (COTW)
- **ORDR00428_02_27_2023** Request for Expressions of Interest (RFI) for Brown School Property (COTW)

Licenses & Permits

In Committee:

- **APPL00121 02 27 2023** **IPA5K Road Races 4/16/23, 7/16/23, & 10/1/23**
Motion to approve by Councillor Vogel, seconded by Councillor Lane. 11 yes. Motion passes.
- **APPL00122 02 27 2023** **2nd Hand Vehicle License-Newburyport Sunoco**
- Motion to approve by Councillor Vogel, seconded by Councillor Lane. 11 yes. Motion passes.
- **ODNC047_01_27_2020** General Ordinance - Short Term Rental Units Rules

Planning & Development

In Committee:

- **ODNC00136 01 30 2023** **General Code Amendment Planning Board Membership (COTW)**
Motion to approve on 1st reading by Councillor Cameron, seconded by Councillor McCauley. Roll call vote. 11 yes. Motion passes.
- **ODNC00137 01 30 2023** **Zoning Amendment Planning Board Membership (COTW)**
Motion to approve on 1st reading by Councillor Cameron, seconded by Councillor Zeid. Roll call vote. 11 yes. Motion passes.
- **COMM00445 11 14 2022** **59 Low Street Plan (COTW)**
Motion to receive and file by Councillor Cameron, seconded by Councillor Lane. Roll call vote. 11 yes. Motion passes.
- **ODNC00135_01_30_2023** Zoning Amendment ITIF Remove Residential Use
- **ODNC00141_02_27_2023** Zoning Amendment STRU (COTW)

Public Works & Safety

In Committee:

- **APPT00384 02 27 2023** **Jon-Eric White Temporary DPS Director**
Motion to receive and file by Councillor Wallace, seconded by Councillor McCauley. Roll call vote. 11 yes. Motion passes.
- **ODNC00138 02 27 2023** **Amend Municipal Fee Schedule - Inn Permit**
Motion to approve on 1st Reading by Councillor Wallace, seconded by Councillor Lane. Roll call vote. 9 yes, 1 no (SZ), 1 present (BL). Motion passes.
- **COMM00412_05_31_2022** Ltr Ann Jarocyk re: Traffic Safety
- **COMM00414_05_31_2022** Ltr. Emily Dunn re: Traffic on Merrimac Street
- **COMM00456_12_12_2022** Letters re: Curb Cut 4 Wilkinson Dr. & 34 Hale St.

- ODNC00103_01_10_2022 Streets, Sidewalks, and Other Public Places Alterations & Maintenance
- COMM00459_01_30_2023 Ltr. Residents concerned with speeding on Arlington St.
- APPT00382_02_13_2023 Thomas O'Brien 11 Moseley Ave. Water/Sewer Comm. 3/1/2025
- COMM00462_02_27_2023 Ltr. From Kathleen O'Connor Ives re: drinking water concerns
- COMM00465_02_27_2023 Street Paving Plan FY23-FY28 (COTW)
- ODNC00140_02_27_2023 Amend Municipal Fee Schedule Parking Fines

17. GOOD OF THE ORDER

18. ADJOURNMENT

Motion to adjourn at 9:18 pm by Councillor McCauley, seconded by Councillor Lane. Roll call vote. 11 yes. Motion passes.

COMMUNICATIONS

NEWBURYPORT SPECIAL EVENT APPLICATION

Tel.

Fax
2023 MAR 20 A 11:30

(For Street Closure or Any Use of a Public Way - Please complete page 3 of this application)

NAME OF EVENT: Flag Day 5K run/walkDate: Saturday June 10 2023 Time: from 4PM to 8PM

Rain Date: _____ Time: from _____ to _____

2. Location*: Cashman Park Soccer Field

*Please Note: If the location is a public park or the rail trail, please also contact the Parks Department

3. Description of Property: Cashman Park soccer field Public ☒ Private _____4. Name of Organizer: 1st Lt Derek Hines Soldiers Fund City Sponsored Event: Yes _____ No ☒Contact Person Steven HinesAddress: 54 Ferry Rd Telephone: _____E-Mail: hin57@comcast.net Cell Phone: 617 799-6980Day of Event Contact & Phone: 617 799-69805. Number of Attendees Expected: 15006. MA Tax Number: Registered non profit Fed Tax ID #26-07527827. Is the Event Being Advertised? Yes Where? Social Media and newspaper8. What Age Group is the Event Targeted to? All ages9. Have You Notified Neighborhood Groups or Abutters? Yes ☒ No _____, Who? _____**ACTIVITIES:** (Please check where applicable.) Subject to Licenses & Permits from Relevant City DepartmentsA. Vending*: Food ☒ Beverages ☒ Alcohol ☒ Goods _____ Total # of Vendors _____

*If checked, signature from Health Director required (Page 3)

B. Entertainment: (Subject to City's Noise Ordinance.) Live Music ☒ DJ _____ Radio/CD _____Performers _____ Dancing _____ Amplified Sound ☒ Stage ☒

C. Games /Rides: Adult Rides _____ Kiddie Rides _____ Games _____ Raffle _____

Other _____ Total # _____

Name of Carnival Operator: _____

Address: _____

Telephone: _____

D. Organizer is responsible for clean-up during and after event. All trash must be collected and removed from event location immediately at the end of the event unless prior written agreement had been made with the Department of Public Services (DPS).

Will you be conducting the clean-up for this event? Yes ☒ No _____

Updated April 1, 2022

If yes:

- a) How many trash receptacles will you be providing? 12
- b) How many recycling receptacles will you be providing? 12
- c) Will you be contracting for disposal of : **Trash** Yes X No **Recycling** Yes X No
- i. If yes, size of dumpster(s): **Trash** 10yd **Recycling** 10yd
- ii. Name of disposal company: **Trash** Mello **Recycling** Mello
- iii. If no, will you remove trash & recycling with organizers' cars or trucks? Yes No
- iv. If no, where will the trash & recycling be disposed ?

If no:

- a) # of trash container(s) to be provided by DPS
- b) # of recycling container(s) to be provided by Recycling Office
- c) \$45.00/hr/DPS employee charge must be paid by the organizer to DPS in advance of the event (Fee for Special Events). The hours required for the event will be determined by DPS.

All fees must be paid prior to the event. Check or money order is payable to the City

of Newburyport. E. Portable Toilets: (Each cluster of portable toilets must include at least one ADA accessible toilet)

10 Standard # 1 ADA accessible

Name of company providing the portable toilets: Reds Portable Restrooms

FOR STREET CLOSURE OR ANY USE OF A PUBLIC WAY

PARADE _____

ROAD RACE X _____

WALKATHON _____

1. Name of the Group or Person Sponsoring the Road Race, Parade, Walkathon:
1st Lt. Derek Hines Soldiers Fund

2. Name, Address & Daytime Phone Number of Organizer: Steven Hines
54 Ferry Rd Newburyport 617 799-6980

3. Name, Address & 24/7 Telephone Number of Person Responsible for Clean Up Steven Hines
54 Ferry Rd Newburyport 617 799-6980

4. Date of Event: June 10, 2023 Expected Number of Participants: 1500

5. Start Time: 4PM Expected End Time: 6PM

6. Road Race, Parade or Walkathon Route: (List street names & **attach map of route**): Starting at Cashman park
taking right onto Merrimac St, left up Jefferson, left onto High St, left down Kent St, right on Washington,
left onto rail trail before Winter St then left at the river to return to Cashman Park

7. Locations of Water Stops (if any): Top of Jefferson St and Washington St

8. Will Detours for Motor Vehicles Be Required? No If so, where? _____

9. Formation Location & Time for Participants: Cashman Park 3 PM

10. Dismissal Location & Time for Participants: _____

11. Additional Parade Information:

- Number of Floats: _____
- Locations of Viewing Stations: _____
- Are Weapons Being Carried: Yes _____ No _____
- Are Marshalls Being Assigned to Keep Parade Moving: Yes _____ No _____

APPROVAL SIGNATURES REQUIRED FOR STREET CLOSURE OR ANY USE OF A PUBLIC WAY

CITY MARSHAL [Signature] 4 Green St.

FIRE CHIEF [Signature] 0 Greenleaf St.

DEPUTY DIRECTOR [Signature] 16A Perry Way

CITY CLERK [Signature] 60 Pleasant St.

HEALTH DIRECTOR [Signature] 60 Pleasant St. (only needed when Food & Beverage Vendors are included in the event)

Updated April 1, 2022

DEPARTMENT APPROVAL (for Committee Member use only):

It will be necessary for you to obtain permits or certificates from the following Departments: Please note that costs for some City support services during an event are an estimate only. Some Departments may forward an invoice for services rendered at the completion of the event, and others may require advance payment.

Approval Required	Date: _____	Signature _____
_____	1. Special Events: _____	
_____	2. Police: _____	
	Is Police Detail Required: _____	# of Details Assigned: _____
_____	3. Traffic, Parking & Transportation: _____	
_____	4. ISD/Health: _____	
_____	5. Recycling: _____	
_____	6. ISD/Building: _____	
_____	7. Electrical: _____	
_____	8. Fire: _____	
	Is Fire Detail Required: _____	# of Details Assigned: _____
_____	9. Public Works: <i>Fee for Special Events: \$45/hr/DPS employee for trash handling/staging etc. may apply</i>	
	Yes: \$ _____ due on _____	No Fee for Special Events applies
	Other requirements/instructions per DPS _____	
_____	10. Parks Department: _____	
_____	11. License Commission _____	

The departments listed above have their own application process.
Applicants are responsible for applying for and obtaining all required
permits & certificates from the various individual departments

Sec. 13-97. - Road races, walkathons, bicycle and other multidisciplined events.

(a) *Short title.* This section may be cited as the "road races, walkathons and bicycle events."

(b) *Purpose and intent.* The use of city streets and sidewalks for the purpose of road races, walkathons or bicycle tours are positive events that promote exercise, general good health and Newburyport as a destination. These events do from time to time create hardships, impacting neighborhoods and traffic. To create a balance between conflicting interests, by safeguarding participants, residents, visitors and the City of Newburyport, this section will define and codify the procedure for the benefit of all.

(c) *Definitions.*

(1) *Road race.* A competitive or non-competitive running event that utilizes the streets, sidewalks and/or crosses over streets or sidewalks within city limits and in which an entry fee is required or charitable donation is solicited or suggested.

(2) *Walkathon.* A competitive or non-competitive walk event that utilizes the streets, sidewalks and/or crosses over streets or sidewalks within city limits and in which an entry fee is required or charitable donation is solicited or suggested.

(3) *Bicycle race.* A competitive or non-competitive bicycling event that utilizes the streets, sidewalks and/or crosses over streets or sidewalks within city limits and in which an entry fee is required or charitable donation is solicited or suggested.

(4) *Multidisciplined event.* A competitive or non-competitive event requiring or offering running, walking, biking, swimming or any combination thereof in which an entry fee is required or a charitable donation is solicited or suggested.

(5) *Event.* Any road race, walkathon, bicycle race, multi-disciplined event as defined above.

(d) *Limitations.*

(1) *Procedure.* All events shall, through that event's organizer, board of directors, charity foundation or designee ("organizer") apply for city council authorization to hold the event through the office of the city clerk no later than sixty (60) days before the event's proposed date. There shall be a grace period through December 31, 2017, during which applications will be accepted beyond the prescribed due date. Prior to application with the city council, the event shall file and receive approval from all applicable city departments, boards, and commissions. Copies of such approved applications, including along with documentation of any fees, donations, in-kind donations paid as part of said application(s), shall be included as part of the city council application.

The date of application is the date a completed application is submitted to the city clerk's office and stamped by the same. The city clerk, upon review of the completed form, will place the application on the next regular city council agenda, even if such submission is a late file. Upon following the procedures of the council, as deemed appropriated in the sole judgment of the council, the application will be considered approved if the council votes favorably by majority. The application shall name one (1) person responsible on the application and shall provide contact information to include name, address, email address, and telephone number.

(2) *Exemptions.* Each event organizer or organization shall comply with this ordinance and no exemptions will be permitted.

(3) *Course map.* All applications shall be accompanied by a legible, precise course map showing the event route, water stops, refreshment stops, and so-called "port-a-potties". The course map shall also include any road closures, detours and parking areas. The course map shall be approved by police, fire, department of public services, parks commission and harbor masters departments prior to submission to the city clerk.

(4) *Electronic amplifier.* Electronic amplifiers, loudspeakers and bullhorn use shall be requested at time of application. Under no circumstances will they be used for public address announcements or music before 8:00 a.m., except for Sundays when electronic amplifiers, loud speakers or bullhorns will not be used for public address announcements or music before 9:00 a.m.

(5) *Road closure.* No ways, public or private, boat ramps or parking lots controlled or patrolled by the city shall be closed without authorization. Authorization shall be considered granted only if said closure(s) are contained in the approved permit. It is the sole responsibility of the race organizers to notify residents fourteen (14) days in advance that neighborhood roads will be closed if no alternate route is available to those residents. Notification shall be made by race organizers by informational packet drop-off at all residences that may be impacted, including, but not limited to, road closures, restricted driveway access, parking restrictions, or noise. In the case of multi-family residences with so-called security doors, notification will be sufficient at said security door. A copy of the notification shall be provided to the city clerk and, when possible, posted on the city website and distributed via email. Further,

a list of all streets notified shall be provided to the city clerk to be date stamped and appended to the application record. Press releases and other media type notifications are encouraged.

(6) *Insurance.* All events shall have an insurance policy or rider in effect for the event naming the "City of Newburyport" as an additional insured. The policy shall be no less than two million dollars (\$2,000,000.00).

(7) *Event termination.* If in the judgment of the city marshal, fire chief or department of public services (DPS) director or designees thereof determine that an event is unsafe due to existing conditions, that event may be stopped, terminated or suspended. In the case of a multidiscipline event such as a triathlon, the harbormaster or his/her designee may likewise stop, terminate or suspend the swimming portion for cause.

(8) *Event and traffic security.* The city marshal, fire chief, DPS director or in the case of a triathlon, the harbormaster can require special duty personnel to assist in the organizing and coordinating the safety and security of the event. All special duty assignments will be paid by the event organizers.

(9) *Clean-up.* The event organizers shall be responsible for post event trash collection, removal of signage, directional arrows, advertisements or other promotional material associated with the event.

(10) *Parking.* The event organizers shall be responsible for including parking instructions in materials disseminated to event participants. If the event is happening within one-half mile of municipal parking, then participants shall be asked to park at such parking facilities.

(11) *Notification of previous event organizers.* To the extent reasonably possible, the city clerk shall notify all event organizers from events held from 2014—2016, inclusive, by a one-time phone, email, or letter of the new application timeline and other requirements.

(12) *Simplification.* Departments are encouraged to unify their respective applications into a singular application, managed and distributed by the city clerk's office.

(13) *Americans with Disabilities Act.* Event organizers are reminded of the importance of and expectation of adherence to the Americans with Disabilities Act of 1990 (42 U.S.C § 12101) and subsequent applicable amendments.

(e) *Enforcement.*

(1) *Regulations.* Consistent with this section, the city shall promulgate regulations to enforce and otherwise implement the provisions of this section upon passage by the city council. Any event previously approved by city council shall be deemed permitted.

(2) *Warning.* In the circumstance that this section is violated, the enforcement may consist of a warning. Any warnings issued for violation(s) will be reported to the city clerk and city council and may be used as a factor in future application approvals and denials.

(3) *Noncriminal disposition.* If the city determines that a violation has occurred in which a noncriminal violation is issued, the named event organizer shall be penalized by a non-criminal disposition as provided in Massachusetts General Law as adopted by the City of Newburyport as a general ordinance in section 1-17 of chapter 1 of the Code or Ordinances of the City of Newburyport in the amounts set herein in subsection (e)(4) below.

(4) *Violation.* The non-criminal violation shall be one hundred dollars (\$100.00) for the first offense and two hundred fifty dollars (\$250.00) for second and subsequent offenses. Any non-criminal citations issued for violation(s) will be reported to the city clerk and city council and shall be used as a factor in future application approvals and denials.

(5) *Failure to notify.* If the event fails to notify residents and provide documentation to the city clerk, pursuant to subsection (d)(5) above, shall render that organization ineligible to receive an event permit for a period of twelve (12) months unless special leave is granted by two-thirds supervote of the city council.

I fully understand and agree to all the terms set forth in this application. The information that I have provided is truthful and accurate. I accept all responsibility related to this event.

Signed: _____

Date: _____

3/20/23



**Road Running Technical Council
USA Track & Field**

Measurement Certificate



Name of the course 2022 1st Lt. Derek Hines Flag Day 5K Distance 5 km
 Location (state) MA (city) Newburyport
 Type of course: Road Race
 Measuring Methods: Bicycle
 Measured By Bob Kennedy, 18 Riverview Road, Durham, NH 03824, 508-577-4105, osprey02554@yahoo.com
 Race Contact Chris Kealey, 8 Payson St., Newburyport, MA 01950, 978-270-6854
 Date(s) when course measured: 09/17/2022
 Number of measurements of entire course: 2 Course Configuration: 1 loop
 Elevation (meters above sea level) Start 2.00 Finish 1.00 Lowest 1.00 Highest 24.00
 Straight line distance between start and finish 47.00m Drop 0.20 m/km Separation 0.94 %
 Type of surface: Paved 100 % Dirt 0 % Gravel 0 % Grass 0 % Track 0 %
 Effective date of certification: September 17, 2022 Certification code: MA22005BK

Note to Race Director: Use this Certification Code
in all public announcements relating to your race.

Be It Officially Noted That

Based on examination of data provided by the above named measurer, the course described above and in the map attached is hereby certified as reasonably accurate in measurement according to the standards adopted by the Road Running Technical Council. If any changes are made to the course, this certification becomes void, and the course must then be recertified.

Verification of Course --- In the event a National Open Record is set on the course, or at the discretion of USA Track & Field, a verification measurement may be required to be performed by a member of the Road Running Technical Council. If such a remeasurement shows the course to be short, then all pending records will be rejected and the course certification will be cancelled.

This certification expires on December 31 of the year: **2032**

Bob Kennedy

AS NATIONALLY CERTIFIED BY:

Date: October 11, 2022

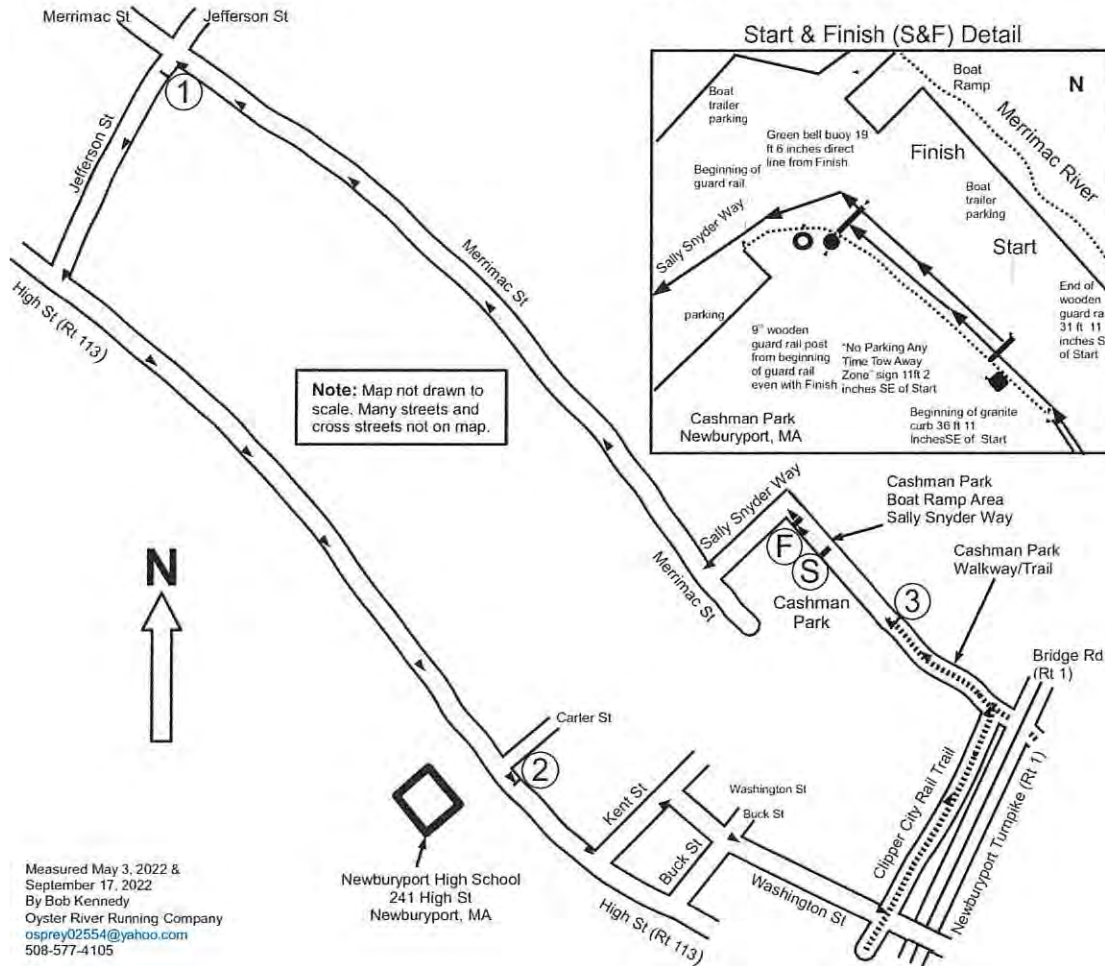
Bob Kennedy - USATF/RRTC Certifier - 18 Riverview Road, Durham NH 03824
(508) 577-4105 - osprey02554@yahoo.com

2022 1st Lt. Derek Hines Flag Day 5K (Previously MA22004BK) Newburyport, Massachusetts



USATF Certificate
MA22005BK
Effective: 09/17/2022
Through: 12/31/2032

Note: This course was measured using the full width of the road and the Shortest Possible Route (SPR).



Start & Finish marked with a spot of white paint and a P-K nail. Mile 1 to 3 marked with a spot of white paint.

Start: On the southwest side of Cashman Park Boat Ramp parking area on Sally Snyder Way (Newburyport, MA) 11 ft 2 inches NW of the "No Parking Any Time Tow Away Zone" sign, 31 ft 11 inches NW of the end of the wooden guard rail, and 36 ft 11 inches NW of the beginning of the granite curb on Sally Snyder Way.

Mile 1: On southeast side of Jefferson St 11 ft 6 inches south of the middle of the front door for 23 Jefferson and about 115 ft SSW of Merrimac St.

Mile 2: On the northeast side of High St (Rt 113) 12 ft NW of a storm drain, 3 ft NW of the center of the front door to 254 High St, & about 35 SE of Carter St.

Mile 3: On northeast (right) side of Cashman Park walkway/trail coming from the Clipper City Rail Trail 14 ft before the "Stop Look Before Crossing" sign as walkway ends before the boat ramp at Cashman Park.

Finish: On the southwest side of Cashman Park Boat Ramp parking area on Sally Snyder Way even with the 9" wooden guard rail post from the north end, 19 ft 6 inches direct line from the green bell buoy "NP" in the grass inside the guard rail, and 148 ft 6 inches NW of the Start.

Stella 9788840896

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

NEWBURYPORT SPECIAL EVENT APPLICATION

Tel.

Fax.

2023 MAR 20 P 12:52

(For Street Closure or Any Use of a Public Way - Please complete page 3 of this application)

NAME OF EVENT: GNOCA 5k Walk/Run in Honor of Paula Holm + Jackie PoorDate: September 24th 2023 Time: from 10am to 1pmRain Date: N/A Time: from _____ to _____2. Location*: Michael's Harborside, 1 Tournament Wharf

*Please Note: If the location is a public park or the rail trail, please also contact the Parks Department

3. Description of Property: Restaurant Public _____ Private _____4. Name of Organizer: GNOCA City Sponsored Event: Yes _____ No ☒Contact Person Deb GreenAddress: _____ Telephone: 978 225 6700E-Mail: greetingsbydesignnewburyport@gmail.com Cell Phone: _____Day of Event Contact & Phone: 978 225 67005. Number of Attendees Expected: 50-100 runners 50+ walkers

6. MA Tax Number: _____

7. Is the Event Being Advertised? yes Where? posters around town - mailings8. What Age Group is the Event Targeted to? 18+9. Have You Notified Neighborhood Groups or Abutters? Yes _____ No ☒ Who? _____

ACTIVITIES: (Please check where applicable.) Subject to Licenses & Permits from Relevant City Departments

A. Vending*: Food _____ Beverages _____ Alcohol _____ Goods _____ Total # of Vendors _____

*If checked, signature from Health Director required (Page 3)

B. Entertainment: (Subject to City's Noise Ordinance.) Live Music _____ DJ _____ Radio/CD _____

Performers _____ Dancing _____ Amplified Sound _____ Stage _____

C. Games /Rides: Adult Rides _____ Kiddie Rides _____ Games _____ Raffle _____

Other _____ Total # _____

Name of Carnival Operator: _____

Address: _____

Telephone: _____

D. Organizer is responsible for clean-up during and after event. All trash must be collected and removed from event location immediately at the end of the event unless prior written agreement had been made with the Department of Public Services (DPS).

Will you be conducting the clean-up for this event? Yes ☒ No _____

If yes:

- a) How many trash receptacles will you be providing? 4
- b) How many recycling receptacles will you be providing? 1
- c) Will you be contracting for disposal of : **Trash** Yes ☐ No ☒ **Recycling** Yes ☐ No ☒
- i. If yes, size of dumpster(s): **Trash** _____ **Recycling** _____
- ii. Name of disposal company: **Trash** _____ **Recycling** _____
- iii. If no, will you remove trash & recycling with organizers' cars or trucks? Yes ☒ No ☐
- iv. If no, where will the trash & recycling be disposed ? _____

If no:

- a) # of trash container(s) to be provided by DPS _____
- b) # of recycling container(s) to be provided by Recycling Office _____
- c) \$45.00/hr/DPS employee charge must be paid by the organizer to DPS in advance of the event (Fee for Special Events). The hours required for the event will be determined by DPS.

All fees must be paid prior to the event. Check or money order is payable to the City

of Newburyport. E. Portable Toilets: (Each cluster of portable toilets must include at least one ADA accessible toilet)

_____ Standard # _____ ADA accessible

Name of company providing the portable toilets: _____

FOR STREET CLOSURE OR ANY USE OF A PUBLIC WAY

PARADE _____

ROAD RACE ☒

WALKATHON ☒

1. Name of the Group or Person Sponsoring the Road Race, Parade, Walkathon:

Greater Newburyport Ovarian Cancer Awareness

2. Name, Address & Daytime Phone Number of Organizer:

Deb Green
Greetings By Design
1, Water Street
Newburyport 978 225 6700

3. Name, Address & 24/7 Telephone Number of Person Responsible for Clean Up As Above

4. Date of Event: Sept. 24, 2023 Expected Number of Participants: 100 +

5. Start Time: 10am Expected End Time: 1pm

6. Road Race, Parade or Walkathon Route: (List street names & **attach map of route**):

Merrimac, Jefferson, High, Kent, Washington Rail Trail
Walkers will follow route downtown - see attached
maps.

7. Locations of Water Stops (if any): Jefferson - left side

8. Will Detours for Motor Vehicles Be Required? No If so, where? _____

9. Formation Location & Time for Participants: Michaels Harborside 10am

10. Dismissal Location & Time for Participants: Michaels Harborside 1pm

11. Additional Parade Information:

- Number of Floats: _____
- Locations of Viewing Stations: _____
- Are Weapons Being Carried: Yes _____ No _____
- Are Marshalls Being Assigned to Keep Parade Moving: Yes _____ No _____

APPROVAL SIGNATURES REQUIRED FOR STREET CLOSURE OR ANY USE OF A PUBLIC WAY

CITY MARSHAL [Signature] 4 Green St. FIRE CHIEF [Signature] 0 Greenleaf St.

DEPUTY DIRECTOR [Signature] 16A Perry Way CITY CLERK [Signature] 60 Pleasant St.

HEALTH DIRECTOR _____ 60 Pleasant St. (only needed when Food & Beverage Vendors are included in the event)

DEPARTMENT APPROVAL (for Committee Member use only):

It will be necessary for you to obtain permits or certificates from the following Departments: Please note that costs for some City support services during an event are an estimate only. Some Departments may forward an invoice for services rendered at the completion of the event, and others may require advance payment.

<i>Approval Required</i>	Date: _____	Signature: _____
_____	1. Special Events:	_____
_____	2. Police:	_____
	Is Police Detail Required: _____	# of Details Assigned: _____
_____	3. Traffic, Parking & Transportation:	_____
_____	4. ISD/Health:	_____
_____	5. Recycling:	_____
_____	6. ISD/Building:	_____
_____	7. Electrical:	_____
_____	8. Fire:	_____
	Is Fire Detail Required: _____	# of Details Assigned: _____
_____	9. Public Works: <i>Fee for Special Events: \$45/hr/DPS employee for trash handling/staging etc. may apply</i>	
	Yes: \$ _____ due on _____	No Fee for Special Events applies
	Other requirements/instructions per DPS _____	
_____	10. Parks Department:	_____
_____	11. License Commission	_____

The departments listed above have their own application process.
Applicants are responsible for applying for and obtaining all required
permits & certificates from the various individual departments

Sec. 13-97. - Road races, walkathons, bicycle and other multidisciplined events.

(a) *Short title.* This section may be cited as the "road races, walkathons and bicycle events."

(b) *Purpose and intent.* The use of city streets and sidewalks for the purpose of road races, walkathons or bicycle tours are positive events that promote exercise, general good health and Newburyport as a destination. These events do from time to time create hardships, impacting neighborhoods and traffic. To create a balance between conflicting interests, by safeguarding participants, residents, visitors and the City of Newburyport, this section will define and codify the procedure for the benefit of all.

(c) *Definitions.*

(1) *Road race.* A competitive or non-competitive running event that utilizes the streets, sidewalks and/or crosses over streets or sidewalks within city limits and in which an entry fee is required or charitable donation is solicited or suggested.

(2) *Walkathon.* A competitive or non-competitive walk event that utilizes the streets, sidewalks and/or crosses over streets or sidewalks within city limits and in which an entry fee is required or charitable donation is solicited or suggested.

(3) *Bicycle race.* A competitive or non-competitive bicycling event that utilizes the streets, sidewalks and/or crosses over streets or sidewalks within city limits and in which an entry fee is required or charitable donation is solicited or suggested.

(4) *Multidisciplined event.* A competitive or non-competitive event requiring or offering running, walking, biking, swimming or any combination thereof in which an entry fee is required or a charitable donation is solicited or suggested.

(5) *Event.* Any road race, walkathon, bicycle race, multi-disciplined event as defined above.

(d) *Limitations.*

(1) *Procedure.* All events shall, through that event's organizer, board of directors, charity foundation or designee ("organizer") apply for city council authorization to hold the event through the office of the city clerk no later than sixty (60) days before the event's proposed date. There shall be a grace period through December 31, 2017, during which applications will be accepted beyond the prescribed due date. Prior to application with the city council, the event shall file and receive approval from all applicable city departments, boards, and commissions. Copies of such approved applications, including along with documentation of any fees, donations, in-kind donations paid as part of said application(s), shall be included as part of the city council application.

The date of application is the date a completed application is submitted to the city clerk's office and stamped by the same. The city clerk, upon review of the completed form, will place the application on the next regular city council agenda, even if such submission is a late file. Upon following the procedures of the council, as deemed appropriated in the sole judgment of the council, the application will be considered approved if the council votes favorably by majority. The application shall name one (1) person responsible on the application and shall provide contact information to include name, address, email address, and telephone number.

(2) *Exemptions.* Each event organizer or organization shall comply with this ordinance and no exemptions will be permitted.

(3) *Course map.* All applications shall be accompanied by a legible, precise course map showing the event route, water stops, refreshment stops, and so-called "port-a-potties". The course map shall also include any road closures, detours and parking areas. The course map shall be approved by police, fire, department of public services, parks commission and harbor masters departments prior to submission to the city clerk.

(4) *Electronic amplifier.* Electronic amplifiers, loudspeakers and bullhorn use shall be requested at time of application. Under no circumstances will they be used for public address announcements or music before 8:00 a.m., except for Sundays when electronic amplifiers, loud speakers or bullhorns will not be used for public address announcements or music before 9:00 a.m.

(5) *Road closure.* No ways, public or private, boat ramps or parking lots controlled or patrolled by the city shall be closed without authorization. Authorization shall be considered granted only if said closure(s) are contained in the approved permit. It is the sole responsibility of the race organizers to notify residents fourteen (14) days in advance that neighborhood roads will be closed if no alternate route is available to those residents. Notification shall be made by race organizers by informational packet drop-off at all residences that may be impacted, including, but not limited to, road closures, restricted driveway access, parking restrictions, or noise. In the case of multi-family residences with so-called security doors, notification will be sufficient at said security door. A copy of the notification shall be provided to the city clerk and, when possible, posted on the city website and distributed via email. Further,

a list of all streets notified shall be provided to the city clerk to be date stamped and appended to the application record. Press releases and other media type notifications are encouraged.

(6) *Insurance.* All events shall have an insurance policy or rider in effect for the event naming the "City of Newburyport" as an additional insured. The policy shall be no less than two million dollars (\$2,000,000.00).

(7) *Event termination.* If in the judgment of the city marshal, fire chief or department of public services (DPS) director or designees thereof determine that an event is unsafe due to existing conditions, that event may be stopped, terminated or suspended. In the case of a multidiscipline event such as a triathlon, the harbormaster or his/her designee may likewise stop, terminate or suspend the swimming portion for cause.

(8) *Event and traffic security.* The city marshal, fire chief, DPS director or in the case of a triathlon, the harbormaster can require special duty personnel to assist in the organizing and coordinating the safety and security of the event. All special duty assignments will be paid by the event organizers.

(9) *Clean-up.* The event organizers shall be responsible for post event trash collection, removal of signage, directional arrows, advertisements or other promotional material associated with the event.

(10) *Parking.* The event organizers shall be responsible for including parking instructions in materials disseminated to event participants. If the event is happening within one-half mile of municipal parking, then participants shall be asked to park at such parking facilities.

(11) *Notification of previous event organizers.* To the extent reasonably possible, the city clerk shall notify all event organizers from events held from 2014—2016, inclusive, by a one-time phone, email, or letter of the new application timeline and other requirements.

(12) *Simplification.* Departments are encouraged to unify their respective applications into a singular application, managed and distributed by the city clerk's office.

(13) *Americans with Disabilities Act.* Event organizers are reminded of the importance of and expectation of adherence to the Americans with Disabilities Act of 1990 (42 U.S.C § 12101) and subsequent applicable amendments.

(e) *Enforcement.*

(1) *Regulations.* Consistent with this section, the city shall promulgate regulations to enforce and otherwise implement the provisions of this section upon passage by the city council. Any event previously approved by city council shall be deemed permitted.

(2) *Warning.* In the circumstance that this section is violated, the enforcement may consist of a warning. Any warnings issued for violation(s) will be reported to the city clerk and city council and may be used as a factor in future application approvals and denials.

(3) *Noncriminal disposition.* If the city determines that a violation has occurred in which a noncriminal violation is issued, the named event organizer shall be penalized by a non-criminal disposition as provided in Massachusetts General Law as adopted by the City of Newburyport as a general ordinance in section 1-17 of chapter 1 of the Code or Ordinances of the City of Newburyport in the amounts set herein in subsection (e)(4) below.

(4) *Violation.* The non-criminal violation shall be one hundred dollars (\$100.00) for the first offense and two hundred fifty dollars (\$250.00) for second and subsequent offenses. Any non-criminal citations issued for violation(s) will be reported to the city clerk and city council and shall be used as a factor in future application approvals and denials.

(5) *Failure to notify.* If the event fails to notify residents and provide documentation to the city clerk, pursuant to subsection (d)(5) above, shall render that organization ineligible to receive an event permit for a period of twelve (12) months unless special leave is granted by two-thirds supervote of the city council.

I fully understand and agree to all the terms set forth in this application. The information that I have provided is truthful and accurate. I accept all responsibility related to this event.

Signed: _____

Date: _____

3/11/23

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

March 18th 2023

2023 MAR 20 P 12:52

Members of the Newburyport City Council
60 Pleasant Street
Newburyport, MA 01950

Dear Members of the Newburyport City Council,

I am writing to ask your permission to hold the ^{14th} 14th Annual GNOCA 5K Run/Walk, in honor of Jackie Poor and Paula Holm, in Newburyport, on Sunday, September 24, 2023 from 10:00 am – 1pm.

The Greater Newburyport Ovarian Cancer Awareness (GNOCA) was founded by Deb Green and Elaine Carroll, Newburyport businesswoman and resident. We raise money for Ovations for the Cure, a non-profit organization, located in Natick. Ovations for the Cure is devoted to educating the public on the signs and symptoms of ovarian cancer. Ovarian cancer is a particularly devastating cancer for women. It has a nearly 50% mortality rate because the symptoms often go unnoticed until it is in its later stages. GNOCA holds events from June through September, which is National Ovarian Cancer Awareness month.

I have included the 5K run route used last year. The 3.1 mile route begins and ends at Michael's Harborside Restaurant, 1 Tournament Wharf, who will also be providing the parking. It then travels along Merrimac to Jefferson, onto High, then Kent, onto Washington and follow the Rail Trail, finishing at Michael's Harborside. Please see the attached map. As in the past, we will hire a police detail for traffic control and runner safety.

If acceptable we would like to have the walkers follow a different route than the runners. The walker's route begins and ends at Michaels Harborside (same as runners). The walkers turn left onto Merrimac St., right onto Federal St., right onto Liberty St., onto State Street, right onto High St., right onto Broad Street cross Merrimac Street to Cashman Park. Walkers Continue along the Rail Trail ending at Michaels Harborside. Please see enclosed map.

We prefer this route for walkers as it is more interesting and exposes the walkers to the Farmer's Market at the Tannery and downtown merchants.

Thank you so much for your support in previous years. I look forward to working with the council. If you have any questions or concerns, please feel free to contact me at 978-884-0896 or greetingsbydesignnewburyport@gmail.com

Sincerely,



Stella McCormick



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

02/28/2023

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

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

PRODUCER Brown & Brown of Massachusetts, LLC 980 Washington Street Suite 325 Dedham MA 02026	CONTACT NAME: Margaret Herlihy PHONE (A/C, No, Ext): E-MAIL ADDRESS: Margaret.Herlihy@bbrown.com INSURER(S) AFFORDING COVERAGE INSURER A: Philadelphia Indemnity Insurance Company INSURER B: Travelers Property Casualty Insurance Company INSURER C: INSURER D: INSURER E: INSURER F:	FAX (A/C, No): NAIC # 18058 36161
INSURED Ovations for the Cure Inc 79 Main Street Suite 202 Frammingham MA 01702		

COVERAGES**CERTIFICATE NUMBER:** 22-23 MASTER**REVISION NUMBER:**

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

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:	Y		PHPK2431561	08/07/2022	08/07/2023	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 Rented To You Limit (Any \$ 100,000
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED <input type="checkbox"/> RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$ \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) <input type="checkbox"/> Y/N If yes, describe under DESCRIPTION OF OPERATIONS below	N/A		UB-3J988022-22	08/07/2022	08/07/2023	PER STATUTE <input type="checkbox"/> OTH-ER <input type="checkbox"/> E.L. EACH ACCIDENT \$ 500,000 E.L. DISEASE - EA EMPLOYEE \$ 500,000 E.L. DISEASE - POLICY LIMIT \$ 500,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Event-5K September 24, 2023 -The City of Newburyport is added as Additional Insured for the above referenced event in regards to the General Liability

CERTIFICATE HOLDER**CANCELLATION**City of Newburyport
60 Pleasant Street

Newburyport

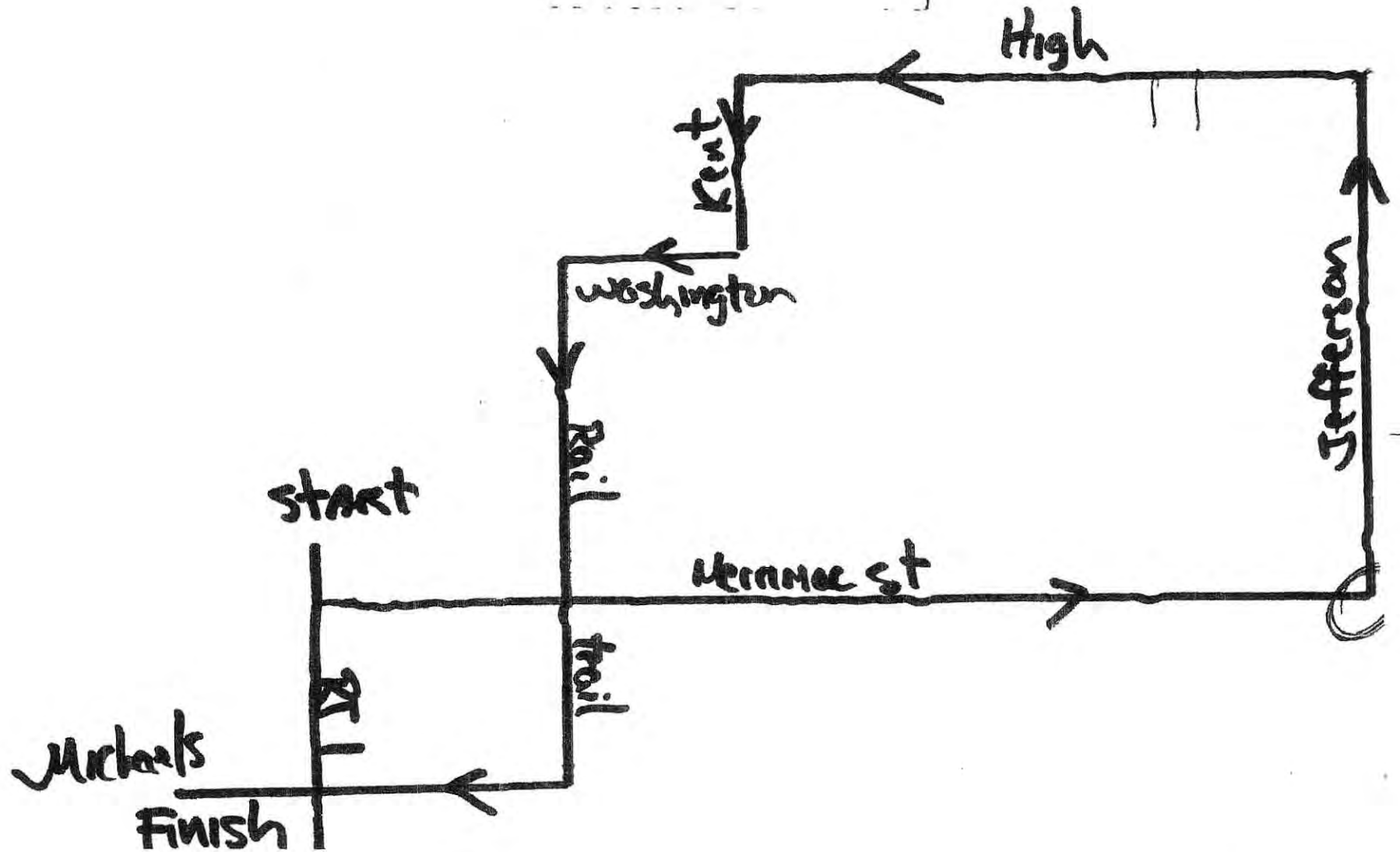
MA 01950

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

AUTHORIZED REPRESENTATIVE

© 1988-2015 ACORD CORPORATION. All rights reserved.

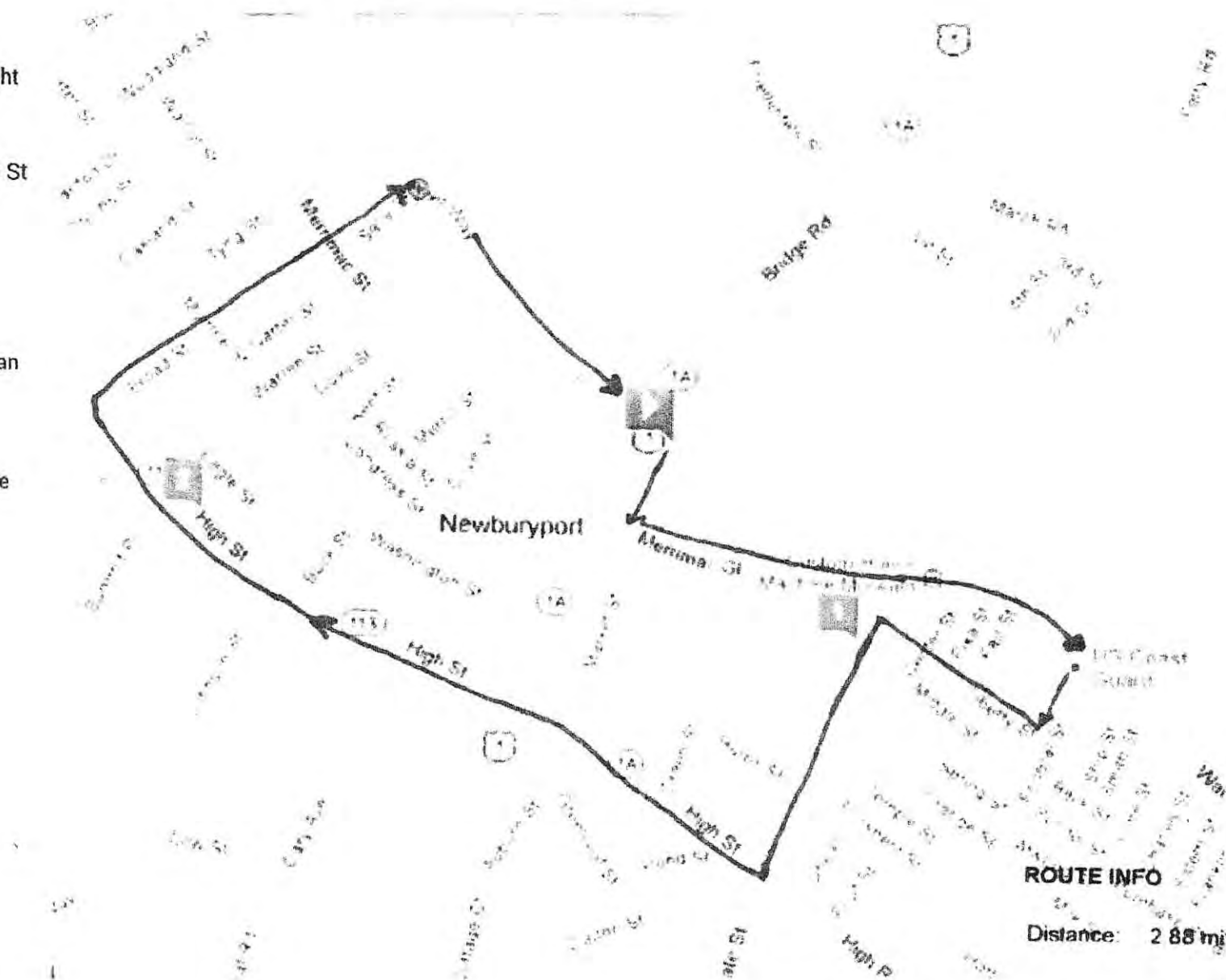
5k Run Route



5k Walk Route

Directions for walk

- Turn left onto Merrimac St Right
- on Federal St
- Right on Liberty St to State St
- Turn left on State St
- Right on High St
- Right on Broad
- Cross Merrimac St to Cashman Park
- Continue along Rail Trail
- Ending at Michael's Harborside



NEWBURYPORT SPECIAL EVENT APPLICATION

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

Tel.

Fax.

(For Street Closure or Any Use of a Public Way - Please complete page 3 of this application)

NAME OF EVENT:

Love Local, Newbury portDate: May 18, 2023 Time: from 6:30 pm to 9:30 p.m.Rain Date: Time: from to 2. Location*: Inn Street

*Please Note: If the location is a public park or the rail trail, please also contact the Parks Department

3. Description of Property: Space around water fountains Public ☒ Private ☐4. Name of Organizer: Runway for Recovery City Sponsored Event: Yes ☐ No ☒Contact Person Olivia BogerAddress: 29 Water St, Suite 216 Telephone: 617-710-2172E-Mail: olivia@runwayforrecovery.org Cell Phone: 617-710-2172Day of Event Contact & Phone: Olivia ; 617-710-21725. Number of Attendees Expected: 250-3506. MA Tax Number: 11-38220377. Is the Event Being Advertised? yes Where? Local shops, businesses, online8. What Age Group is the Event Targeted to? 21+9. Have You Notified Neighborhood Groups or Abutters? Yes ☒ No ☐ Who? Shops : restaurants downtown

ACTIVITIES: (Please check where applicable.) Subject to Licenses & Permits from Relevant City Departments

A. Vending*: Food ☒ Beverages ☐ Alcohol ☒ Goods ☒ Total # of Vendors 1 food
1 alcohol
6 shops
8

*If checked, signature from Health Director required (Page 3)

B. Entertainment: (Subject to City's Noise Ordinance.) Live Music ☐ DJ ☐ Radio/CD ☐Performers ☐ Dancing ☐ Amplified Sound ☒ Stage ☐C. Games /Rides: Adult Rides ☐ Kiddie Rides ☐ Games ☐ Raffle ☐Other ☐ Total # ☐Name of Carnival Operator: Address: Telephone:

D. Organizer is responsible for clean-up during and after event. All trash must be collected and removed from event location immediately at the end of the event unless prior written agreement had been made with the Department of Public Services (DPS).

Will you be conducting the clean-up for this event? Yes ☒ No ☐

If yes:

- a) How many trash receptacles will you be providing? all compost
- b) How many recycling receptacles will you be providing? 3 all recycling
- c) Will you be contracting for disposal of: **Trash** Yes ☐ No ☒ **Recycling** Yes ☒ No ☒
- i. If yes, size of dumpster(s): **Trash** _____ **Recycling** ~~5000~~
- ii. Name of disposal company: **Trash** _____ **Recycling** ~~Acme~~
- iii. If no, will you remove trash & recycling with organizers' cars or trucks? Yes ☒ No ☐
- iv. If no, where will the trash & recycling be disposed? our home for recycling
65 middle street

If no:

- a) # of trash container(s) to be provided by DPS _____
- b) # of recycling container(s) to be provided by Recycling Office 3
- c) \$45.00/hr/DPS employee charge must be paid by the organizer to DPS in advance of the event (Fee for Special Events). The hours required for the event will be determined by DPS.

All fees must be paid prior to the event. Check or money order is payable to the City

of Newburyport. E. Portable Toilets: (Each cluster of portable toilets must include at least

one ADA accessible toilet)

1 Standard # 1 ADA accessible

not needed in 2019

Name of company providing the portable toilets: _____

FOR STREET CLOSURE OR ANY USE OF A PUBLIC WAY

PARADE _____

ROAD RACE _____

WALKATHON _____

1. Name of the Group or Person Sponsoring the Road Race, Parade, Walkathon: _____

2. Name, Address & Daytime Phone Number of Organizer: _____

3. Name, Address & 24/7 Telephone Number of Person Responsible for Clean Up _____

4. Date of Event: May 18, 2023 Expected Number of Participants: 250

5. Start Time: 6:30 Expected End Time: 9:30pm

6. Road Race, Parade or Walkathon Route: (List street names & **attach map of route**): _____

attached map of Inn Street : photos from 2019
Event.

7. Locations of Water Stops (if any): _____

8. Will Detours for Motor Vehicles Be Required? _____ If so, where? _____

9. Formation Location & Time for Participants: _____

10. Dismissal Location & Time for Participants: _____

11. Additional Parade Information:

• Number of Floats: _____

• Locations of Viewing Stations: _____

• Are Weapons Being Carried: Yes _____ No ☒

• Are Marshalls Being Assigned to Keep Parade Moving: Yes _____ No ☒

APPROVAL SIGNATURES REQUIRED FOR STREET CLOSURE OR ANY USE OF A PUBLIC WAY

CITY MARSHAL [Signature] 4 Green St.

FIRE CHIEF [Signature] 400 3-15-23 0 Greenleaf St.

DEPUTY DIRECTOR [Signature] 16A Perry Way

CITY CLERK [Signature] 60 Pleasant St.

HEALTH DIRECTOR [Signature] 60 Pleasant St. (only needed when Food & Beverage Vendors are included in the event)

DEPARTMENT APPROVAL (for Committee Member use only):

It will be necessary for you to obtain permits or certificates from the following Departments: Please note that costs for some City support services during an event are an estimate only. Some Departments may forward an invoice for services rendered at the completion of the event, and others may require advance payment.

Approval
Required

Date: _____ Signature _____

- ____ 1. Special Events: _____
- ____ 2. Police: _____
Is Police Detail Required: _____ # of Details Assigned: _____
- ____ 3. Traffic, Parking & Transportation: _____
- ____ 4. ISD/Health: _____
- ____ 5. Recycling: _____
- ____ 6. ISD/Building: _____
- ____ 7. Electrical: _____
- ____ 8. Fire: _____
Is Fire Detail Required: _____ # of Details Assigned: _____
- ____ 9. Public Works: *Fee for Special Events: \$45/hr/DPS employee for trash handling/staging etc. may apply*
Yes: \$ _____ due on _____ No Fee for Special Events applies
Other requirements/instructions per DPS _____
- ____ 10. Parks Department: _____
- ____ 11. License Commission _____

The departments listed above have their own application process.
Applicants are responsible for applying for and obtaining all required
permits & certificates from the various individual departments

Sec. 13-97. - Road races, walkathons, bicycle and other multidisciplined events.

(a) *Short title.* This section may be cited as the "road races, walkathons and bicycle events."

(b) *Purpose and intent.* The use of city streets and sidewalks for the purpose of road races, walkathons or bicycle tours are positive events that promote exercise, general good health and Newburyport as a destination. These events do from time to time create hardships, impacting neighborhoods and traffic. To create a balance between conflicting interests, by safeguarding participants, residents, visitors and the City of Newburyport, this section will define and codify the procedure for the benefit of all.

(c) *Definitions.*

(1) *Road race.* A competitive or non-competitive running event that utilizes the streets, sidewalks and/or crosses over streets or sidewalks within city limits and in which an entry fee is required or charitable donation is solicited or suggested.

(2) *Walkathon.* A competitive or non-competitive walk event that utilizes the streets, sidewalks and/or crosses over streets or sidewalks within city limits and in which an entry fee is required or charitable donation is solicited or suggested.

(3) *Bicycle race.* A competitive or non-competitive bicycling event that utilizes the streets, sidewalks and/or crosses over streets or sidewalks within city limits and in which an entry fee is required or charitable donation is solicited or suggested.

(4) *Multidisciplined event.* A competitive or non-competitive event requiring or offering running, walking, biking, swimming or any combination thereof in which an entry fee is required or a charitable donation is solicited or suggested.

(5) *Event.* Any road race, walkathon, bicycle race, multi-disciplined event as defined above.

(d) *Limitations.*

(1) *Procedure.* All events shall, through that event's organizer, board of directors, charity foundation or designee ("organizer") apply for city council authorization to hold the event through the office of the city clerk no later than sixty (60) days before the event's proposed date. There shall be a grace period through December 31, 2017, during which applications will be accepted beyond the prescribed due date. Prior to application with the city council, the event shall file and receive approval from all applicable city departments, boards, and commissions. Copies of such approved applications, including along with documentation of any fees, donations, in-kind donations paid as part of said application(s), shall be included as part of the city council application.

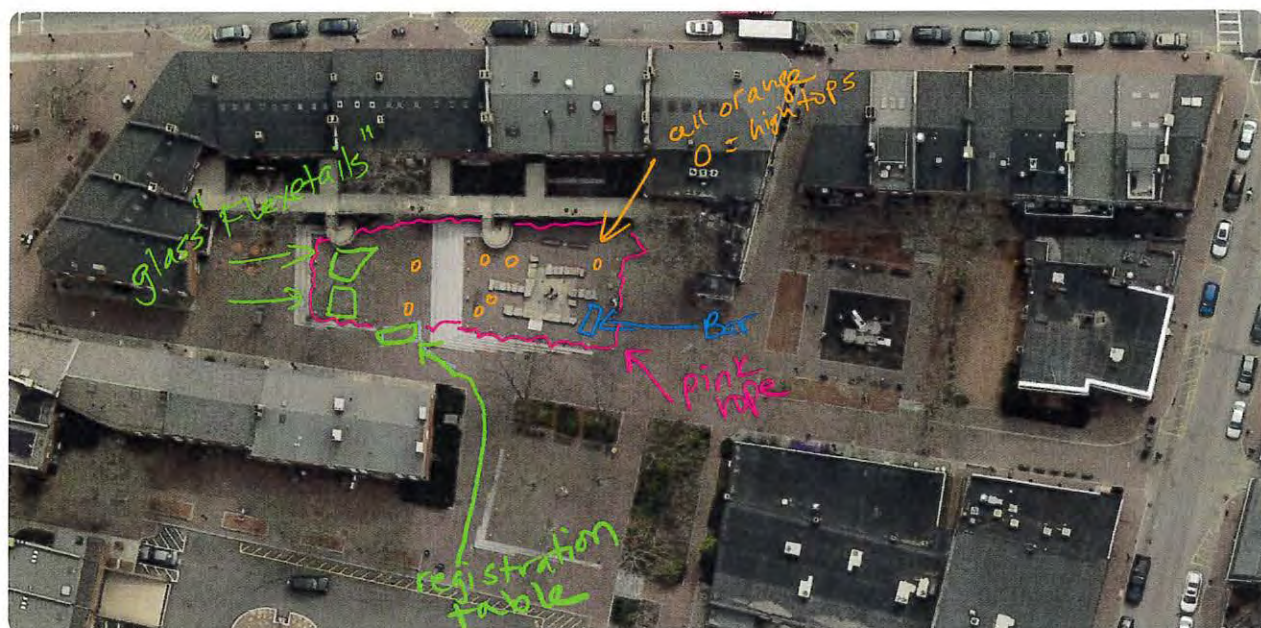
The date of application is the date a completed application is submitted to the city clerk's office and stamped by the same. The city clerk, upon review of the completed form, will place the application on the next regular city council agenda, even if such submission is a late file. Upon following the procedures of the council, as deemed appropriated in the sole judgment of the council, the application will be considered approved if the council votes favorably by majority. The application shall name one (1) person responsible on the application and shall provide contact information to include name, address, email address, and telephone number.

(2) *Exemptions.* Each event organizer or organization shall comply with this ordinance and no exemptions will be permitted.

(3) *Course map.* All applications shall be accompanied by a legible, precise course map showing the event route, water stops, refreshment stops, and so-called "port-a-potties". The course map shall also include any road closures, detours and parking areas. The course map shall be approved by police, fire, department of public services, parks commission and harbor masters departments prior to submission to the city clerk.

(4) *Electronic amplifier.* Electronic amplifiers, loudspeakers and bullhorn use shall be requested at time of application. Under no circumstances will they be used for public address announcements or music before 8:00 a.m., except for Sundays when electronic amplifiers, loud speakers or bullhorns will not be used for public address announcements or music before 9:00 a.m.

(5) *Road closure.* No ways, public or private, boat ramps or parking lots controlled or patrolled by the city shall be closed without authorization. Authorization shall be considered granted only if said closure(s) are contained in the approved permit. It is the sole responsibility of the race organizers to notify residents fourteen (14) days in advance that neighborhood roads will be closed if no alternate route is available to those residents. Notification shall be made by race organizers by informational packet drop-off at all residences that may be impacted, including, but not limited to, road closures, restricted driveway access, parking restrictions, or noise. In the case of multi-family residences with so-called security doors, notification will be sufficient at said security door. A copy of the notification shall be provided to the city clerk and, when possible, posted on the city website and distributed via email. Further,









CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

3/22/2023

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

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

PRODUCER Eastern Insurance Group LLC 233 West Central St Natick MA 01760	CONTACT NAME: PHONE (A/C, No, Ext): 800-333-7234 E-MAIL ADDRESS: CSR24CL@easterninsurance.com FAX (A/C, No): 781-586-8244
INSURED Runway For Recovery, Inc. 29 Water Street, Suite 216 Newburyport MA 01950	INSURER(S) AFFORDING COVERAGE INSURER A: Philadelphia Indemnity Insurance Company INSURER B: INSURER C: INSURER D: INSURER E: INSURER F:
	NAIC # 18058

COVERAGES**CERTIFICATE NUMBER:** 134553847**REVISION NUMBER:**

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

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:	Y		EV108810	5/18/2023	5/19/2023	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 300,000 MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$ GENERAL AGGREGATE \$ 3,000,000 PRODUCTS - COMP/OP AGG \$ 3,000,000 \$
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED <input type="checkbox"/> RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$ \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y / N <input type="checkbox"/>	N / A				PER STATUTE <input type="checkbox"/> OTH-ER <input type="checkbox"/> E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

The City of Newburyport as an additional insured.

CERTIFICATE HOLDER**CANCELLATION**City of Newburyport
PO Box 550
Newburyport MA 01950

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

AUTHORIZED REPRESENTATIVE

© 1988-2015 ACORD CORPORATION. All rights reserved.

March 16, 2023

Newburyport City Council

60 Pleasant Street

Newburyport, MA 01950

To the Newburyport City Council:

I recently attended the March 13, 2023 Newburyport City Council meeting and spoke during public comment. Every time a resident said a City Councillor's name at public comment, they were interrupted and told they could not say any Councillor's name. I had never before heard residents at public comment told they were not allowed to say Councillors' names. After the meeting, I read the City Council rules to try to understand why this is happening nowadays. City Council Rule 18, entitled "Public Comment," does not state anywhere the public cannot say the name of a Councillor. Only Rule 10c details Councillors should refrain from addressing fellow Councillors by their first and last names. That has nothing to do with public comment. If residents are strictly allowed two minutes to speak during public comment, a presiding officer interrupting them and warning them they're not allowed to reference any Councillor disrupts a person's train of thought, takes up valuable seconds and implies the resident is speaking inappropriately. How is the public supposed to understand what a resident is talking about if they are never allowed to reference a Councillor's proposals by name?

Is this prohibition on residents saying Councillors' names during public comment legal? No. In *Barron v. Kolenda*, the Supreme Judicial Court ruled that a resident has a constitutionally protected right under article 19 of the Massachusetts Declaration of Rights "to assemble, speak in a peaceable manner, and petition her town leaders for redress." Article 19, "which was drafted by John Adams with some assistance from his cousin Samuel Adams ... is directly applicable ..." The court specifies, "Under both articles 19 and 16, such civility restraints on the content of speech at public comment are forbidden. Although civility, of course, is to be encouraged, it cannot be required regarding the content of what may be said in a public comment session of a governmental meeting without violating both provisions of the Massachusetts Declaration of Rights, which provide for a robust protection of public criticism of governmental actions and officials." Residents are allowed to say Councillors' names during public comment, as it is protected speech under Massachusetts law.



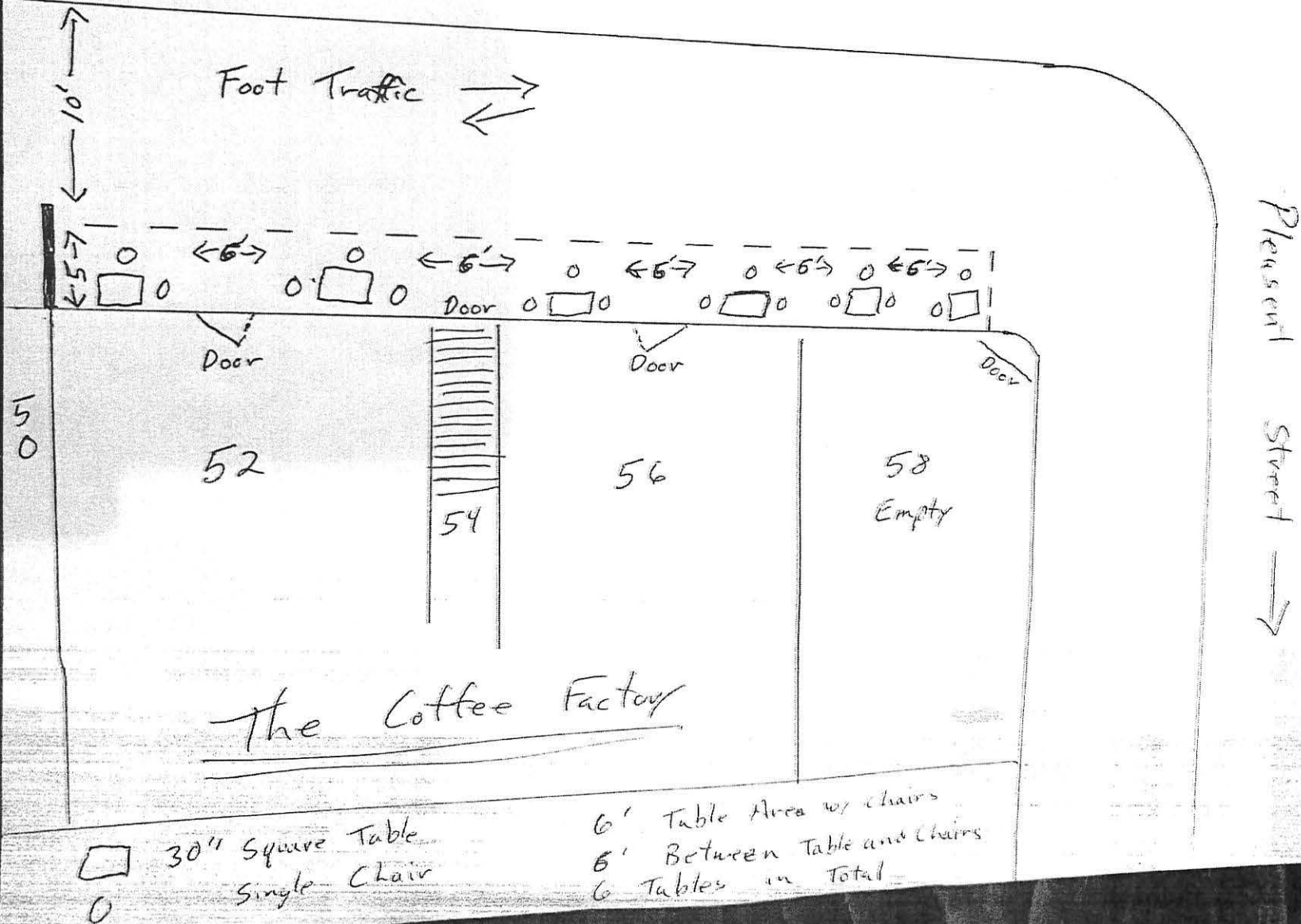
Kathleen O'Connor Ives

2 Prince Place, Newburyport

			COMM473_03_27_2023			
Restaurant	Application Status	Location				
Agave Mexican Bistro	APA submitted/No changes	2 Parklets State St. & sidewalk				
Anchor Stone Deck Pizza		1 Parklet State St. & sidewalk				
Angie's Food & Diner	APA submitted/No changes	2 Parklets Pleasant St. & sidewalk				
Bar 25		Threadneedle Alley & sidewalk State St.				
Brine Oyster	APA submitted/No changes	2 Parklets State St. & sidewalk				
Carmine	APA submitted/No changes	1 Parklet State St. & sidewalk				
The Paddle Inn	APA submitted/Plan with changes	1 Parklet State St. & sidewalk				
Coffee Factory	No APA submitted/Plan with changes	Sidewalk State St.				
Loretta	APA submitted/No changes	2 Parklets Pleasant St. & sidewalk				
Mandarava		Inn Street				
The Port Tavern		2 Parklets State St. & sidewalk				
Nu Kitchen		1 Parklet State St. & sidewalk				
Oregano Pizzeria & Ristorante	APA submitted/No changes	Inn Street				
Sea Level Oyster Bar		Market Square				
Mission Oak	Withdrew request for parklet	N/A				
Vera Ristorante	APA submitted/No changes	Market Square & Inn Street				
The Angry Donut Inn St.		Inn Street				

State Street →

THE COFFEE FACTORY



TRANSFERS



CITY OF NEWBURYPORT FY 2023

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

TRANSFER/APPROPRIATION REQUEST

2023 MAR 21 P 3:45

Department: Mayor

Submitted by: Sean R. Reardon, Mayor

Date Submitted: 3/27/2023

Transfer From:

Account Name:	General Fund - Free Cash	Balance:	\$ 1,907,195.00
Account Number:	01-35910	Category:	n/a
Amount:	\$30,000.00	Trans I/O:	\$ (2,055,981.00)

Why Funds Are Available:

The Massachusetts Department of Revenue certified Free Cash for FY2023 at \$3,963,176. These funds are available for any legal expenditure with the approval of the Mayor and a vote of the City Council.

Transfer To:

Account Name:	City Hall Main Floor HVAC	Balance:	\$ 54,629.00
Account Number:	New CIP Account	Category:	-
Amount:	\$30,000.00	Trans I/O:	-

Why Funds Are Needed:

Approximately two months ago, the HVAC system that feeds interior offices on the main floor of City Hall failed. These offices all lack windows and house the Human Resources Department/rear conference room, as well as, two staff in the Mayor's Office. The City is working on a longer-term plan to assess heating and cooling in the rest of the building, however these spaces need to be addressed sooner. While the temperatures have been tolerable recently, it would become unbearable over the summer. The system is beyond its useful life (over 25 years old) and would be replaced with a new two-ton, three-zone, energy-efficient ductless split system. DPS has received quotes of approximately \$30,000 and would look to schedule the work as soon as funding is approved.

Sean R. Reardon, Mayor:

Date:

3/21/2023

Ethan R. Manning, Auditor:

Date:

3/21/2023

City Council Action:

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

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA
2023 MAR 21 P 3:15

To: President and Members of the City Council

From: Sean R. Reardon, Mayor

Date: March 27, 2023

Subject: Appointment

I hereby appoint, subject to your approval, the following named individual as a member of the Water/Sewer Commission. This term will expire March 31, 2025.

Thomas O'Brien
11 Moseley Avenue
Newburyport, MA 01950

Letter of Interest and Resume

February 7, 2023

Mayor Sean Reardon
City Hall
60 Pleasant St
Newburyport, MA 01950

Dear Mayor Reardon,

I would like to be considered for an opening on the Water/Sewer Commission when one is available. I was on the Water Commission for five years, the City Council for 22 years and the Housing Authority since 1997.

Thank you for your consideration.

Thomas O'Brien

Resume

Thomas F. O'Brien
11 Moseley Ave.
Newburyport, MA 01950

Prior Municipal Experience

- City Council Member 1997 – 2019
- Council President - 10 years
- Member Water Commission – 1993 - 1998
- Newburyport Housing Authority 1997 – Present

Prior Employment

- Commonwealth of Massachusetts, Department of Vocational Rehabilitation, 37 years

Education

- University of Massachusetts, Amherst, MA. B.A.
- Springfield College, M. Ed Rehabilitation Counseling

END OF CONSENT AGENDA

BEGINNING OF REGULAR AGENDA

**APPOINTMENTS
SECOND READING**

Second Reading Appointments

March 27, 2023

- APPT00385_03_13_2023 Ilene Harnch-Grady 10 Cushing Ave. Human Rights Comm. 4/30/2026



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

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2023 MAR -2 P 12: 25

To: President and Members of the City Council

From: Sean R. Reardon, Mayor

Date: March 13, 2023

Subject: Appointment

I hereby appoint, subject to your approval, the following named individual as a member of the Human Rights Commission. This term will expire on April 30, 2026.

Ilene Harnch-Grady
10 Cushing Avenue
Newburyport, MA 01950

February 27, 2023

Christine Jackson
Executive Assistant, Honorable Mayor: Sean Reardon
Newburyport City Hall
60 Pleasant Street
Newburyport, MA 01950

Dear Christine:

It is my honor to submit my name for consideration on The Newburyport Human Rights Commission.

I have been involved in my present role as Health and Wellness Director for the YWCA Greater Newburyport since 2007. It has been my distinct honor to align myself with an organization committed to eliminating racism and empowering women. Having served on the Development Committee for several years, I work closely with our Board of Directors and staff creating and supporting programs designed to promote and uphold the human rights and privileges of all people.

In addition to my work on the YWCA Development Committee, I also work closely with several populations developing and executing programs for all populations to support them in their overall Health and Wellness journey including collaborations with the Newburyport and Amesbury Council's on Aging. Along with my Health and Wellness hat, I also serve on several committees including: Anna Jacques Hospital Community Benefits Advisory Committee, Newburyport/Triton Health and Wellness Advisory Council, Pelican Intervention Fund, North of Boston Cancer Resource (original founder), Newburyport Chamber of Commerce, One Night Homeless Count, Martin Luther King empowerment events and supporting YWCA members and residents.

In my spare time, I enjoy volunteering with equine therapeutic programs, enjoying our beautiful city with my dogs and family and a wonderful book.

I look forward to speaking further regarding this opportunity and am free to answer any further questions you may have.

Best,

Ilene



Ilene Harnch-Grady / Health and Wellness/Encore Director

T: 978.225-6210 **F:** 978.465.1076

E: igrady@ywcanewburyport.org

YWCA Greater Newburyport

13 Market Street

Newburyport, MA 01950

www.ywcanewburyport.org

YWCA IS ON A MISSION

Ilene Harnch-Grady
10 Cushing Avenue
Newburyport, MA. 01950
(C) 978-479-8553
email: igrady@ywcanewburyport.org

Education:

Mass College of Liberal Arts:

North Adams, MA.

Awarded Bachelor of Arts: Communications, Minors: Business Management, Journalism

Northern Essex Community College

Haverhill, MA.

Awarded a A.A. Degree Liberal Arts and Executive Secretarial Program

Merrimack College

North Andover, MA

Direct Marketing Certificate Program

Newburyport High School

Newburyport, MA.

May 1981

Professional Experience

YWCA Greater Newburyport: Health and Wellness/Encore/Marketing Director 10/2007 – Present

Design and execute health and wellness programs for multi-level fitness populations, oversee Encore program, Development Committee, Marketing and Website endeavors. Work with community partners including Newburyport Senior Center offering health and wellness classes. Multi-level certifications including Boston Barre, 200 hour Yoga, Body Pump, BodyTraining System, Stott Pilates, Spin, AFAA Active Aging, Arthritis Foundation Aquatic/Land Program certifications.

ALOFT INC: Senior Account Manager, Newburyport, MA 11/2000 – 8/2002

Managed full-service advertising campaigns for diversified client base including trade show management, print and radio media, informercials and production management.

Amergent: Account Manager, Peabody, MA 7/1997- 11/2000

Managed full service direct marketing campaigns for non-profit health care organizations.

CPS Direct: Senior Account Executive, Woburn, MA 6/1988- 6/1997

Managed direct marketing campaigns for top 3 revenue generating nonprofit, healthcare accounts.

City of Newburyport, City Councilor, Ward 6 11/1994 - 11/1996

Represented constituents of Ward 6 on municipal governing board comprised of 11 City Councilors and Mayor. Served on Zoning Committee.

Volunteer Experience

YWCA Greater Newburyport Development Committee	2008 - Present
Pelican Intervention Fund	2015 – Present
Anna Jacques Hospital Community Benefits Advisory Council	2009- Present
Newburyport/Triton Health and Wellness Advisory Council	2009 – Present
North of Boston Cancer Resource (original founder)	2014 - Present
American Cancer Society	1985 – 2010

REFERENCES: Gladly furnished upon request

PERSONAL: Native of Newburyport, married with 1 child

ORDERS

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

March 27, 2023

That the City Council reserves and appropriates from the Community Preservation Act FY 2024 estimated revenues, in accordance with the provisions of M.G.L. Chapter 44B, for the following projects, based upon the Community Preservation Committee's recommendation in the total amount of **\$1,773,553**. The source of funds shall be FY2024 estimated revenues in the amount of **\$1,293,421** and the Community Preservation Fund Balance in the amount of **\$480,132**. Each project listed below shall be considered a separate appropriation or reservation in the amount indicated for that project. Any conditions or stipulations indicated within the Community Preservation Committee's recommendation, incorporated herein, shall be considered a condition of this appropriation and subsequent grant award agreement.

	CPA Project Title	Applicant	Request	Recommended
1.	First-Time Homebuyer Program	Affordable Housing Trust	\$250,000	\$250,000
2.	Atkinson Common Rock Tower Restoration	City of Newburyport Parks Commission & Division	\$59,950	\$59,950
3.	The Perkins Art and Research Center	Historical Society of Old Newbury	\$210,251	\$210,251
4.	Newburyport Custom House Masonry Repair - Portico Roof	Christopher Silva	\$150,000	\$150,000
5.	Downtown Lighting Project	Department of Public Services	\$69,377	\$69,377
6.	Open Space Reserve Fund	City of Newburyport / Open Space Committee	\$100,000	\$100,000
7.	Colby Farm Open Space Preservation	City of Newburyport / Open Space Committee	\$51,000	\$51,000
8.	Mobi mats - Dune Preservation	Plum Island Taxpayers Association PITA	\$6,657	\$6,657
9.	Bike Feasibility Study	City of Newburyport Parks Commission & Division	\$5,750	\$5,750
10.	Cashman Multi-sport Courts Resurfacing	City of Newburyport Parks Commission & Division	\$61,271	\$61,271

11.	Atkinson Common Tennis Court Resurfacing	City of Newburyport Parks Commission & Division	\$49,557	\$49,557
12.	Woodman Park Accessibility Project	Newburyport Parks Division	\$57,570	\$57,570
		CPA FY'24 Project total:	\$1,071,383	\$1,071,383

	FY'24 CPA Project Obligation	Recommended
13.	NHS Stadium Bond Payment	\$122,880
14.	Cherry Hill Soccer Field Bond Payment	\$11,540
15.	Fuller Field Track Renovation, Phase Two Bond Payment	\$48,750
16.	Market Landing Park Bond Payment	\$270,000
17.	Bartlet Mall Bond Payment	\$235,000
18.	Administrative Costs	\$14,000
	Total FY'24 Obligations:	\$702,170

Total all Projects and Obligations (1-18):	\$1,773,553
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 Councillor Sharif I. Zeid

**NEWBURYPORT COMMUNITY PRESERVATION COMMITTEE
RECOMMENDATIONS FOR FY24 APPROPRIATIONS AND RESERVATIONS**

The Newburyport Community Preservation Committee recommends that the City Council appropriate or reserve, as indicated, **\$1,773,553** from Community Preservation Fund Revenues for the projects and bond payments, in the amounts, in the categories, and subject to the conditions hereinafter described.

The following CONDITIONS are common to recommended current appropriations and exclude recommended reservations and bonded amounts:

- A. Each recipient of funds is required to submit to the CPC a written report on the status of the project by each October 15, January 15, April 15 and July 15 following appropriation and until final completion of the project.
- B. If a project is not completed within twenty-four (24) months of appropriation, the grantee must submit a written request to the CPC for an extension of the grant. Otherwise, funds may be subject to rescission and returned to Community Preservation Fund Reserves (applicable to appropriations, not to reservations).
- C. Full funding is conditioned upon the receipt of state matching funds, estimated to be 20% of local revenue.

Attached are:

- 1. A draft Council Order and table summarizing all CPC recommendations
- 2. Recommendations for project and bond payments with summaries for each
- 3. Criteria for project evaluation adopted and published by the CPC

Estimated Community Preservation funds available for appropriation in FY 2024 total **\$1,810,855.17**. This figure includes estimated receipts of the local CPA surcharge through fiscal year end 2023, accumulated interest, the currently estimated 20% state matching funds, current uncommitted and unreserved funds, and the returned funds from completed and closed-out projects.

Applications for all projects, meeting minutes and meeting video recordings are available for review on the City website at the following URL: <https://www.cityofnewburyport.com/community-preservation-committee>.

Respectfully submitted by:

Community Preservation Committee Members

Michael Dissette, Chair
Mark Rosen
Tom O'Brien
Jamie Gagnon
Charles Griffin

Jane Healey, Vice Chair
Joe Teixeira
Don Walters
Joe Morgan

PROJECT NO. 1

First-Time Homebuyer Program

The CPC recommends the appropriation of \$250,000 from the FY 2024 Estimated Revenues to the Newburyport Affordable Housing Trust (NAHT) to create a First-Time Homebuyer Program.

The CPA category is Community Housing.

Project Summary: The NAHT is requesting \$250,000 to create a First-Time Homebuyer Program. This new program will offer financial assistance to qualifying households and will be available to eligible first-time home buyers looking to own a home in Newburyport. The goal of the program will be to increase homeownership among low- and moderate-income households and enable existing residents to remain in their community and new residents to move into Newburyport despite increasing housing prices and other costs of living.

To be eligible for this program, the applicant may earn no more than [100% of the areawide median income](#) and must reside in the home following purchase. The assistance amount per household shall not exceed \$20,000. The program will be considered a deferred payment loan program and funding will be secured through a second mortgage on the property. The loan will be interest free and participants will not have to pay the loan back unless they refinance or sell the property within five years. If the property is sold prior to the fifth anniversary of the sale, the participant will be required to pay back the full amount. If the participant resides in the home for five years, the deferred loan will be forgiven. It is anticipated that 10 to 12 home buyers will be served by this program. This type of initiative has been implemented successfully in a number of communities around the Commonwealth including Cambridge (\$2 million in CPA funding), Chatham (\$250,000 in CPA funding), Nantucket (\$100,000 in CPA funding), Newton (\$875,000 in CPA funding) and Norfolk (\$200,000 in CPA funding).

The Office of Planning & Development, with guidance from the NAHT, already administers a successful similar program called the Down Payment Assistance (DPA) Program. The DPA program is limited to financial assistance for deed-restricted units, whereas this new program would be available to all residents that meet the criteria and seek a market rate housing opportunity.

CPA funds may be spent on the acquisition, creation, preservation and support of community housing, and for the rehabilitation or restoration of community housing that has been acquired or created using CPA funds. The proposed First-Time Homebuyer Program is an eligible use of CPA funds that fits the statutory [definition of support](#) for community housing.

PROJECT NO. 2

Atkinson Common Rock Tower Restoration

The CPC recommends the appropriation of \$59,950 from the FY 2024 Estimated Revenues to the City of Newburyport Parks Commission & Division for Phase 1 of the Atkinson Common Rock Tower Restoration project.

The CPA category is Historic Resources.

Project Summary: Atkinson Common is a 21-acre park dating back to the Victorian Era featuring gardens, lawns, fountain, tennis court and ball fields. Atkinson Common is listed in the National Register of Historic Places as a contributing property to the Newburyport Historic District, a National Register district. By virtue of that designation, it is also included also in the State Register of Historic Places. The Historic Stone Tower is located at the terminus of a central North-South axis that runs between it and the Soldier Statue which faces Moseley Ave/High Street. The original tower, which was built from wood, once had unobstructed views that overlooked the City and the Merrimac River. In 1935, the wooden tower was removed and replaced with the Rock Tower that we see today, as part of the Work Progress Administration (WPA) after the Great Depression. The Federal Government's Emergency Relief Administration hired 70 men and the Belleville Improvement Society provided the materials to construct the 50' stone tower. At the time of construction, the trees surrounding the park were still very small, and views from each level would provide vistas of downtown, the river and the north end of Newburyport. The tower was open daily and enjoyed by many people.

Unfortunately, the elements and lack of maintenance have caught up with the structure and it has been closed to the public for over 25 years due to a rotted interior stair and lack of safe access. With a generous donation to the Belleville Improvement Society of nearly \$100,000, some of the much-needed repairs have begun, including: (1) removal of the rotted interior stair and installation of a temporary wooden stair to provide access to each level in order to assess the required repairs for restoration moving forward; (2) installation of steel beams to increase the loading capabilities of each floor level; (3) replacement of deteriorated concrete; and (4) repointing, cleaning and replacing of the exterior stones at the base of the Tower. A local welding company has also donated the labor to reinstall the large gate that fell off its hinges in 2021. All of this effort to date has worked to slow the Tower's deterioration, but more work is required in order to prevent future deterioration and loss.

Remaining phases of work:

1. The primary contributor to the deterioration of the Tower is the fact that it is open to the elements. Drains at each floor level are minimal and have been blocked so that water is allowed to pool and freeze, causing the concrete floors and walls to spall and deteriorate. The first phase, and top priority of the Rock Tower restoration is to have the concrete repaired and coated with an epoxy sealer. **This is the basis of this CPC request of \$59,950 for concrete repairs and sealants.**
2. Phase two would include curbing the top level of the Rock Tower and installing a roof enclosure over the stair to prevent future water and snow penetration. This will protect future construction of a new stair and railing system and further protect interior surfaces from future deterioration due to exposure to the elements.
3. Phase three would include the construction of a new stair and railing system that meets code.
4. Phase four would include cleaning and repointing the upper exterior masonry using a lift or scaffolding, as well as removing, sandblasting, painting and reinstalling the steel grilles and gates.
5. Phase five would include rebuilding the basement level access by constructing a bulkhead.

PROJECT NO. 3**The Perkins Art and Research Center**

The CPC recommends the appropriation of \$210,251 from the FY 2024 Estimated Revenues to the Museum of Old Newbury for the Perkins Art and Research Center project for the preservation of historical artifacts/documents (artwork) via a lateral art racking system.

The CPA category is Historic Resources.

Project Summary: The Historical Society of Old Newbury, d/b/a the Museum of Old Newbury, is seeking funding in the amount of \$210,251 for the preservation of its historical artifacts/documents (artwork) via a lateral art racking system. The new racking storage and access system is part of the overall renovation project to create the Perkins Art and Research Center at the climate-controlled Perkins Mint building. The Museum is only seeking CPA funds for the racking system at this time.

Currently, the art collection is stored on the third floor of 98 High Street in an overcrowded space without any climate control. Paintings are stored standing, which adds pressure to their framing and requires handling to view and study. More art arrives at the museum regularly and the museum is on the cusp of being unable to accept any new acquisitions. The museum is a world-class institution with a ground-breaking collection that has seriously outgrown the ability to preserve, store, and access this material in an appropriate manner. The fine art collection held by the Museum of Old Newbury is an important one for Newburyport, as well as from a regional and national perspective. Including portraits, folk art, marine art, landscapes and still-lives, works in the collection span three centuries of Newburyport history and culture.

Our community has research and historical interests beyond simple museum tours. This project will allow unprecedented public access to the Museum's fine art collection, and later, to the archive and research library. The Perkins Center will be open to serve those in the community and beyond who wish to view and study the collections and conduct research in person. This project also ensures that the Museum can reach a much broader audience, as better access and care of the collections will allow for digitization projects and remote research.

In terms of CPA funding eligibility, it is reasonable to consider the proposed storage system as part of the preservation of an historic resource (the artifacts). See [this article](#) re: preservation of historical documents where it says *"In 2006, the CPA statute was amended to include "documents and artifacts" within the definition of historic resources. Since that time, many communities have used CPA funds for document preservation projects, including document conservation and restoration projects and improvements to storage systems, such as installing climate controls."*

The NHC has considered the application and the overall project and confirmed the historical significance to Newburyport of both the Perkins Mint structure and the collection of irreplaceable artifacts to be preserved there in the new storage system. There is a current, city-held preservation restriction on the Perkins Building.

PROJECT NO.4**Newburyport Custom House Masonry Repair and Portico Roof Restoration**

The CPC recommends the appropriation of \$150,000 from the FY 2024 Estimated Revenues to the Newburyport Maritime Society, Inc. for masonry repairs to the north and east façades of the Newburyport Custom House Museum and restoration of the Newburyport Custom House Museum portico roof.

The CPA category is Historic Resources.

Project Summary: The Newburyport Custom House was built in 1835, one of four New England custom houses designed by Robert Mills (1781-1855), architect of the Washington Monument and the US Treasury building among other important monumental civic buildings. The building was listed in the State and National Registers of Historic Places in 1971, both individually and as a contributing resource to the Market Square Historic District and again in 1984 as a contributing resource to the Newburyport Historic District. The building is covered by a 2021 Amended and Restated Preservation Agreement held by the City of Newburyport and administered and monitored by its Historical Commission.

Masonry Repair

The masonry repair project is the result of findings contained in the 2021 Architectural Conservation Assessment that was funded in part by a grant from the City of Newburyport Community Preservation Committee awarded in 2019 to study improvements for interior climate control. This work included analyzing the thermal and moisture performance characteristics of the exterior walls so as to protect the museum collections and the historic building.

The south and west façade masonry joints were 100% cut and repointed, damaged granite features repaired, and ferrous metal fasteners were removed in 2013. The north and east facades were repointed in 2005, unfortunately without the supervision of a historical preservation professional. Since that time, bulk water has leaked into the exterior masonry walls from open or poorly pointed mortar joints. Chronic moisture intrusion has caused structural damage to the interior masonry groin vault in the basement north storage room.

The masonry repair project's purpose is to restore the north and east façade masonry to prevent further moisture intrusion and damage.

Entry Portico Restoration

The entry portico restoration project was identified as a high priority in the 2021 Architectural Conservation Assessment and in response to recent staff reports and observations of roof leaks and wetting of the structure beneath the portico ceiling. The existing flat seam lead coated copper roof dates to the 1973-75 restoration project. It was inspected in July 2022 where installation deficiencies were identified and again more recently (October 18th) after a rainstorm by Paul John & Son Roofing at which time full-replacement was recommended. The proposed work includes replacing the v-groove board ceiling in kind, the ceiling light fixture, associated wiring, and any internal structural framing damaged from chronic bulk water infiltration.

PROJECT NO.5
Downtown Lighting Project

The CPC recommends the appropriation of \$69,377 from the FY 2024 Estimated Revenues to the City of Newburyport Department of Public Services for the Downtown Lighting Project.

The CPA category is Recreation.

Project Summary: The Newburyport Department of Public Services (DPS) is requesting CPA funding to replace the street light toppers at Patrick Tracy Square, Inn Street and Market Square Bullnose. DPS had originally requested, under the Historic Resources category, topper replacements for all of the downtown post lights to replace existing toppers with LED fixtures in an historic form that mimics the existing streetlights which was not aligned with the CPC's historical preservation mission. Unfortunately, renovation of each of the existing fixtures is not possible due to the extraordinary labor required to remove, repair, weld, re-glaze, and rewire each of the 265 downtown lights, nor would this method meet the sustainability initiatives the City has prioritized.

DPS submitted to the CPC, an amendment to the original application limited to the lights that sit within three of our downtown parks, under the Recreation category of the CPA. These parks are located within the heart of our historic downtown and provide welcome respite from the urban environment as well as a tree-lined, pedestrian thoroughway that connects Pleasant Street to our waterfront. These parks are well-used and well-loved by residents and visitors alike. This project is similar to the Atwood Park project that the CPC approved in 2022. This project will not only beautify our downtown parks and make them more accessible year-round but will also improve our City's commitment to sustainability by replacing high-energy fixtures with LED alternatives. Similarly, the project is consistent with the 2017 Newburyport Master Plan Goal NR-2 'To maintain a high quality of parks, recreational areas, trails and other open spaces that are safe, attractive, preserve historic resources, and provide a range of active and passive recreational opportunities for all residents and visitors' and also the 2020 Open Space and Recreation Plan goal 2 'To maintain and improve high quality parks and recreational areas that are safe, attractive, and provide a range of active and passive recreational opportunities for all residents.'

CPA funds may be used for the acquisition of land to be used for recreation, or for the creation of new recreational facilities on land a community already owns. A 2012 amendment to CPA broadened the law to also allow for the rehabilitation of existing, outdoor recreational facilities. The amendment made it clear that with respect to land for recreational use, "rehabilitation" could include the replacement of playground equipment and other capital improvements to the land or the facilities thereon to make them more functional for their intended recreational use.

PROJECT NO.6
Open Space Reserve Fund

The CPC recommends the reservation of \$100,000 from the FY 2024 Estimated Revenues to the Open Space Reserve Fund.

The CPA category for this reservation is Open Space.

Project Summary: Since 2014, through appropriations from the Open Space Reserve Fund, the City successfully protected 10+ acres of land on Curzon Mill Road, a significant portion of the Colby Farm land on Low Street and helped secure protection of our water supply in partnership with West Newbury, Greenbelt and DCR. The existence of the Reserve allowed and will allow the City to take the opportunities when they are presented. Recent CPC funding rounds have restored the Reserve to its current balance of \$729,965.98. With this application the Open Space Committee asks that the process of restoring the Reserve be continued so that the City is in a stronger position to address future opportunities for land protection and preservation as they arise. Any future appropriation from the reserve fund will require project-specific CPC recommendation and Council approval.

PROJECT NO.7
Colby Farm Open Space Preservation

The CPC recommends the appropriation of \$51,000 from the FY 2024 Estimated Revenues to City of Newburyport / Open Space Committee.

The CPA category for this appropriation is Open Space.

Project Summary: The City of Newburyport has acquired, with the assistance of CPA funding, three parcels totaling 14+/- acres of open space from the former Colby (later Bashaw) Farm near the intersection of Low Street and Colby Farm Lane. The land is now owned by the City, subject to a Conservation Restriction managed by its Conservation Commission, and held as permanent open space for the purposes of conservation and/or continued agricultural operations. It contains an active hay field, open meadows and wetlands. The existing conditions of the property are as they were at the time of acquisition: *blighted by two lines of deteriorating and collapsing fencing along Low Street.*

To assist in the preservation of this open space asset this request for funding will protect, enhance, delineate, and describe the land as follows:

1. Demolish and remove the existing fences.
2. Install new two rail split rail wooden fences along the Low Street property boundary and adjacent to the walking path access from Colby Farm Lane. [See proposed plan map included with the application.]
3. Acquire and erect an identifying sign on the Low Street property boundary and a kiosk with informative and interpretive sign at the walking path entrance at Colby Farm Lane.
4. Establish walking path area.

The Conservation Commission supports this proposal. During the OSRD approval process in 2019 for the Reserve at Bashaw Farm cluster development, the developer and the Conservation Commission received a report from Seekamp Environmental Consulting, Inc. which more particularly describes the existing open spaces and gives recommended guidelines for best management. A copy of the report entitled “The Reserve at Bashaw Farm Pollinator Meadow Habitat Management Plan” is attached to the application. The Commission has undertaken management of the property consistent with those guidelines. The plan also outlines a public education component to promote awareness and appreciation for this open, grassland meadow habitat. The proposed signs are intended to address this component.

PROJECT NO.8

Mobi-Mats - Dune Preservation

The CPC recommends the appropriation of \$6,657 from the FY 2024 Estimated Revenues to the Plum Island Taxpayers Association (PITA) for three Mobi-Mats to be placed at 53rd Street with the special condition that the mats are to be Newburyport public property for beach access use in Newburyport and city approval is required to move the mats to another location within the City.

The CPA category for this appropriation is Recreation.

Project Summary: PITA is requesting funding to place 3 Mobi-Mats at 53rd Street. Mobi Mats are a tremendous tool to support dune conservation on Plum Island. The Mobi-Mats provide clear access paths to the beach, keeping the public off of the dunes. The Mobi-Mats will assist those with mobility difficulties and allow safety vehicle access to the beach in case of emergency. The mats are 100% recycled material and ADA/ABA compliant, roll up nonslip pathways. There is public access to the beach at 53rd Street but no parking.

PROJECT NO.9

Bike Feasibility Study

The CPC recommends the appropriation of \$5,750 from the FY 2024 Estimated Revenues to the City of Newburyport Parks Commission & Division for a City-wide mountain bike feasibility study.

The CPA category for this appropriation is Recreation.

Project Summary: This CPC request is to hire a professional bike consultant to assess multiple locations around the City to determine suitability for a biking facility which may include a pump track, skills practice and free riding. Assessments will include soils analysis, environmental overview, and potential limiting factors such as accessibility and safety. The Parks Commission has heard at many of its meetings that there is a desire to provide the youth in our community with opportunities for outdoor biking recreation that offers multiple levels of challenge, the ability to socialize in the outdoors away from computers, and an opportunity to become stewards of the environment. The Parks Commission would like to do its due diligence to identify where this opportunity is best suited, and how to better manage it,

so it may decide how to proceed. They feel that a study such as this will also help the community reach consensus on this issue.

No site is specified for this project. The purpose of the study is to help identify a location for this activity. The project would be reviewed by the Parks Commission, so the results may be presented and deliberated on in a public setting. Should the study identify a location for a bike facility that is outside the jurisdiction of the Parks Commission, the appropriate entity would be brought into the conversation.

PROJECT NO.10

Cashman Multi-sport Courts Resurfacing

The CPC recommends the appropriation of \$61,271 from the FY 2024 Estimated Revenues to the City of Newburyport Parks Commission & Division for resurfacing of the Cashman Park multi-sport courts.

The CPA category for this appropriation is Recreation.

Project Summary: In 1922, when Michael Cashman became Mayor of Newburyport, he made his 10-year vision of filling in tidelands along the Merrimac River and creating a park into reality. Much of what we see within this 18-acre park today was the brainchild of Mayor Cashman, who envisioned a playground, baseball and football games, and Boy Scout jamborees. Cashman believed physical recreation was equally as important to children as an education, and wanted this park, which was originally named “Central Park” to be the place to provide such support for physical development. Today, Cashman Park has a playground, sport courts, soccer and baseball fields, a public boat ramp, and is the northern gateway to the Clipper City Rail Trail. While the park has been enjoyed for generations, it is showing signs of deterioration. Specifically, the tennis/pickleball and basketball courts are in desperate need of resurfacing in order to support the recreational needs of the community.

The courts will be pressure washed, and any existing failed crack repair membrane will be removed. Cracks will then be filled with latex fillers and new crack repair system will be installed. The entire court will be resurfaced with an Ultra Performance full acrylic playing surface and lines will be repainted per USTA (tennis) and USAPA (pickleball) standards, and two sets of basketball lines will also be painted. A backboard and windscreen will be installed at the tennis/pickleball courts as well as missing sections of chain link fence with two wheelchair accessible gates.

Due to their proximity to residential neighborhoods and their accessibility off the Clipper City Rail Trail, the courts are widely used by Newburyport Youth Services, residents, and visitors for pickup games. The City has received a \$15,000 private donation for this project.

PROJECT NO.11

Atkinson Common Tennis Court Resurfacing

The CPC recommends the appropriation of \$49,557 from the FY 2024 Estimated Revenues to the City of Newburyport Parks Commission & Division for the resurfacing of the Atkinson Common tennis courts.

The CPA category for this appropriation is Recreation.

Project Summary: Atkinson Common is a 21-acre park dating back to the Victorian Era featuring gardens, lawns, fountain, tennis court and ball fields. The Atkinson Common Tennis Courts, which are nestled within a grove of shade trees behind the historic Rock Tower, are in high demand by residents and also serve as the home courts for the Newburyport High School tennis teams. The courts underwent some repairs in 2013, but are now experiencing cracking and heaving, which is rendering them increasingly more challenging to play on and posing a significant safety hazard for players. They are in need of resurfacing which will improve the courts and support the recreational needs of the community.

The courts will be pressure washed, and any existing failed crack repair membrane will be removed. Cracks will then be filled with latex fillers and new crack repair system will be installed. The entire court will be resurfaced with an Ultra Performance full acrylic playing surface and lines will be repainted per USTA standards. The Belleville Improvement Society has raised \$4,700 for this effort.

PROJECT NO.12

Woodman Park Accessibility Project

The CPC recommends the appropriation of \$57,570 from the FY 2024 Estimated Revenues to the City of Newburyport Parks Division to make Woodman Park accessible.

The CPA category for this appropriation is Recreation.

Project Summary: Woodman Park, located at 132 Crow Lane, is the only City park located in the West End of the city. It is heavily used by its residents. The park includes a baseball field, basketball court, youth soccer field, playground with play areas for ages 2-5 and ages 5-12, and a gravel parking lot. While the parking area is a flat gravel lot, there is no ramp leading to the playground area. Access to the playground is currently by ascending a few timber steps which are in poor condition. The playground does not have handicap accessibility and is in need of a ramp. The deteriorating plastic edging needs to be removed; the walkway made of donor bricks needs to be renovated; two small timber retaining walls need to be rebuilt; and loam and turf along the playground edge needs to be installed to improve accessibility.

PROJECT NO.13

World War Memorial Stadium Multi- Purpose Field Project Bond

The CPC recommends the appropriation of \$122,880 from the FY 2024 Estimated Revenues to the City of Newburyport for the seventh annual payment of interest and principal on the World War Memorial Stadium Multi- Purpose Field Project Bond.

CPA category is Recreation.

Project Summary: In April 2014, the City Council authorized bonding up to \$1,500,000 against future CPA revenue for the renovation and improvement of the Newburyport High School's World War Memorial Stadium athletic field. Debt payments on the bond will continue through 2030. The CPC is advised that it is necessary to appropriate the debt service payments annually.

PROJECT NO.14

Cherry Hill Parcel B Soccer Field Improvement Project Bond

The CPC recommends the appropriation of \$11,540 from the FY 2024 Estimated Revenues to the City of Newburyport for the eighth annual payment of interest and principal on the Cherry Hill Parcel B Soccer Field Improvement Project Bond.

The CPA category is Recreation.

Project Summary: In April 2014, the City Council authorized the bonding of up to \$134,000 against future CPA revenue for the redesign and construction of the Cherry Hill Parcel B athletic field. Debt payments on the bond will continue through 2030. The CPC is advised that it is necessary to appropriate the debt service payments annually.

PROJECT NO.15

Fuller Field Track Renovation, Phase Two Project Bond

The CPC recommends the appropriation of \$48,750 from the FY 2024 Estimated Revenues to the City of Newburyport for the third annual payment of interest and principal on the Fuller Field Track Renovation, Phase Two Project Bond.

The CPA category is Recreation.

Project Summary: The project includes installation of a 300-person grandstand, completion of electrical connections throughout the facility for the sound and timing systems, installation of a new sound system, and renovation of the interior of the existing field house to include expanded restroom facilities. The CPC is advised that it is necessary to appropriate the debt service payments annually.

PROJECT NO.16

Market Landing Park Bond Payment (Central Waterfront)

The CPC recommends the appropriation of \$270,000 from the FY 2024 Estimated Revenues to the City of Newburyport for the first annual payment of interest and principal on the Market Landing Park Bond once the bond has been issued for this project.

CPA category is Recreation.

Project Summary: On July 11, 2022, the City Council authorized bonding up to \$3,000,000 against future CPA revenue for the Market Landing Park Project (Central Waterfront). The CPC also recommended that the FY'22 appropriation of \$250K (Council Order 265_08_09_2021) be granted a 1-year extension. The CPC is advised that it is necessary to appropriate the debt service payments annually. Please note that the appropriation is subject to a final plan being presented to Council for approval. Council voted to approve final schematic plans on 11/1/22 (ORDR00385_10_11_2022).

PROJECT NO.17

Bartlet Mall Frog Pond Improvements Project Bond Payment

The CPC recommends the appropriation of \$235,000 from the FY 2024 Estimated Revenues to the City of Newburyport for the first annual payment of interest and principal on the Bartlet Mall Bond once a final plan is presented and approved by City Council, project funds are needed, and the bond has been issued.

CPA category is Historic Preservation.

Project Summary: On September 27, 2022, the City Council authorized bonding up to \$2,574,000 against future CPA revenue to pay the costs of the Bartlet Mall Frog Pond Improvements project, including the payment of all costs incidental and related thereto. The CPC is advised that it is necessary to appropriate the debt service payments annually. Please note that the appropriation is subject to a final plan being presented to Council for approval.

PROJECT NO. 18

Administrative Costs

The CPC recommends the appropriation of \$14,000 from the FY 2024 Estimated Revenues to fund the Community Preservation Committee's anticipated administrative costs. These costs include a stipend for the CPC administration liaison position in the Office of Planning & Community Development, annual membership dues in the statewide community preservation coalition, and other recurring expenses including note taking at meetings, legal advertising, and city solicitor review of legal documents when necessary. Excess funds remaining in this account at the end of the fiscal year revert to the general Community Preservation Fund. This recommended amount represents an increase of the usual \$12,000 in administrative costs as there are now increased membership dues in the statewide community preservation coalition and increased minute taker fees.

The CPA category for this appropriation is Administration.

COMMUNITY PRESERVATION COMMITTEE – EVALUATION CRITERIA

The Newburyport Community Preservation Committee gives preference to proposals which address as many of the following general criteria as possible:

1. Eligible for Community Preservation Act (CPA) funding according to the requirements described in the CPA legislation (Chapter 44B of Mass. General Laws).
2. Consistent with the Master Plan, Open Space and Recreation Plan, Land Use and other planning documents that have received public scrutiny and input.
3. Preserve and enhance the essential character of the city.
4. Protect resources that would otherwise be threatened.
5. Serve more than one CPA purpose or demonstrate why serving multiple needs is not feasible.
6. Demonstrate practicality and feasibility, and that the project can be implemented within budget and on schedule.
7. Produce an advantageous cost/benefit value.
8. Leverage additional public and/or private funds (eg. qualify the project for additional grants from other sources) or receive partial funding from other sources and/or voluntary contributions of goods or services.
9. Preserve or improve utility of currently owned city assets.
10. Receive endorsement by other municipal boards or departments and broad-based support from community members.

CATEGORY SPECIFIC CRITERIA

The Community Preservation Act funds three key community interests: open space, historic preservation, and affordable housing. Public recreation projects may also be funded.

1. **Open Space** proposals which address as many of the following specific criteria as possible will receive preference for funding:
 - Permanently protect important wildlife habitat, particularly areas that include:
 - locally significant biodiversity;
 - variety of habitats with a diversity of geologic features and types of vegetation;
 - Endangered habitat or species of plant or animal.
 - Preserve active agricultural use.
 - Provide opportunities for passive recreation and environmental education.
 - Protect or enhance wildlife corridors, promote connectivity of habitat or prevent fragmentation of habitats.
 - Provide connections with existing trails, protected open space or potential trail linkages.
 - Preserve scenic views.
 - Border a scenic road.

- Protect drinking water quantity and quality.
- Provide flood control/storage.
- Preserve and protect important surface water bodies, including streams, wetlands, vernal pools or riparian zones.
- Buffer for protected open space, or historic resources.

2. Historic Preservation proposals which address as many of the following criteria as possible will receive preference for funding:

- Protect, preserve, enhance, restore and/or rehabilitate historic, cultural, architectural or archaeological resources of significance, especially those that are threatened.
- Protect, preserve, enhance, restore and/or rehabilitate city-owned properties, features or resources of historical significance.
- Protect, preserve, enhance, restore and/or rehabilitate the historical function of a property or site.
- Demonstrates a public benefit.
- Ability to provide permanent protection for the historic resource.

3. Affordable Housing proposals which address as many of the following criteria as possible will receive preference for funding:

- Contribute to the goal of 10% affordability as defined by chapter 40B of Mass. General Laws.
- Promote a socioeconomic environment that encourages a diversity of income.
- Provide housing that is harmonious in design and scale with the surrounding community.
- Intermingle affordable and market rate housing at levels that exceed state requirements for percentage of affordable units pursuant to chapter 40B.
- Ensure long-term affordability.
- Address the needs of range of qualified household, including very low, low and low-to moderate income families and individuals.
- Provide affordable rental and affordable ownership opportunities.
- Promote use of existing buildings or construction on previously-developed or city-owned sites.
- Convert market rate to affordable units.

4. Recreation proposals which address as many of the following criteria as possible will receive preference for funding:

- Support multiple recreation uses.
- Serve a significant number of residents.
- Expand the range of recreational opportunities available to city residents of all ages.

- Jointly benefit Conservation Commission and Parks Commission initiatives by promoting recreation, such as hiking, biking, and cross-country skiing.
- Maximize the utility of land already owned by city (e.g. school property).
- Promote the creative use of railway and other corridors to create safe and healthful non-motorized transportation opportunities.

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

March 27, 2023

THAT, The CITY COUNCIL of the City of Newburyport accepts a grant from the U.S. Department of Energy's Buildings Upgrade (Buildings Up) Prize program consisting of \$5,000.00 and up to 10 hours of technical assistance to help accelerate widespread, equitable energy-efficiency and building electrification upgrades in the City. Said funds are accepted in accordance with M.G.L. Chapter 44, Section 53A.

Councillor Sharif I. Zeid

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

March 27, 2023

THAT, The CITY COUNCIL of the City of Newburyport accepts with gratitude a gift from Katherine Day in the amount of \$3,000.00 to be used for the purchase and installation of a bench at Cashman Park. Said funds are accepted in accordance with M.G.L. Chapter 44, Section 53A.

Councillor Sharif I. Zeid

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

March 27, 2023

THAT, The CITY COUNCIL of the City of Newburyport accepts with gratitude a gift from The Mayor Gayden W. Morrill Charitable Foundation in the amount of \$16,926.30 to be used for the purposes indicated below. Said funds are accepted in accordance with M.G.L. Chapter 44, Section 53A.

Purpose	Amount
Bartlet Mall	\$2,095.83
Bartlet Mall Fountain Restoration	\$7,000.00
Brick Sponsorship, Inn Street	\$775.28
Newburyport Sports	\$2,638.46
Clipper City Rail Trail	\$250.00
Field Maintenance	\$1,000.00
McCarthy Tree Planting	\$600.00
Nock Molin Tennis Court Renovation	\$1,001.85
Pickleball	\$48.60
Woodman Park	\$1,516.28
Total	\$16,926.30

 Councillor Sharif I. Zeid

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

March 27, 2023

CITY OF NEWBURYPORT ELECTION CALENDAR EARLY VOTING IN PERSON

The City Council of the City of Newburyport hereby authorizes the following schedule for Early Voting in Person for the 2023 local municipal election.

Preliminary Election (if necessary)

Wednesday, September 13, 2023	8:30 am – 3:30 pm
Thursday, September 14, 2023	8:30 am – 6:30 pm
Friday, September 15, 2023	8:30 am – 11:30 am

Final Election

Saturday, October 28, 2023	8:00 am – Noon
Monday, October 30, 2023	8:30 am – 3:30 pm
Tuesday, October 31, 2023	8:30 am – 3:30 pm
Wednesday, November 1, 2023	8:30 am – 3:30 pm
Thursday, November 2, 2023	8:30 am – 6:30 pm
Friday, November 3, 2023	8:30 am – 11:30 am

The location for early voting in person 2023 shall be the Senior/Community Center, 331 High Street, Newburyport, MA.

Councillor Heather L. Shand

ORDINANCES

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

February 27, 2023

Appendix B Municipal Fee Schedule**Section 2 Municipal Fees by Category****Sec. 2-G Licenses, permits, signs and business regulations**

THAT the City Council of the City of Newburyport hereby amends Appendix B, Section 2 Municipal Fees by Category, Section 2-G Licenses, permits, signs and business regulations specifically the following fee for food trucks with deletions ~~double-stricken and italicized~~ and additions double-underlined and italicized:

2-G - Licenses, permits, signs and business regulations.

Lodging house licenses	Fees
Lodging houses	\$2.00
Bed and Breakfast	\$20.00
Transient Vendor/Food Trucks License	Fees
Annual notice for transient vendor license applications	\$10.00
Transient vendors, excluding food trucks	\$1,000.00 <u>\$350.00</u>
Food trucks	\$1,500.00

 Councillor James J. McCauley

In City Council February 27, 2023:

Motion refer to Community Services by Councillor McCauley, seconded by Councillor Preston. Roll call vote. 11 yes. Motion passes.

3/7 Amended in Community Services Committee. Corrected scrivener error. Transient Vendor changed to \$350, Food Truck stays unchanged.

In City Council March 13, 2023:

Motion to approve on 1st reading by Councillor McCauley, seconded by Councillor Wright. Roll call vote. 9 yes, 1 no (SZ), 1 absent. Motion passes.

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

January 30, 2023

A GENERAL ORDINANCE AMENDMENT TO ADDRESS PLANNING BOARD MEMBERSHIP:

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

Amend the Code of Ordinances Chapter 2 Division 4 (Planning Board) as follows, with deletions ~~double-stricken and italicized~~, and additions double-underlined and italicized:

Sec. 2-116. - Established; membership; appointment.

The planning board for the city is hereby established under the provisions of M.G.L.A. c. 41, §§ 81A—81J inclusive. Such board shall consist of nine (9) members until such time as the transition to a seven-member board, as provided for in this Ordinance, is complete, upon which the board shall consist of seven (7) members. The members shall be appointed by the mayor and confirmed by the city council.

Sec. 2-117. - Terms of office; filling vacancies.

~~When the first appointment is made to the planning board, three (3) members shall be appointed for the term of one (1) year, three (3) for the term of two (2) years, one (1) for the term of three (3) years, one (1) for the term of four (4) years, and one (1) for the term of five (5) years, from the date of their appointment. As the term of each member expires, his successor shall be appointed for the term of five (5) years.~~ Planning board members shall be appointed

for terms of three (3) years. A vacancy occurring otherwise than by expiration of term shall be filled for the unexpired term in the same manner as in the case of an original appointment.

Sec. 2-118. - Election of ~~chairman, clerk~~ officers.

The planning board shall ~~as soon as practicable, after the appointments of the members have become operative, and~~ annually ~~thereafter,~~ elect a chairman, vice chair and ~~clerk~~ secretary from its own membership.

Sec. 2-119. - Members to serve without pay; powers and duties.

The members of the planning board shall serve without pay and shall have the powers and authority to perform the duties set forth in ~~MGL M-G-L-A~~ c. 41, §§ 81A—81J inclusive, relative to local planning boards, and in MGL c. 40A relative to special permit granting authorities.

Sec. 2-119A. – Transition to Seven-member board.

Members of the nine-member board on the effective date of this section shall continue to serve until they resign or their terms expire. The board shall continue to consist of nine (9) members and act as a nine-member board until two seats become vacant due to resignation or expiration of term; at which time the board shall consist of seven members and become a seven-member board. A seat on the board that becomes vacant due to resignation or expiration of term shall not be filled until the number of members is less than seven (7).

Councillor Edward C. Cameron, Jr.

In City Council January 30, 2023:

Motion to refer collectively ODNC00135, ODNC00136, ODNC00137 to Planning and Development by Councillor Cameron, seconded by Councillor Wright. Friendly amendment by Councillor Khan to refer ODNC00136 and ODNC00137 to COTW in addition to Planning & Development. Roll call vote. 11 yes (1 remote, BL). Motion passes.

In City Council March 13, 2023:

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

CITY OF NEWBURYPORT



IN CITY COUNCIL

January 30, 2023

ORDERED:**A ZONING ORDINANCE AMENDMENT TO ADDRESS THE PLANNING BOARD WHEN ACTING AS SPECIAL PERMIT GRANTING AUTHORITY (SPGA)**

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

Amend the title of Section X-H as follows, with deletions ~~double-stricken and italicized~~, and additions double-underlined and italicized:

X-H - Board of ~~Appeals~~ and Planning Board.

Amend Section X-H.7.B.(9) as follows, with deletions ~~double-stricken and italicized~~, and additions double-underlined and italicized:

- (9) The ~~zoning board~~ SPGA shall state in its conditions whether the special permit which has been granted runs with the land or the owner of the property.

Amend the second paragraph of Section X-H.8 as follows, with deletions ~~double-stricken and italicized~~, and additions double-underlined and italicized:

Within ninety (90) days following the date of the public hearing, the SPGA shall take final action on the special permit application or petition. Issuance of a special permit shall require a positive vote of the number of no less than four (4) members of the SPGA ~~zoning board of appeals~~ required pursuant to MGL c. 40A §9. If the SPGA fails to act within ninety (90) days, the petition or application for a special permit shall be deemed granted.

Amend Section X-I as follows, with deletions ~~double-stricken and italicized~~, and additions double-underlined and italicized:

No appeal, application or petition which has been unfavorably and finally acted upon by the SPGA or permit granting authority ~~zoning board of appeals~~ shall be acted favorably upon within two

(2) years after the date of final unfavorable action unless said SPGA or permit granting authority ~~the zoning board of appeals~~ finds, by a vote of four (4) members of a board of five members or two-thirds vote of a board of more than five members, specific and material changes in the conditions upon which previous unfavorable action was based, and describes such changes in the record of its proceedings, and unless all but one of the members of the planning board consents thereto and after notice is given to parties in interest of the time and place of the proceedings when the question of such consent will be considered.

Any petition for a variance or application for a special permit which has been transmitted to the SPGA or permit granting authority ~~zoning board of appeals~~ may be withdrawn, without prejudice by the petitioner prior to the publication of the notice of a public hearing thereon, but thereafter be withdrawn without prejudice only with the approval of the SPGA or permit granting authority ~~zoning board of appeals~~.

Insert the following new Section X-K as follows:

X-K Planning Board as Special Permit Granting Authority (SPGA)

1. *Associate members.* The planning board shall have two (2) associate members who shall be appointed by the mayor and confirmed by the city council for terms of three (3) years.
2. *Designation by the chair.* The chair of the planning board may designate an associate member to sit on the board for the purposes of acting on a special permit application, in the case of absence, inability to act, or conflict of interest, on the part of any member of the planning board or in the event of a vacancy on the board.

Councillor Edward C. Cameron, Jr.

In City Council January 30, 2023:

Motion to refer collectively ODNC00135, ODNC00136, ODNC00137 to Planning and Development by Councillor Cameron, seconded by Councillor Wright. Friendly amendment by Councillor Khan to refer ODNC00136 and ODNC00137 to COTW in addition to Planning & Development. Roll call vote. 11 yes (1 remote, BL). Motion passes.

In City Council March 13, 2023:

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

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

February 27, 2023

THAT pursuant to the CITY OF NEWBURYPORT Code of Ordinances Section 13-180.1.(f)(1) hereby amends and approves the following schedule of parking fees and fines in the municipal parking garage as shown in Appendix B below:

Amended as follows, with deletions ~~double-stricken and italicized~~, and additions double-underlined and italicized:

<u>Inn Daily Permit for the Garage</u>	<u>\$16.00/per day</u>
--	------------------------

Inn is defined as a hotel/inn including conference and meeting facilities and bed and breakfast. Visitors may park overnight up to a maximum of seven (7) days.

Councillor James J. McCauley

In City Council February 27, 2023:

Motion refer collectively ODNC00138 and ODNC00140 to Public Works & Safety by Councillor McCauley, seconded by Councillor Cameron. Roll call vote. 11 yes. Motion passes.

In City Council March 13, 2023:

Motion to approve on 1st Reading by Councillor Wallace, seconded by Councillor Lane. Roll call vote. 9 yes, 1 no (SZ), 1 present (BL). Motion passes.

COMMITTEE ITEMS

Committee Items – March 27, 2023

Budget & Finance

In Committee:

- TRAN00149_03_13_2023 Mayor: PRK Sal Parks Dir \$32,500 to HR Unemployment Claims \$20K, HR Job Advertising \$3K, PRK Maint-Equip \$7K, PRK Restroom Rentals \$2,500
- ODNC00144_03_13_2023 Amend Ch 2-394 Departmental Revolving Funds
- ODNC00129_11_01_2022 Defining Conflict Rule for Dept. Heads (COTW)
- ODNC00130_11_01_2022 Grants, Gifts, and Fees (COTW)
- ODNC00132_11_14_2022 Mandated Reporting (*amended*)



CITY OF NEWBURYPORT FY 2023

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

TRANSFER/APPROPRIATION REQUEST

2023 MAR -1 P 3:44

Department: Mayor

Submitted by: Mayor Sean R. Reardon

Date Submitted: 3/13/2023

Transfer From:

Account Name:	PRK Sal Parks Director	Balance:	\$ 68,773.09
Account Number:	01630001-51166	Category:	\$ 168,852.36
Amount:	\$32,500.00	Trans I/O:	\$ -

Why Funds Are Available:

A surplus in this account exists due to the reorganization of the department.

Transfer To:

Account Name:	HR Unemployment Claims	Balance:	\$ (4,657.50)
Account Number:	01220001-51101	Category:	\$ 12,229.02
Amount:	\$20,000.00	Trans I/O:	\$ -

Why Funds Are Needed:

This line item is currently in a deficit and additional funds are needed to cover the City's share of unemployment claims for the remainder of the fiscal year.

Transfer To:

Account Name:	HR Job Advertising	Balance:	\$ (770.20)
Account Number:	01220001-51301	Category:	\$ 12,229.02
Amount:	\$3,000.00	Trans I/O:	\$ -

Why Funds Are Needed:

Due to a higher volume of recruitments and job postings resulting from retirements and staff turnover.

Transfer To:

Account Name:	PRK Maint-Equip	Balance:	\$ (172.50)
Account Number:	01630002-52401	Category:	\$ 25,622.72
Amount:	\$7,000.00	Trans I/O:	\$ -

Why Funds Are Needed:

This line item is used to maintain equipment and replace smaller handheld equipment, such as weed eaters, chain saws, blowers, etc. The account is currently in a deficit and additional funds are needed for spring maintenance.

Transfer To:

Account Name:	PRK Restroom Rentals	Balance:	\$ (2,500.00)
Account Number:	01630002-52702	Category:	\$ 25,622.72
Amount:	\$2,500.00	Trans I/O:	\$ -

Why Funds Are Needed:

During COVID, additional portable restrooms were added throughout the city. Prior to this fiscal year, these additional costs were typically eligible for reimbursement through the state/federal funding streams. This is no longer the case. For the first half of the fiscal year, the city was paying approx. \$995/mo for five portable restrooms in the parks putting this line item in deficit by \$2,500. All of these restrooms have since been removed and will be revaluated for this summer.

Sean R. Reardon, Mayor:

Date: 3/17/2023

Ethan R. Manning, Auditor:

Date: 3/17/2023

City Council Action:

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

March 13, 2023

AN AMENDMENT TO AN ORDINANCE DEFINING RESPONSIBILITIES THERETO
PURUSANT TO VARIOUS SECTIONS OF CHAPTER 2 ADMINISTRATION OF THE
MUNICIPAL CODE

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

Chapter 2	Administration
Article VI	Finance
Section 2-394	Departmental Revolving Funds

Amend Section 2-394 by deleting a clause, as follows, with deletions ~~double stricken through~~:

Sec. 2-394. Departmental revolving funds.

- (a) *Purpose.* This section establishes and authorizes revolving funds for use by city departments, boards, committees, agencies or officers in connection with the operation of programs or activities that generate fees, charges or other receipts to support all or some of the expenses of those programs or activities. These revolving funds are established under and governed by M.G.L.A. c. 44, § 53E½.
- (b) *Expenditure limitations.* A department or agency head, board, committee or officer may incur liabilities against and spend monies from a revolving fund established and authorized by this section without appropriation subject to the following limitations:
 - (1) Fringe benefits of full-time employees whose salaries or wages are paid from the fund shall also be paid from the fund.
 - (2) No liability shall be incurred in excess of the available balance of the fund.
 - (3) The total amount spent during a fiscal year shall not exceed the amount authorized by city council on or before July 1 of that fiscal year, or any increased amount of that authorization that is later approved during that fiscal year by the city council and mayor.
 - (4) Any capital expenditure from the fund shall be made upon the recommendation of the mayor and approval of the city council. A capital expenditure is defined as a fixed asset costing fifteen thousand dollars (\$15,000.00) or more with an expected useful life of five (5) years or more.
- (c) *Interest.* Interest earned on monies credited to a revolving fund established by this section shall be credited to the general fund.

- (d) *Procedures and reports.* Except as provided in M.G.L.A. c. 44, § 53E½ and this section, the laws, charter provisions, ordinances, rules, regulations, policies or procedures that govern the receipt and custody of city monies and the expenditure and payment of city funds shall apply to the use of a revolving fund established and authorized by this section. The city auditor shall include a statement on the collections credited to each fund, the encumbrances and expenditures charged to the fund and the balance available for expenditure in the regular report the city auditor provides the department, board, committee, agency or officer on appropriations made for its use.
- (e) *Authorized revolving funds.* The table establishes:
- (1) Each revolving fund authorized for use by a city department, board, committee, agency or officer;
 - (2) The department or agency head, board, committee or officer authorized to spend from each fund;
 - (3) The fees, charges and other monies charged and received by the department, board, committee, agency or officer in connection with the program or activity for which the fund is established that shall be credited to each fund by the city auditor; and
 - (4) The expenses of the program or activity for which each fund may be used.

A Revolving fund	B Department, Board, Committee, Agency or Officer Authorized to Spend from Fund	C Fees, Charges or Other Receipts Credited to Fund	D Program or Activity Expenses Payable from Fund
Council on aging	Director of council on aging	Program fees	Senior citizen programs
Recreational services	Director of youth services	Program fees	Funds recreational services in the city including program supplies, materials and equipment, class instructor fees, fees for reservations and tickets related to trips and functions, other costs related to the provisions of recreational services and transfers to the general fund for the purpose of funding salaries
Historical commission	Director of planning and development	Application fees	Administration of the historical commission operations, including office supplies and technical assistance
Electrical inspector	Building commissioner	Electrical permit fees	Charges and/or salaries for wiring inspector, assistant wiring inspector, building inspector and

			related supplies and equipment for the department
Plumbing inspector	Building commissioner	Plumbing permit fees	Charges and/or salaries for plumbing inspector, assistant plumbing inspector, building inspector and related supplies and equipment for the department
Gas inspector	Building commissioner	Gas permit fees	Charges and/or salaries for gas inspector, assistant gas inspector, building inspector and related supplies and equipment for the department
Disabilities commission	Americans with Disabilities Act (ADA) coordinator	Handicapped parking fines and Massachusetts Architectural Access Board (MAAB)/ADA enforcement fines	Assist the commission on disabilities in their efforts to advise, assist, research, coordinate, review and make policy recommendations, provide information, referrals, guidance and technical assistance to individuals, public agencies, businesses and organizations in all matters pertaining to disability; and to coordinate activities of other local groups organized for similar purposes
Emma Andrews Library	Director of public services	Income received from the rental of the apartment located on the second floor of the South End Branch Library, commonly known as the Emma Andrews Library	Expenses associated with building maintenance, repairs, renovations, upkeep and security
Transient vendors	Director of public health	Permit fees	Offset health department expenses associated with special events, including, but not limited to, festivals, farmers markets, and temporary events
Planning and zoning	Director of planning and development	Planning and zoning service and application fees	Planning and zoning related purposes including consultant's fees, legal expenses and other costs associated with project reviews and planning activities
Animal control	Director of public health	Fees and charges associated with animal control and animal shelter activities	Offset city expenses associated with carrying out animal control and animal shelter operations
Tree commission	Newburyport Tree Warden	Fines, voluntary payments, fees, charges, contributions,	Plant, maintain, protect, and preserve public trees throughout

		donations, grants, insurance settlements, and other payments received from private individuals, businesses, government entities, and persons or business making payment to the city for damage caused to trees located on city property	the city in order to: contribute to the distinct character of the city; improve air quality; create habitats for wildlife, including various rare and protected species; reduce noise; provide privacy; protect soil from erosion; provide glare and heat protection; provide an aesthetic appeal that enhances property values; provides natural privacy to neighbors; and promotes civic pride and enjoyment
Health programs	Director of public health	Program fees and reimbursements from the state or federal Medicare/Medicaid programs and private insurers	Expenses associated with carrying out Health Department activities and programs
Veterans services	Director of veteran's services	Sale of grave markers, donations, gifts and grants received from the general public, government entities, private corporations, and charitable foundations	Expenses associated with goods and services benefiting veterans residing in the city and their families
City hall maintenance	Director of public services	Fees and charges paid to the city for the use and rental of city hall facilities	Expenses associated with city hall event coordination, maintenance, repairs, renovations, upkeep and security
Senior community center maintenance	Director of public services	Fees and charges paid to the city for the use and rental of the senior community center	Expenses associated with event coordination, maintenance, repairs, renovations, upkeep and security at the senior community center
Parks maintenance	Parks director <u>Director of public services</u>	Fees and charges paid to the city for the use and rental of parks by outside groups, organizations and individuals	Expenses associated with parks maintenance, repairs, renovations, upkeep and security
Solid waste	Recycling/energy manager	Fees collected for use of the yard waste facility, charges for disposal of household hazardous waste, bulk item/mattress disposal fees and recycling fees	Expenses associated with operating the yard waste facility and recycling center on Colby Farm Lane, chipper service, disposal of hazardous waste, as well as, disposal of bulk items/mattresses

Assessor's office	Assessor	Fees charged by the assessor's office for records requests and abutters lists	Office supplies and equipment
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(Ord. of 6-11-2018(1); Ord. of 6-13-22(1))

Councillor Heather L. Shand

In City Council March 13, 2023:

Motion to collectively refer ODNC00143 to Public Works & Services, ODNC00144 to Budget & Finance, ODNC00145 to Community Services, ODNC00146 to General Government, and ODNC00147 to Community Services by Councillor Zeid, seconded by Councillor McCauley. Roll call vote. 10 yes, 1 absent (BL). Motion passes.

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

November 1, 2022

AN ORDINANCE DEFINING RULES FOR DEPARTMENT HEADS WITH REGARDS TO CONFLICTS OF INTEREST, COMPLIANCE WITH THE STATE CONSTITUTION AND RESIDENT PRIVACY AND ASSOCIATED EXTERNAL ORGANIZATIONS

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

Chapter 2 Administration
Division 1 Generally
Article I In General

Insert Section 2 – 127

Definitions:

Department Head – An employee of the City of Newburyport employed as the leader of any department of the City of Newburyport.

Associated External Organization – Any organization whether for profit or non-profit (also referred to as a 501(c)(3)) that participates in fundraising activities in support of City departments.

Department Head Conflicts

The following rules are meant to promote transparency and avoid potential conflicts of interest, whether real or perceived, between city departments and external organizations that may form to raise funds in support of these departments.

- (a) *Department Heads* shall be prohibited from serving on the board of directors or in any position of leadership of any *associated external organization*.
- (b) *Department Heads* shall be prohibited from the handling, the allocation, or the disbursing, of Funds raised, or otherwise act in a controlling way toward any *associated external organization*.

- (c) *Department Heads* shall be prohibited from sharing City resources, including contact lists, with any *associated external organization*, consistent with the State Constitution's anti-aid amendment codified in Article CII.
- (d) While this section may not be overridden by City policy, it is not intended to supplant or replace other obligations for *Department Heads* that may be created via employment agreements or other City ordinances or City policies.
- (e) City addresses, whether they be physical or email, may not be authorized for use by *associated external organizations*.

Councillor Sharif I. Zeid

In City Council November 1, 2022:

Motion to refer collectively ODNC00129 and ODNC00130 to Budget & Finance and COTW by Councillor Zeid, seconded by Councillor Vogel. So voted.

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

November 1, 2022

AN ORDINANCE REGARDING ACCEPTANCE OF GIFTS AND GRANTS TO THE CITY

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

Chapter 2 Administration
Article VI Finance

Insert Section 2 – 396

Definitions:

Items - funds, goods, services, information services or analysis and/or anything of value

Gift – Items being donation to the City by a third party whether an individual, group, organization.

Grant – Any receipt

Fee – Items that have been authorized by a specific state statute or City Ordinance.

Procedure and Acceptance

- (a) *Grants* must, by Order, either be approved for submittal by the City Council or accepted by the City Council upon award.
- (b) *Gifts* exceeding five-hundred dollars (\$500.00) must be accepted by City Council Order and then either separately or concurrently appropriated for a specific purpose. Consecutive *gifts* may not be strung together to avoid triggering the threshold.

- (c) *Fees* shall be accepted and appropriated in accordance with their enabling state statute or ordinance.
- (d) *Gifts, grants, and fees* may not be used interchangeably.

Councillor Sharif I. Zeid

In City Council November 1, 2022:

Motion to refer collectively ODNC00129 and ODNC00130 to Budget & Finance and COTW by Councillor Zeid, seconded by Councillor Vogel. So voted.

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

November 14, 2022

AN ORDINANCE REGARDING CITY AUDITOR MANDATED REPORTING

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

Chapter 2 Administration
Article VI Finance

Insert Section 2 – 177

Within 30 days of the discovery of credible evidence of either alleged or confirmed fraud, misuse, misdirection, embezzlement, loss, misappropriation, or otherwise illegal use of any public funds (together referred to as “*actions*” herein), the city auditor, **in consultation with the City Solicitor,** shall submit to the city council, via the city clerk, a letter stating the following:

- A) The nature of the alleged or confirmed *actions*
- B) The individual or individual(s) to have taken part in said *actions*
- C) The date or date range of such *actions*
- D) Actions taken to remedy the *actions*
- E) Actions taken to inhibit the *actions* in the future

Said letter may be submitted as executive session material, if deemed in the best interest of the City, but may not be withheld from the City Council.

Councillor Sharif I. Zeid

Councillor Byron J. Lane

In City Council November 14, 2022:

Motion to refer to Budget & Finance and COTW by Councillor Zeid, seconded by Councillor Vogel. So voted.

Committee Items – March 27, 2023

Community Services

In Committee:

- APPT00386_03_13_2023 Anita Greenwood 151 High St. Parks Comm. 3/30/2028
- ORDR00431_03_13_2023 Park Comm Bench Policy
- ODNC00145_03_13_2023 Amend Ch 11-5 Rules and Regulations Public Parks & Playgrounds
- ODNC00147_03_13_2023 Amend Municipal Fees 2-J Parks and Recreation
- COMM00471_03_13_2013 Resident letter: Pickleball Atkinson Common
- ORDR00422_02_13_2023 Newburyport Commission on Disabilities Bylaws (*amended*)



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

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2023 MAR -7 P 3:10

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: March 13, 2023
Re: Appointment

I hereby appoint, subject to your approval, the following
named individual as a member of the Parks Commission.
This term shall expire on March 30, 2028.

Anita Greenwood
151 High Street, #2A
Newburyport, MA 01950

Anita Greenwood

151 High St, 2A
Newburyport
MA 01950
978 846 1873
anita.greenwood@gmail.com

February 28, 2023

Dear Mayor Reardon,

I am writing to express my interest in serving on Newburyport's Parks Commission. I understand that a vacancy has occurred. I moved to Newburyport in the summer of 2019, but during the last three and a half years, I have become very invested in supporting and enhancing our parks. While my volunteer work to date has been to advocate for Newburyport Pickleball, establishing a website and organizing open play, that is not my only interest. I am passionate about ensuring optimal and varied, recreational and outdoor opportunities for as many of the city's citizens as possible. Service to all age groups, from toddlers to the most senior citizens, is vital for the well-being of any community.

I am now retired, but worked for thirty years at UMass Lowell. There, I served as the Dean of the College of Education for ten years. Consequently, I have a lot of experience engaging with the public, listening to all perspectives, reaching decisions and making fiscally responsible recommendations. During my time at UMass Lowell, I also wrote many successful grant applications and reviewed internal funding applications from UMass Lowell faculty. I will bring my grant experience to the Commission's work.

Thank you for your consideration of my application.

Sincerely yours,

Anita Greenwood

Anita Greenwood
151 High St, 2A
Newburyport, MA 01950
978 834 1873

Anita.Greenwood@gmail.com

Nationality:	United States Citizen since 1995
Place of Birth:	United Kingdom
Resident of Newburyport:	September 2019

Education

Ed.D.	Science and Mathematics Education
1992	University of Massachusetts Lowell
M.Ed.	Curriculum and Instruction
1985	University of Massachusetts Lowell
B.Sc Hons	Biological Sciences - Zoology and Physiology
1975	University of Birmingham, United Kingdom

Career

2007-2017	Dean of the College of Education, University of Massachusetts Lowell
2004-2007	Chair of Faculty, College of Education
1992-2019	Assistant, Associate and Professor of Science Education, UMass Lowell
1976-1983	Teacher and Department Chairperson, United Kingdom Biology to Advanced Level, Physical Science 9th grade Abbey School, Reading and Waingel's Copse School, Woodley

External Funding Career Total \$3,084,059.

(P.I. = PRINCIPAL INVESTIGATOR)

MOST RECENT

2011-2015 P.I. UTeach-UMass Lowell. Commonwealth of Massachusetts Race to the Top Federal Funding. \$1,599,876

2011-2014 P.I. Northeast Readiness Center. Massachusetts Board of Higher Education approximately \$200,000

2007-2008 P.I. TEAMS Academy. Massachusetts Department of Education. \$425,000

2007-2014 P.I. Numerous Cooperative Agreements with the National Park Service (average about \$300,000/year)

2003-2008 P.I. for Sub-contract. Science Education Online. In collaboration with UMass Amherst. Funded by the NSF with UMass Amherst. UML subcontract \$241,321

2003-2006 P.I. Project EXCEL – Exchanging Careers Enhancing Learning.

Funded by the NSF Robert Noyce Foundation \$343,862

2003-2004 P.I. STEP UP (Science Teacher Enhancement Program for Urban Professionals) Funded by the Massachusetts Board of Higher Education \$41,000 A comparison of alternative certification and traditional certification of new science teachers.

Publications

17 publications related to Education

Example: Greenwood, A., & Kirschbaum, S. Preparing Teachers for Place-Based Instruction at the Tsongas Industrial History Center. *Journal of Museum Education*, 39(1), pp. 20-27. (2014)

4 Education Television Series

Example: Presenter and content writer for Shedding Light on Science (programs 1-8) distributed nationally by CPB/Annenberg Corporation, produced by Harvard-Smithsonian Science Media Group (1999).

Community Related Experience

2019-2023

Newburyport Pickleball

Assist a volunteer group of citizens in the City of Newburyport dedicated to expanding opportunities and facilities of all ages to learn and play pickleball. Completed and presented to the Parks Commission, a survey of parks in Newburyport for suitability of new pickleball courts.

2007 - 2017

Lowell National Historical Park

With the Superintendent of the Lowell National Park, oversaw the work of the Tsongas Industrial History Center - a place-based, hands-on workshop-based museum, serving K-12 schools.

1997-2011 - Search Committees, School District Collaborations and Science Fair Judging. Examples:

- Lowell Public Schools - Superintendent Search Committee Lowell Public Schools
- UML-Lawrence Performing Arts High School Collaboration
- Reading Memorial High School – advising on science curriculum change, collaboration on NSF grant proposal
- Blanchard Middle School, Westford. Inventors' Fair Judge
- Westford Academy High School Science Fair Judge
- Westford Elementary School Inventions Fair Judge

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

March 13, 2023

City of Newburyport Parks Memorial Bench Policy

Effective January 1, 2023

Approved by the Parks Commission on December 15,
2022

Scope:

This policy applies to all existing and future benches located within the City of Newburyport's parks. This policy excludes benches located within State and privately-owned parks, which are under a separate jurisdiction. Residents and non-residents may apply to have a plaque installed on a City bench within a City park, under the lease agreement described below.

Application Process:

An application (see Appendix A) for the lease of a new or existing bench within the City of Newburyport's Parks may be submitted to the Parks Manager for internal review. Applicants should provide up to three (3) preferred locations for placement of a bench, understanding that bench locations will depend on current or future plans for the requested park, as well as capacity of the park to accept additional benches. After initial review by the Parks Manager, new benches must also be approved by the Parks Commission for style and location during a regularly scheduled Parks Commission meeting, with the recommendation of the Parks Manager. Existing benches will be reviewed and approved by the Parks Manager and need not seek Parks Commission approval if they follow the policy outlined in this document. A non-refundable application fee of \$50 shall be paid at the time of application and may be made payable to the City of Newburyport.

Once benches and plaques are approved by the Parks Manager and/or the Parks Commission, the applicant will be provided the final details of the approval, including bench style and material, plaque specifications, site selection, total cost and tentative schedule for installation. A check for the total project cost (\$5,000, pending approval and acceptance by City Council), minus the application fee, must be received prior to installation. Benches are ordered twice annually on September 15 and April 15, and applicants should target their requests appropriately. Applications are accepted from January 1 through April 1.

Terms & Conditions:

From the date of installation, maintenance of the approved bench and plaque is limited to 10 years. Upon expiration of the 10-year period, applicants have the option to renew the leased bench at the current price. The plaque will be removed after the 10-year period unless renewed. Plaques will be available for pick up at the Department.

New benches can no longer be accepted at Joppa Park, the Clipper City Rail Trail from the Wastewater Treatment Facility to the Coast Guard Station, and some sections of Cashman Park. All other requests for benches will be considered on a first come, first served basis with a minimum timeline from application to installation of 3 months. This timeline may be extended based on volume of requests and every effort will be made to respond to requests in a timely manner.

New benches must be compliant with Federal law as delineated in the Americans with Disabilities Act (ADA). This means benches must be adjacent to an existing path or walkway that provides clear access to the bench for people of varying abilities.

Upon installation, all benches and plaques become the property of the City of Newburyport. Neither the donor, nor any former or present parks donation organization, has any claim to ownership of either the bench or the plaque.

This bench policy will be reviewed annually by the Parks Manager and Parks Commission, which may result in policy, procedural, or fee changes. Prices are not guaranteed beyond December 31st of each calendar year.

All proceeds from this program will go towards maintenance of the City of Newburyport's Parks.

Plaque Specifications and Parameters:

In recognition an approved lease, a dedication plaque shall be affixed to the leased bench

under the parameters of this policy. Plaques shall measure 2"x10" in size with choice of inscription from options listed below. Personalization of plaques is not allowed.

In Honor
of Name
Dedicated Month &
Year or:
In
Memory
of Name
Dedicated Month & Year

Maintenance & Replacements:

Once a bench and plaque are installed, the Parks Manager will monitor and maintain it for a period of ten years. Maintenance may include a one-time application of oil sealer and/or paint for wood benches and paint for metal benches or bench components. It is understood that normal weathering of benches may occur and shall be acceptable to the donor. After ten years, the City will contact the lessee regarding renewal of the lease agreement, at which time further bench renovations and/or maintenance may commence, if desired, at the current pricing.

The City shall not be responsible for loss or damage of any kind. If a bench is stolen or destroyed it will be permanently removed. If possible, the donor will be notified as a courtesy that the bench is no longer in place. If the donor wishes to replace a damaged or stolen bench they will need to begin a new application process and pay for the cost of the bench plus shipping and transportation. The City shall cover the installation, administration, and general maintenance fee for the remainder of the original ten-year lease.

Leasing and Renovations of Existing Benches:

The renovation of existing, available benches and benches that exist prior to this policy enactment on January 1, 2023, are available for the same rate as new benches (\$5,000, pending approval and acceptance by City Council).

Bench renovations shall consist of the removal of worn or damaged material, stripping and painting of legs, and installation of new material and hardware as needed.

Memorial Benches Installed Prior to January 1, 2023:

Memorial benches that exist prior to the acceptance of this policy on January 1, 2023 shall be grandfathered until January 1, 2028 at which time every effort will be made to contact their

sponsors for renewal under the terms of this policy. Benches that are not renewed will have their plaques removed and will be available for new sponsorship.

Councillor Heather L. Shand

Councillor James J. McCauley

In City Council March 13, 2023:

Motion to collectively refer ORDR00431 to Community Services, and to refer ORDR00432 and ORDR00433 to Public Works & Safety by Councillor Zeid, seconded by Councillor McCauley. Roll call vote. 11 yes. Motion passes.

Appendix A: Bench application

Name:

Address:

Phone number:

Email address:

Preferred location for bench (up to 3):

New or existing bench?: _____ new _____ existing

Plaque selection:

- ☐ In Honor of/Name/Dedicated month & year:

- ☐ In Memory of/Name/Dedicated month & year:

I have read the Memorial Bench Policy and agree to abide by its terms.

Signed

Please submit this application with a \$50 application fee made payable to the City of Newburyport. Applications and checks may be mailed to:

City of Newburyport
c/o Mike Hennessey, Parks
Manager 60 Pleasant Street/ PO
Box 550
Newburyport, MA 01950

For internal use only:

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

March 13, 2023

AN AMENDMENT TO AN ORDINANCE SEC. 11-5 RULES AND REGULATIONS FOR ALL PUBLIC PARKS AND PLAYGROUNDS OF THE MUNICIPAL CODE

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

Chapter 11	Administration
Section 5	Rules and regulations for all public parks and playgrounds.

Amend Sections 11-5(f), 11-5(h), 11-5(k), 11-5(l), 11-5(q), 11-5(t), 11-5(v), and 11-5(y) by deleting the clauses, as follows, with deletions ~~double stricken through~~:

Sec. 11-5. Rules and regulations for all public parks and playgrounds.

- (a) All other city ordinances applying to public areas also apply to the public parks and playgrounds listed in section 11-2, including but not limited to the following:
- (1) Dogs shall be leashed and animal waste cleaned up and disposed of pursuant to chapter 3 of the Code of Ordinances; provided, however, that pursuant to such chapter 3 dogs are permitted off leash certain locations, as set forth therein. Both the city marshal and the health director, and their designees, including, without limitation, the animal control officer, are expressly authorized to enforce these rules by issuing citations for civil infractions pursuant to M.G.L.A. c. 40, § 21D.
 - (2) No littering is permitted.
 - (3) No vandalism, damage or defacement or other acts of willful destruction of public property is permitted.
 - (4) Loud noise, music, and other sounds are prohibited from 10:00 p.m. to 7:00 a.m. pursuant to chapter 8 of the Code of Ordinances.
 - (5) No snowmobiles, motorcycles, motorbikes or other motorized vehicles, with the exception of wheelchairs, are permitted outside of designated driveways or parking lots, unless specifically authorized by city council vote.
 - (6) No smoking pursuant to chapter 8 of the Code of Ordinances.
 - (7) For other activities regulated by city ordinances, additional authorization may be required from the city officer or department designated under this Code of Ordinances.

- (8) No activities are permitted that would potentially endanger members of the public.
- (b) No activities are permitted that would interfere with the use and enjoyment of the city's public parks and playgrounds, without prior written authorization from the parks commission.
 - (c) No commercial activities, including, without limitation, soliciting, are permitted without prior written authorization from the parks commission.
 - (d) No commercial activities of any nature are permitted on any portion of the Bartlet Mall unless for specific, nonprofit events that benefit the Newburyport community, unless it is approved in advance by a majority vote of the city council.
 - (e) No vehicular parking is permitted in areas other than designated parking lots, in accordance with posted signs. No unauthorized vehicles are allowed in areas other than designated driveways and parking lots.
 - (f) No alcoholic beverages are permitted without prior written authorization from the parks commission and licensing commission.
 - (g) Horses are not allowed except as expressly authorized by rules and regulations promulgated under this chapter 11, and with prior written authorization from the parks commission.
 - (h) No dogs are permitted on athletic fields, ~~tennis~~ courts, in fountains, or in other restricted park areas.
 - (i) No bicycling, rollerblading, snowboarding, or skateboarding is permitted on play equipment or site furnishings, including, without limitation, benches, curbs, walls, statuary, handrails, fountains, ponds, tennis courts, playing fields, etc., except as specifically authorized by the parks commission. Within those public parks and playgrounds, as indicated by signage approved by the parks commission, bicycling, rollerblading, and skateboarding are prohibited entirely.
 - (j) Trash receptacles in public parks and playgrounds are intended for the collection of refuse related to public use of such facilities, and the disposal of other items in park trash receptacles is not permitted. Dumping of private yard waste is not permitted.
 - (k) No unauthorized posting of bills, signs, or any other materials is permitted. No inflatable equipment, ground stakes to anchor equipment, or confetti is permitted.
 - (l) No fires are permitted except in specific locations expressly authorized by rules and regulations promulgated under this chapter 11, or with prior written authorization from the parks commission and fire chief.
 - (m) No fireworks are permitted without prior written authorization from the fire chief.
 - (n) No firearms are permitted.
 - (o) No camping is permitted, unless specifically authorized by parks commission vote.
 - (p) No unauthorized change of any sort to the property, vegetation, equipment, or structures in is permitted, including, without limitation, trimming, pruning, removal or harming of plantings.
 - (q) No use of water or electrical receptacles is permitted, with the specific exception of public drinking fountains, and as authorized under an individual license or permit issued by the parks ~~commission~~ manager.
 - (r) Athletic field lighting shall be turned off by 10:00 p.m.
 - (s) Fines for violation of any rules and regulations promulgated under this chapter 11 shall be established by ordinance of the city council.
 - (t) The parks commission shall be the permitting authority for all of the city's public parks and playgrounds, and applications for activities therein shall be made to such commission. Solely for routine, ~~non-recurring~~ applications, as specified under "Policy & Procedure on Parks Reservations," the parks commission may delegate its authority to process such applications ~~to the parks director,~~ by promulgating a rule pursuant to section 11-6.

- (u) For Market Landing Park and other Newburyport Waterfront Trust property, the Newburyport Waterfront Trust shall be the permitting agency, and applications for activities therein shall be made to the Newburyport Waterfront Trust.
- (v) Permit applications for activities at parks and playgrounds, made pursuant to the rules and regulations of this chapter 11, shall be processed in the order of their receipt. The parks commission, or ~~the parks director as~~ its designee pursuant to subsection (t), shall determine whether to grant or deny an application within thirty (30) days of receipt of determining that such application is complete, in all respects, unless the applicant provides written consent to extend such period for a set period,
- (w) A granted application for authorization made pursuant to the rules and regulations of this chapter 11 may permit the applicant a revocable license with a duration of no more than six (6) months to use designated areas of the relevant public park or playground. All other rights of use to any public park or playground, whether by revocable license, lease, or otherwise, shall be invalid unless approved by the city council pursuant to all applicable laws. Notwithstanding the foregoing, the Newburyport Waterfront Trust may grant rights of use at Market Landing Park, and other property held by it in public trust, pursuant to its declaration of trust, as amended.
- (x) All fees for use of any public park or playground, regardless of type or duration, shall be established by ordinance of the city council, in consultation with the parks commission. Notwithstanding the foregoing, the Newburyport Waterfront Trust may grant rights of use at Market Landing Park, and other property held by it in public trust, pursuant to its declaration of trust, as amended.
- (y) Denial of an application for authorization shall be in writing, and shall set forth clearly the grounds upon which the permit was denied. Where feasible, the parks commission, or ~~the parks director as~~ its designee pursuant to subsection (u), shall suggest in such written denial those measures by which the applicant may cure any defects in its permit application, or otherwise procure a permit in a subsequent application.
- (z) An application for authorization may be denied on any of the following grounds:
 - (1) The application (including any required attachments and submissions) is not fully completed and executed;
 - (2) The application contains a material falsehood or misrepresentation;
 - (3) The applicant is legally incompetent to contract, or to sue and be sued;
 - (4) The applicant has on a prior occasion damaged public park or playground property, and has not paid full compensation for such damage, or has other outstanding and unpaid debts to the relevant authorizing agency;
 - (5) A fully completed and executed application for an activity at the same time and place has been received, and authorization has been or will be granted to such prior applicant authorizing uses or activities that do not reasonably permit multiple occupancy of the particular public park or playground, or part thereof;
 - (6) The use or activity intended by the applicant would conflict with a program or activity previously planned by the parks department, or by another city department or city official, for the same time and place; or
 - (7) The proposed use or activity is prohibited by or inconsistent with any rules and regulations of this chapter 11, or with the classifications and uses of the relevant public park or playground.

(Ord. of 9-19-18)

Councillor Heather L. Shand

In City Council March 13, 2023:

Motion to collectively refer ODNC00143 to Public Works & Services, ODNC00144 to Budget & Finance, ODNC00145 to Community Services, ODNC00146 to General Government, and ODNC00147 to Community Services by Councillor Zeid, seconded by Councillor McCauley. Roll call vote. 10 yes, 1 absent (BL). Motion passes.

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

March 13, 2023

Appendix B Municipal Fee Schedule**Section 2 Municipal Fees by Category****Section 2-J – Parks and recreation fees.**

The City Council of the City of Newburyport hereby amends Appendix B Municipal Fee Schedule Ordinance Section 2-J Parks and Recreation fees with deletions ~~double-stricken and italicized~~ and additions double-underlined and italicized:

2-J Parks and recreation fees.

	Group Hourly Rate, see Municipal Code Reference							
Athletic Fields and Courts	A	B*	C	D	E	F**	G**	H**
Cashman Park Ballfield	N/C	\$5.00	\$15.00	N/C	N/A	\$25.00	\$100.00	\$200.00
Perkins Park Ballfield	N/C	\$5.00	\$15.00	N/C	N/A	\$25.00	\$100.00	\$200.00
Cashman Park Soccer Field	N/C	\$5.00	\$15.00	N/C	N/A	\$25.00	\$100.00	\$200.00
Cherry Hill Soccer Field Parcel A	N/C	\$5.00	\$15.00	N/C	N/A	\$25.00	\$100.00	\$200.00
Cherry Hill Soccer Field Parcel B	N/C	\$5.00	\$15.00	N/C	N/A	\$25.00	\$100.00	\$200.00
Bradley Fuller Park Track	N/C	\$5.00	\$15.00	N/C	N/A	\$25.00	\$100.00	\$200.00
Bradley Fuller Park Infield	N/C	\$5.00	\$15.00	N/C	N/A	\$25.00	\$100.00	\$200.00
Bradley Fuller Park North Field	N/C	\$5.00	\$15.00	N/C	N/A	\$25.00	\$100.00	\$200.00
Woodman Park Multi-use Field	N/C	\$5.00	\$15.00	N/C	N/A	\$25.00	\$100.00	\$200.00
Cashman Park Tennis	N/C	\$5.00	\$15.00	N/C	N/A	\$25.00	\$100.00	\$200.00

Perkins Park Tennis	N/C	\$5.00	\$15.00	N/C	N/A	\$25.00	\$100.00	\$200.00
Bartlet Mall Basketball Courts	N/C	\$5.00	\$15.00	N/C	N/A	\$25.00	\$100.00	\$200.00
Cashman Park Basketball Court	N/C	\$5.00	\$15.00	N/C	N/A	\$25.00	\$100.00	\$200.00
G.W. Brown School Playground Basketball	N/C	\$5.00	\$15.00	N/C	N/A	\$25.00	\$100.00	\$200.00
Perkins Park Basketball Courts	N/C	\$5.00	\$15.00	N/C	N/A	\$25.00	\$100.00	\$200.00
Woodman Park Basketball Courts	N/C	\$5.00	\$15.00	N/C	N/A	\$25.00	\$100.00	\$200.00
Moseley Woods Lawn	N/C	\$5.00	\$15.00	N/C	N/A	\$25.00	\$100.00	\$200.00
Atkinson Common, Lower, Founders Field	N/C	\$5.00	\$15.00	N/C	N/A	\$25.00	\$100.00	\$200.00
Atkinson Common, Lower, Pepe Field	N/C	\$5.00	\$15.00	N/C	N/A	\$25.00	\$100.00	\$200.00
Atkinson Common, Lower, Hawkes Field	N/C	\$5.00	\$15.00	N/C	N/A	\$25.00	\$100.00	\$200.00
Atkinson Common Tennis	N/C	\$5.00	\$15.00	N/C	N/A	\$25.00	\$100.00	\$200.00
Small Parks	A	B	C	D	E	F*	G*	H*
Brown Square	N/C	N/A	N/A	N/C	N/C	\$25.00	\$100.00	\$200.00
Cornelius Doyle Triangle	N/C	N/A	N/A	N/C	N/C	\$25.00	\$100.00	\$200.00
Joppa Park	N/C	N/A	N/A	N/C	N/C	\$25.00	\$100.00	\$200.00
Moulton Square	N/C	N/A	N/A	N/C	N/C	\$25.00	\$100.00	\$200.00
Washington Park (Eppa Way, Pond Street, High Street)	N/C	N/A	N/A	N/C	N/C	\$25.00	\$100.00	\$200.00
270 Water Street (Perkins Park)	N/C	N/A	N/A	N/C	N/C	\$25.00	\$100.00	\$200.00
Patrick Tracy Square (Tracy Place)	N/C	N/A	N/A	N/C	N/C	\$25.00	\$100.00	\$200.00
Newburyport Skate Park (Nock Schoolyard)	N/C	\$5.00	\$15.00	N/C	N/A	\$25.00	\$100.00	\$200.00
Mid to Large Parks	A	B	C	D	E	F*	G*	H*
Atkinson Common, Upper (other than athletic fields or courts)	N/C	N/A	N/A	N/C	N/C	\$25.00	\$100.00	\$200.00

Atkinson Common, Lower (other than athletic fields or courts)	N/C	N/A	N/A	N/C	N/C	\$25.00	\$100.00	\$200.00
Atwood Park/Garrison Gardens	N/C	N/A	N/A	N/C	N/C	\$25.00	\$100.00	N/A
Bartlet Mall (other than athletic fields or courts)	N/C	N/A	N/A	N/C	N/C	\$25.00	\$100.00	\$200.00
Cashman Park (other than athletic fields or courts)	N/C	N/A	N/A	N/C	N/C	\$25.00	\$100.00	\$200.00
Clipper City Rail Trail (any segments)	N/C	N/A	N/A	N/C	N/C	\$25.00	\$100.00	\$200.00
Cushing Park (other than athletic fields or courts)	N/C	N/A	N/A	N/C	N/C	\$25.00	\$100.00	\$200.00
Inn Street Mall	N/C	N/A	N/A	N/C	N/A	\$25.00	\$100.00	\$200.00
March's Hill	N/C	N/A	N/A	N/C	N/C	\$25.00	\$100.00	\$200.00
Market Landing Park	[per Newburyport Waterfront Trust]							
Market Square Bullnose	N/C	N/A	N/A	N/C	N/A	\$25.00	\$100.00	\$200.00
Moseley Woods Pavilion	N/C	N/A	N/A	N/C	N/C	\$25.00	\$100.00	\$200.00

* Up to fifty (50) percent of the fee may be waived in exchange for in-kind services at the sole discretion of the parks commission.

** Any charitable non-profit registered as a 501c3 ~~may apply for~~ will receive a 50% fee reduction with proof of non-profit status ~~or waiver from the parks commission.~~

A refundable security deposit of \$150 is required for all events with over 50 attendees (Groups G and H). Should damages be incurred during the event, or should cleanup be required by City staff after the event, the security deposit will be forfeited. Refunds of security deposits will be at the discretion of the Parks Manager, and will be approved or denied within 3 days after the completion of the event. Applicants will be invoiced for all damages that are in excess of the security deposit.

The parks commission is under no obligation to offer any reduction or waiver.

Any reduction or waiver is at the sole discretion of the parks commission.

N/C = no charge, N/A = not applicable

- (1) Group A: City of Newburyport departments, including Newburyport Public Schools; other non-profit and for-profit education located within the city; and active duty military.
- (2) Group B: Recurring use by exclusively youth leagues.
- (3) Group C: Recurring use by organizations, including adult sports leagues.
- (4) Group D: Recurring use by organizations that do not charge end-users any fee to participate, including pick-up leagues.
- (5) Group E: Special events held by individuals or groups with up to twenty-five (25) attendees.
- (6) Group F: Special events held by individuals or groups with twenty-six (26) to fifty (50) attendees.
- (7) Group G: Special events held by individuals or groups with fifty (50) to two-hundred (200) attendees.
- (8) Group H: Special events held by individuals or groups with greater than two-hundred (200) attendees

For Groups B, C, and D (recurring field use), a fee to utilize the concession stand/restroom at Atkinson Common, Lower, shall be fifty dollars (\$50.00) per month. Group E, F, G, and H (special events), may request use of the restrooms for a one-time fee of one-hundred dollars (\$100.00)

Councillor Heather L. Shand

In City Council March 13, 2023:

Motion to collectively refer ODNC00143 to Public Works & Services, ODNC00144 to Budget & Finance, ODNC00145 to Community Services, ODNC00146 to General Government, and ODNC00147 to Community Services by Councillor Zeid, seconded by Councillor McCauley. Roll call vote. 10 yes, 1 absent (BL). Motion passes.

Philip Cootey
Community Organizer
22 Phillips Drive
Newburyport MA 01950

7th March 2023

City Council President Heather Shand
City Council
60 Pleasant Street
P.O. Box 550
Newburyport, MA 01950

Dear Council President,

In early December 2011 it was brought to the attention of the public that the Committee on Budget & Finance reviewed Order 311, a gift from the Morrill Foundation that included \$40,000.00 for the development of three pickleball courts in Lower Atkinson Common.

That December a public process was put in place before accepting the gift to inquire of the community their thoughts about pickleball in Lower Atkinson. Despite near unanimous community disapproval the process yielded no material change in the Parks Commissions plans regarding Pickleball on a postage stamp between three youth ball fields.

We read in, ORDR00400 Morrill Foundation Gift Accept that "The City is now considering a Multi-Use Court and asked if the name change was acceptable." We ask the council to intervene immediately and halt any plan to approve pickleball at Lower Atkinson Park because we can do better together.

In the spirit of collaboration, The Friends and Families of Lower Atkinson Community submits our brief, position paper, and petition with 154 signatures to stop cannibalizing our open spaces and find new fields for athletic activities in the city; including pickleball. We'd appreciate the council reading the concerns of their constituents and your guidance as to the appropriate time and place to continue this dialogue.

On behalf of the Friends and Families of Lower Atkinson,

Sincerely,

Philip Cootey

*Council
packet
12/12/22*

Concerned Friends and Families for Atkinson Park

Despite the overwhelming objections to Parks Commission proposals to introduce Pickleball as a primary multi-use court, the Parks Commission is moving forward with the motion for an already overloaded park.

Additional multi-use of the established use of Atkinson Park is not acceptable.

This petition is a statement of support for finding room for more pickleball courts in the City of Newburyport, but not to the detriment of safety and overcrowding at Lower Atkinson

Our positions against this use of Atkinson Park are based on these three points:

- Safety
- Overuse
- Narrowing Field Availability

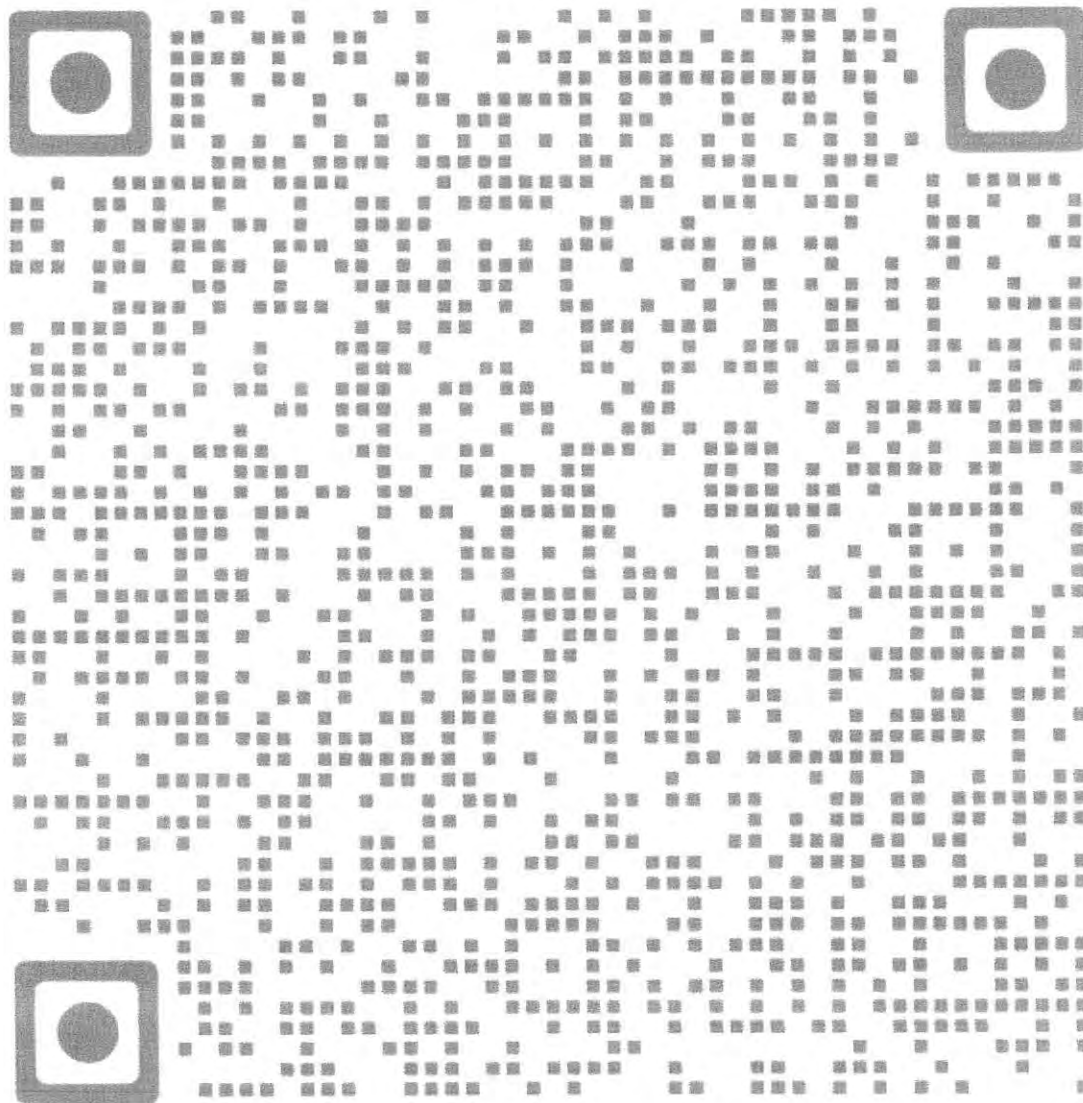
Safety: Atkinson Park is enjoyed by the entire greater Newburyport community. Lower Atkinson, a.k.a Pioneer Park, is predominantly used as a hub of Newburyport youth sports including baseball (Pioneer League, AAU programs), softball, high school softball, basketball, and as a children's playground. There are enough traffic accidents from congestion. Stray fly balls also will be more likely to hit someone. More congestion creates more risk. Do not add another function to the park.

Overuse: The park is already multi-use: Baseball, Softball, Basketball, and a Children's playground. Teams find themselves warming up anywhere they can prior to and between games, with the basketball court becoming a de facto space. Families frequent the courts for viewing of multiple games and for younger siblings to play. Neighbors are already pressed by night games, dense traffic, noise, and foul balls in their yards and personal spaces. There is no room for another use.

Narrowing Field Availability: Newburyport already lacks youth fields for the volume of participation that we have between the 5-12 age groups for baseball and softball. The loss of fields to the Senior Center (2), the dilapidation of fields (Lower Nock) and shared status of other fields has created a capacity crisis for playing baseball and softball. The ball leagues are growing while we are losing fields, it's unimaginable that we would lose more space.

Noise, safety, overuse and competition for space is a problem that all athletics of all age groups struggle within this city. We want to help the pickleball community to find a place to play in our parks as one park community supporting athletics for all age groups but not at the expense of the safety and neighborhood accord at Lower Atkinson.

Please sign below in objection to new utilizations of the park beyond the established use for baseball, basketball, softball, and a children's park.



Petition QR Code

Lower Atkinson Parks Position

Concerned Families for Atkinson Park

Despite the overwhelming objections to Parks Commission proposals to introduce Pickleball as a primary multi-use court use and the continuous and constant protest against these plans by neighbors of and families who use the park, the Parks Commission is moving forward with their proposal. Concerned friends and families of Lower Atkinson have attended multiple commission meetings to no avail. This problem is not getting solved in committee.

This petition from Concerned Families for Atkinson Park is to indicate to the City of Newburyport our position that Pickleball is not an appropriate multi-use of the established use of Atkinson Park. We feel after all the time, donations, effort, materials, labor, of volunteers and with the proximity and love we have for this park that we should have a say in its future. We, the Families and Neighbors of Lower Atkinson Park, are its stewards, and have been for some time, the city will recognize us.

This petition is also a statement of support for finding room for more pickleball courts in the City of Newburyport, but not to the detriment of a place to play for kids.

Our positions against this use of Atkinson Park are based on these three points:

- Safety
- Overuse
- Narrowing Field Availability

Safety: Atkinson Park is enjoyed by the entire greater Newburyport community. Lower Atkinson, a.k.a Pioneer Park, sees predominant use as a hub of Newburyport youth sports including baseball (Pioneer League, AAU programs), softball, high school softball, basketball, and as a children's playground. There are enough issues with congestion. Do not add another function to the park.

- 24 Traffic Related Incidents over the past three years including six car crashes
- The park's condensed layout lends to risk of injury by fly balls leaving the field of play into common areas.
 - The basketball court is within 140 ft of home plate from Hawkes field, a home run is 200 ft.
 - It's 215 ft from home plate to the promenade, a home run is 200ft.
 - The promenade leading to the court is within 25 ft of home plate for Founders Field
- Adding more people to the already dense population of usage increases the risk of severe injuries
- There are many children in Lower Atkinson. All coaches for organized sports in this park are CORI'd

Overuse: The park is already multi-use: Baseball, Softball, Basketball, and a Children's playground. Teams find themselves warming up anywhere they can prior to and between games, with the basketball court becoming a de facto space. Families frequent the courts for viewing of multiple games and for younger siblings to play.

The entire complex sits on 239,368.69 sq ft. There are enough usages of this park as is.

- The Park is in the lowest of averages for square feet per ballfield **in the county**. There is no room for another use by any recognized field standard
- Based on Parks Dept proposal, new drawing's show loss of on-street parking along Merrimack St. The park is losing a net 7 spots resulting in closer proximity parking.
- The Pioneer League has enjoyed 20% increase in participation in recent years across all age divisions for both baseball and softball leagues
 - 270 Total Games and 670 members, games in May, June, and July resulting in *14k people in the park every week* just for baseball alone
 - Adding another sport to the park is the opposite direction of where the current growth projections indicate the need is for Lower Atkinson
- Neighbors are already generously engaged with youth athletics to mitigate noise including limiting hours operating the field lights for years. It is a delicate balance where the current "off hours" are essential in maintaining that balance.

Narrowing Field Availability: Newburyport already lacks youth fields for the volume of participation that we have between the 5-12 age groups for baseball and softball. The loss of fields to the Senior Center (2), the dilapidation of fields (Lower Nock) and shared status of other fields has created a capacity crisis for playing baseball and softball. The ball leagues are growing while we are losing fields, it's unimaginable that we would lose more space.

The creation of a multi-use court focused on Pickleball will make conditions worse. There is already no room to put everyone who wants to play, never mind practice.

- Eaton field is not an option for this league (wrong dimensions).
- There is only one junior-youth mound and one mid-youth mound in the entire city for all the teams from 5 to 12 years old.
- The Woodmen park field is restricted to T-Ball as the field is shared with Soccer. It is too dangerous to share with older baseball teams without expanding field space, backstops and fences.
- Coaches are practicing in parking lots, paying out of pocket for tunnel time, holding practices in their backyards. There is nowhere to practice.







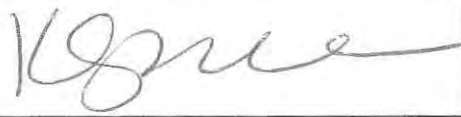




Conclusion

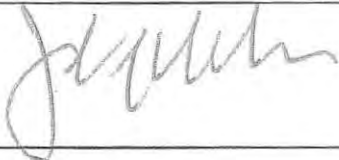




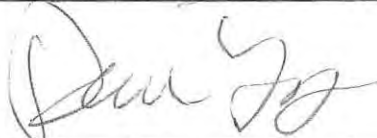
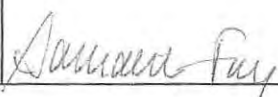
Noise, safety, overuse and competition for space is a problem that all athletics of all age groups struggle with in this city. We want to help the pickleball community to find a place to play in our parks as one park community supporting athletics for all age groups but not at the expense of the narrowing field availability for youth sports and neighborhood accord at Lower Atkinson.





While appreciative of the generosity of the Morrill Charitable Foundation, the park is too small, overcrowded, and dangerous for another additional sport. There is no room when we expect weekly traffic to grow by the thousands.

We protest any further development of pickleball in Lower Atkinson in the face of dissent from the community connected to Lower Atkinson Park. We find no validity in the public process as our participation has had no effect on the outcome, despite a majority of those involved against.

Emily Webber 4 Drew St. Newburyport, MA	Emily Webber
Sandy Gray 14 Leitch St., Nbpt, MA	Sandy G
Jaime Fisher 17 Laramie Ln. Nbpt. MA	Ji
Andrew Cowles 9 Bournberr Ter Nbpt MA	ac
Brian Roach 41 Knights Ln Newburyport MA 0	BR
JEFFREY MATTHESON 12 HART RD Newburyport MA	Jefferson
Danille Murphy 2 Richardson path	Dan
Nieve Morrissey 22 Milk Street, Newburyport MA	Nieve
Kristen Morrissey 22 Milk St NBPT 01950	K. Morrissey
SARAN TODD 13 VIRGINIA LANE, Nbpt	Sara Todd
Emily Sheehan 1 Rawson Hill Rd. Nbpt MA 01950	Emily Sheehan

<p>Tim DeGaves 12 molten st Newburyport, MA Tim@Sueinterp.com</p>	
<p>Steven Linters 21 Cushing Ave NBPT, MA 01450</p>	
<p>Matt Morrissey 22 Milk St Newburyport, MA 01957</p>	
<p>Kris Lisauskas 18 Cuygette St Nbpt-Ma 01450</p>	
<p>Jackie Savestra 30 Christol St Newburyport Ma 01450</p>	
<p>Ping Johnson 2 Arthur Welton Newburyport, MA 01950</p>	
<p>Kelly Garbarino 34 Storeybrook Dr NBPT</p>	
<p>Payton Garbarino 34 Storeybrook Dr NBPT</p>	
<p>Shanna Desch 3 Knight Lane NBPT</p>	
<p>Erin Contrino 10 Forrester</p>	
<p>Kate Hurley 2 William Hall Drive</p>	

JOHN WEBBER 4 DREW ST. NBPT.	
CHARLES HAASER 8 FOX ROW DR., NBPT	
Sean Hayden 4 WILLIAMSON AVE	
Matt Muzerall 1 Railroad St NBPT	
Sheena Muzerall 1 Railroad St NBPT	
Justin Lindenmayer 16 Plummer Ave NBPT	
Joseph Hall 57R Speed St	
Sonia Linter's 21 Cushing Ave. Newburyport, MA 01950	
Owen Cooley 22 Phillips Jr. Newburyport MA 01950	
Dee Fay 5 Washington St Newburyport MA 01950	
Samantha Fay 5 Washington St. Newburyport Ma 01950	

Frank Weishaup 293 High St Newburyport, MA	
Melissa O'Brien 5 Walnut Street NBPT MA 01950	M O'Brien
Tom Murdy 9-1/2 Harrison St.	
Tish Mallory 18 Market Square #1 Newburyport MA 01950	Tish Mallory
Jemison Smith 18 Mkt Sq #1 NBPT MA 01950	Jen Smith
JOANNE BLASER 1 TYNG ST NBPT 01950	
Andy WASTOT 3 PAULTON St. NBPT 01950	


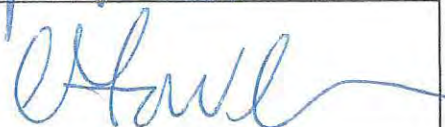


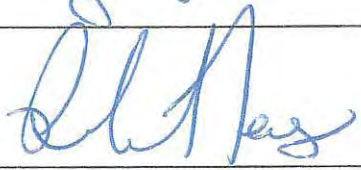

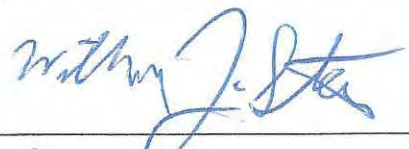

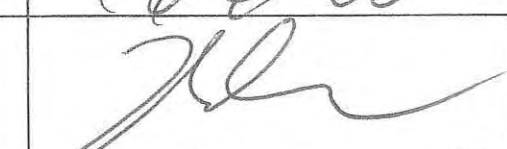

Janet Mockley	Christie Dr. Newburyport, MA
Ray Arcand	8 Parker Street, N. pt
Kris Arcand	8 Parker Street, N. pt
Ed Nystrom	35 Pine Hill Rd NBPT
Catherine Campbell	16 Bradbury Ln NBPT
Wayne Campbell	16 Bradbury Ln NBPT
Alison Salerno	4 Elizabeth Ln. Salisbury, MA 01952
E Schlitt	16 STOREY BROOKE NBPT
Em Schlitt	16 Storeybrooke Dr. Newburyport, MA 01950
John	55 Milk St NEWBURYPORT, MA
Lisa Wasko	293 High St

nextdoor.com
App

Matt Furman 4 Carleton Dr. NBPT, MA 01905	
Brian Keefe 16 Duff Dr. Newburyport	
Mara Lacava 19 Lavalley Lane Nbpt	Ma 2
MATT LACAVA 19 LAVALLEY LANE NBPT	
Karen Damon Hamel 490B Merrimac St. NBPT.	
Kateryn Furman 4 Carleton NBPT	
Phil Coates 22 Phillips Drive NBPT pcoates@hotmail.com	
PAUL HASS 1 PLANT ST NBPT PAULH18@GMAIL.COM	
DANIELLE HASS 1 PLANT ST NBPT DHASS17@GMAIL.COM	
D. Tyng R.	
Morgan Boselli 33 Turkey Hill Rd	MBoselli

Christie Benvenuto	11 Fawcett St. Newburyport 01950
Courtney Metcalfe	12 Hines Way Newburyport MA
Ed Hill	28 Winter St Newburyport MA
Carol Hill	6 Woodman Way unit 217 Newburyport, Ma.
Dianne Eiserman	13 Elizabeth Lane Newburyport, Ma. 01950
Amyssa Simon	2 Lancaster Rd Newburyport MA
TOD RUBEN	16 Hope Way Newburyport MA
Samuel J. Wood	23 Scotland Hts. Newbury, MA 01951
Mark Doyle + LISA Doyle	26 Keeler Way NBPT MA-01950
Brian Murphy & Danielle Murphy Murphy43@gmail.com	7 Richardson Path NBPT
JOE MOAKLEY	5A Christie Dr NBPT

Danielle Murphy 7 Richardson path	Danielle Murphy
Katie Routhier 8 Monn Road	Katie Routhier
Michael Lekeas 3 Frost St.	Michael Lekeas
Stephen Mills 4 Lavalley Ln	Stephen Mills
Jan Hahnweiser 8 Cushing Ave	Jan Hahnweiser
Steph Mills 4 Lavalley Ln	Steph Mills
Emily Fay 5 Washington St	Emily Fay
Tom O'Donnell 25 Olive St.	Tom O'Donnell
James Burnham 20 Mosley Ave Newburyport, MA 01950	James Burnham
Dorothy Burnham 20 Mosley Ave NBPT	D.K. Burnham
Danielle Thalman 2 Henderson Circle	Danielle Thalman


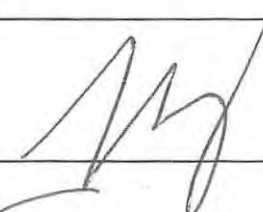





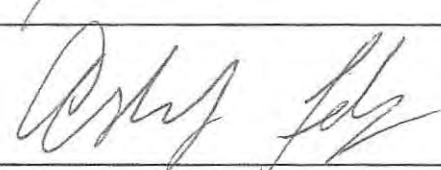


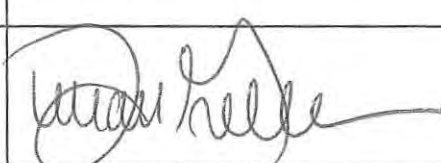
Pete Robbins 15 Summit Pl	
Christine Fowler 5A Garrison Circle Newburyport ma 01950	
Karina Moltz 15 Summit Pl.	
Jen Groskin + DANIEL SPURLING 11 MYRNA AVE	
Robert Fagan 110 State St. 01950	
Katharine Pentling 11 Barker St.	
WILLIAM STARE 38 CHARLES ST.	
Pamela Armstrong 5 Buck St.	
Aelen Armstrong 5 Buck St	
Martin Desch 3 Knights Ln	
John Runers 11 Chain Bridge Dr.	

Jessica Rumore rumore.jessica2417@gmail.com	Wb Rumor
Carolyn Genegaban Cgenegaban@gmail.com	Carolyn Genegaban
Nathan Saddler nathan.saddler@yahoo.com	Nathan Saddler
Steven Genegaban SDG135@ALUMNI.PSU.EDU	Steven Genegaban
Anna Malenchini MIKE BOLTA amalenchini@gmail.com	Anna Malenchini
MIKE BOLTA mbolta@gmail.com	Mike Bolta
Timme Rea jimmieRea9@gmail.com	Timme Rea
Dan Bukrey 24 Summit Pl Napt danbukrey@gmail.com	Dan Bukrey
Steve Dowsett 7 Ryan RD SteveD004@yahoo.com	Steve Dowsett
Sasha Minahan Sashaminahan@yahoo	use Bocce field @ senior center!
Melanie Bligh m_pearson819@hotmail.com	Melanie Bligh

Name, address, email

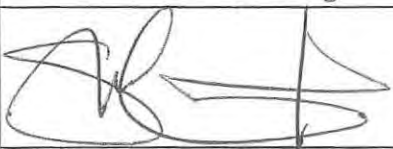

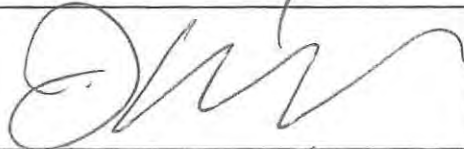
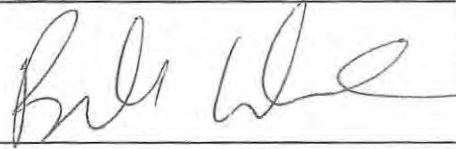
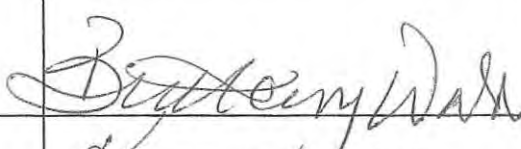

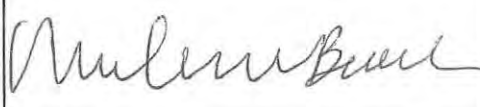

Signature

Beth Buschini 36 Winter St. Nbpt Just Busch	Beth Buschini buschinmnbpt@comcast.net
Lian Fadil 33 Hill St. Nbpt	Lian Fadil lianfadil@gmail.com
38 Bayberry Rd Nbpt SARAH RANER → LOVE PICKLEBALL !!!	Smulder
38 Bayberry Rd NBPT Jawn Ruels	Jawn Ruels
Thuy Cirman 13 Mill St. Newburyport, MA 01950	Thuy Cirman
Steve Boselli 33 Turkey Hill Rd	Steve Boselli
DANIEL SPURLING 11 MYRTLE AVE NEWBURYPORT, MA 01950	Daniel Spurling
Dan Dunn 8 Cabot St Amesbury MA 01913	Dan Dunn
Phillipa Dunn 8 Cabot St Amesbury MA 01913	Phillipa Dunn
Steve Link 21 Cushing Ave, NBPT 01950	Steve Link
Jeff Keim 70 Marlboro St. Newburyport, MA	Jeff Keim

John Routhier 8 Morris Road	
Josh Eiden 26 Bayberry Rd	
Shawn Todd 13 Virginia Lane	
Chris Carney 101 Lime St	
Chris Sheehan 1 Rawson Hill Rd	
Tyler Woon 9 Dryden	
Pat Foley 6 Lawton Dr	
Ashley Foley 6 LAWTON DRIVE	
Pat Sheehan 267 Merrimac St	
Eric Grelle 14 Hoyts Lane	
Jillian 14 Hoyts Ln Grelle	

Name Address

Signature

Haley Corey 59 Jefferson St	Haley Corey
Marisa Fagan 110 State Street, Nbpt.	Marisa Fagan
Scott Cuticchia 7 SPRING ST	
Mark O'Connell 1460 St Newburyport	
Samie Gagnon 17 Daniel Lugo Way	
Bill White 4 Norman Ave	
Bethany Walsh 4 Norman Ave	
Kendra Winters 29 MYRTLE AVE	
Melanie Beaulier 15 Newburyport MA	
Jennifer P113 15 Eagle St Newburyport MA	

Name Address Email

Signature

Ann Galesworthy 23 Woodland St Ann Galesworthy	
2 McClintock St. [G. Alphonse] Newburyport, MA	G. Alphonse
4 Carleton Dr Lily Elmer Newburyport, Ma	Lillian Elmer
4 Carleton Dr. Matthew NBPT, MA Elmer	Matthew Elmer
Eric Fisher 12 Cutting Drive NBPT MA	Eric Fisher
Rachael Scrapp 253 Merrimac St.	Rachael Scrapp
Corey Scrapp 253 Merrimac St	Corey Scrapp
Erin Connor 10 Forrester Street	Erin Connor
Corey Connor 10 Forrester Street	Corey Connor
1500 Broadway Newburyport X	
Ram Church 4 Spring Street	Ram Church

Hent Street ?

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

February 13, 2023

THAT the City Council of the City of Newburyport, at the recommendation of the Newburyport Commission on Disabilities, hereby approves the bylaws of the Commission as attached in Exhibit "A".

Councillor Jennie L. Donahue

In City Council February 13, 2023:

Motion to refer to Community Services by Councillor McCauley, seconded by Councillor Donahue. So voted.

NEWBURYPORT COMMISSION ON DISABILITIES

Amended as follows, with deletions ~~stricken through~~, and additions underlined:

ARTICLE I: TITLE AND PURPOSE

1. The name of this commission is the Newburyport Commission on Disabilities (hereafter referred to as the Commission or the NCOD).
2. The purpose of the NCOD is to coordinate or carry out programs in coordination with programs of the Massachusetts Office on Disability in order to bring about full and equal participation in all aspects of life in the City/Town of Newburyport - for people with all disabilities.
3. The purpose of these by-laws is to establish principles and procedures for the governance of this Commission.

ARTICLE II: POWERS AND DUTIES

1. ~~Work in cooperation with the~~ Advise departments and agencies of the City of Newburyport to bring about maximum participation of people with disabilities, and collaborate with the City's ADA Coordinator and Building Department to promote maximum access to physical infrastructure.
2. ~~Review and make recommendations about~~ Advise city staff on policies, procedures, services and activities of departments and agencies of the City of Newburyport as they affect people with disabilities.
3. Initiate, monitor, and promote legislation at the city, state and federal level which advances the equal status of people with disabilities and ensure that appropriate regulations are adopted and enforced pursuant to such legislation.
4. Act as a resource for people with all varieties of disabilities, to foster and raise public awareness of disability issues.
5. Advise ~~and assist with coordination of activities of~~ other local groups on the organization of events to be inclusive of all participants.
6. Provide information, referral, guidance and advice to individuals, businesses, organizations and public agencies in all matters pertaining to disability.
7. Recruit and recommend prospective Commission members to the Mayor. At least one month prior to making recommendations, the Commission shall solicit nominations and ensure that said nominations reflect different disabilities.
8. File an annual report per request of the Mayor, which shall be printed in the City report.
9. Receive gifts of property, both real and personal in the name of the City subject to the approval of the City Council. ~~such gifts to be managed and controlled by the Commission.~~
10. Take such action as the Commission considers appropriate to ensure the equal access status of persons with disabilities.

Commented [CP1]: As I mentioned at the meeting, there is a lot of sensitivity about commissions trying to direct the activities of city staff. Commissions are advisory and I think this makes that language more clear.

Commented [CP2]: Again, the NCOD should not be directing activities of other local groups but advising them.

Commented [CP3]: This language may strike a nerve with some Councillors since this decision should be made by the Council.



ARTICLE III: MEMBERSHIP

1. The Newburyport Commission on Disabilities shall consist of up to thirteen members appointed by the Mayor and confirmed by vote of the City Council. The majority of members shall consist of people with disabilities. ~~One of the members may be a member of the immediate family of a person with a disability. One member shall be either an elected or appointed official of the City/Town.~~

2. Residents interested in serving on the NCOD shall first attend two meetings, and/or participate in Subcommittee work or Special Project (as appropriate). Subsequently, a letter of interest and resume is to be submitted to the Mayor's office, and the Chair(s) of the NCOD. Note: If such correspondence is considered a barrier to joining, the interested person may have a verbal discussion with the NCOD Chair(s) in order to establish interest, appropriate experience, etc. which will be documented by the Chair(s) and presented to the Mayor.

3. NCOD members shall serve three-year terms and may serve consecutive terms, as approved by the Mayor.

4. Resignation shall be made by notifying the chairperson in writing.

5. If any member is absent from three regularly scheduled meetings in any one calendar year, a recommendation shall be made to the Mayor that he/she be removed from the Commission, unless any or all absences have been excused for good cause by the chairperson. Good cause shall include, but not limited to: illness, a death in the family, weather, and professional responsibilities.

6. The Mayor shall fill any vacancy for the remainder of the unexpired term in the same manner as an original appointment.

7. Any members of said Commission may, after a public hearing, is so requested, be removed for cause by the appointing authority.

8. Members shall get the approval of the Commission prior to making statements or joining activities on behalf of the Commission.

9. All members shall have full voting rights.

~~10. If a Commission member is to relocate to an adjoining city or town, they may remain a member and continue NCOD membership duties and role until such time that their term ends and/or an appropriate replacement be secured within the NCOD.~~
NCOD Bylaws, p.3



Commented [CP4]: I'm all for inclusivity but 13 seems like a very large number. The TC is 9 members and I would very much like to see it reduced to 7.

Commented [CP5]: This seems unnecessarily restrictive to me. JD and I discussed after the meeting last night and she said that you don't really practice it. If you put it in here, you should do it. Consider if it is really necessary.

Commented [CP6]: Elected officials cannot be on the commission so you should strike it.

Commented [CP7]: Do you want to consider term limits? It is really good to have fresh ideas and it can be hard to get rid of members that have served for a long time.

Commented [CP8]: We cannot have residents of other municipalities considering how to utilize residents' taxes.

ARTICLE IV: OFFICERS

1. The officers shall include a chairperson (or co-chairpersons) and secretary, and may also include vice chairperson and treasurer.
2. Officers shall be elected annually by the majority vote of the Commission.
3. One member may hold more than one office.
4. Duties:
 - a. The chairperson shall:
 - i. Develop the agenda in coordination with the other officers;
 - ii. Preside over all meetings;
 - iii. Appoint subcommittees as needed;
 - iv. Authorize expenditures as needed.
 - b. The vice chairperson shall perform all the functions of the chairperson in his/her absence.
 - c. The secretary shall:
 - i. Keep records of all meetings attendance, minutes, and correspondence.
 - ii. Post notice of all meetings forty-eight (48) hours before each meeting at the City/Town clerk's office;
 - iii. Send notice of meetings and minutes of the prior meeting to the members at least seven (7) days prior to the meeting.
 - d. The treasurer shall:
 - i. Keep records of all financial matters along with the City Accountant and Finance Office;
 - ii. Develop a budget in coordination with the Commission;
 - iii. Prepare a financial statement for inclusion in the annual report.

ARTICLE V: MEETINGS

1. Regular meetings shall be held at least six (6) times a year.
2. A quorum shall consist of a majority of members being present (minimum = 4).
3. Meeting minutes will be amended and approved at the next meeting.
4. Special meetings can be called by the chairperson or by any three (3) members.
5. Decisions will be made by a majority of those members present, unless where otherwise noted in these by-laws.
6. Notice of meetings will be sent to the members at least ~~fourteen (14)~~ five (5) days prior to the meeting.
7. Meetings shall adhere to Robert's Rule of Order.

ARTICLE VI: AMENDMENTS

1. These by-laws may be amended at any duly constituted meeting of the Commission by two-thirds vote of those members present provided written notice of the proposed amendment is distributed to each member at least fourteen (14) days prior to the meeting, and pending final approval of the City Council.

Commented [CP9]: I would strongly suggest that you remove this. The TC has a mandate to meet 10x per year and we once had to meet just before Xmas with no agenda just to satisfy this. Again, if it's in here, you must do it. Consider if it's really necessary to add this.

Commented [CP10]: This just seems excessive and burdensome on your secretary. Five days might be much more reasonable.

Committee Items – March 27, 2023

Licenses & Permits

In Committee:

- APPL00123_03_13_2023 RL Currie 2nd Hand Motor Vehicle License
- APPL00125_03_13_2023 Wright Wedding Plum Island 9/30/2023

THE COMMONWEALTH OF MASSACHUSETTS

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

OF

2023 MAR -2 P 3: 27

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

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

1. What is the name of the concern? R L Currie Corp

Business address of concern. No. 6 New Pasture Road St.,
Newburyport City — Town.

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

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

N/A

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

N/A

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

President RANDY L Currie 111 Georgetown Rd West Newbury MA 01985

Secretary "

Treasurer "

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

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

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

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

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

5 ACRES +/- with PAVED PARKING AND A
10,000 sq Ft Cement Block Building Housing
OFFICES, Repair FACILITIES AS WELL AS A
MASS STATE INSPECTION STATION

8. Are you a recognized agent of a motor vehicle manufacturer? NO

(Yes or No)

If so, state name of manufacturer _____

9. Have you a signed contract as required by Section 58, Class 1? NO

(Yes or No)

10. Have you ever applied for a license to deal in second hand motor vehicles or parts thereof? YES

(Yes or No)

If so, in what city — town NEWBURYPORT

Did you receive a license? YES

(Yes or No)

For what year? 2005 - 2022 approx

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

(Yes or No)

Sign your name in full _____

Jandy Anne

(Duly authorized to represent the concern herein mentioned)

Residence _____

111 Georgetown Road
West Newbury MA 01985

IMPORTANT

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

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

APPLICANT WILL NOT FILL THE FOLLOWING BLANKS

Application after investigation _____
(Approved or Disapproved)

License No. _____ granted _____ Fee \$ _____

Signed _____

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

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

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

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

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

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

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

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

APPLICANT WILL NOT FILL THE FOLLOWING BLANKS

Application No. _____

Class _____ License No. _____

Name _____

St. and No. _____

City — Town _____

Date Issued _____

Remarks _____



Boston
114 Turnpike Road
3rd Floor - 114
Westborough, Massachusetts 01581
+1 (800) 6471113 Fax: +1 (866) 5474882

Continuation Certificate

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

The Surety hereby certifies that this Bond is continued in full force and effect until the 25th day of October, 2023, subject to all covenants and conditions of said Bond.

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

IN WITNESS WHEREOF, the Surety has set its hand and seal this 5th day of October, 2022.

The Ohio Casualty Insurance Company
(Surety)

By: Timothy A. Mikolajewski
Timothy A. Mikolajewski, Assistant Secretary



RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

NEWBURYPORT SPECIAL EVENT APPLICATION

Tel. _____

Fax 2023 FEB 27 P 1:45

(For Street Closure or Any Use of a Public Way - Please complete page 3 of this application)

NAME OF EVENT: Wright Wedding (Jonathan + Talia)Date: September 30, 2023 Time: from 12:00 PM to 6:00 PMRain Date: NONE Time: from _____ to _____2. Location*: 261-263 Northern Boulevard Newburyport

*Please Note: If the location is a public park or the rail trail, please also contact the Parks Department

3. Description of Property: Plum Island light house & adjacent Public ☒ Private _____4. Name of Organizer: Lela & Mark Wright City Sponsored Event: Yes _____ No ☒

Contact Person

Address: 55 Reservation Terrace Telephone: 978-815-6690E-Mail: lela-wright@hotmail.com Cell Phone: 978-417-9897Day of Event Contact & Phone: as above5. Number of Attendees Expected: 50+6. MA Tax Number: N/A7. Is the Event Being Advertised? NO Where? _____8. What Age Group is the Event Targeted to? All ages

9. Have You Notified Neighborhood Groups or Abutters? Yes _____ No _____, Who? _____

ACTIVITIES: (Please check where applicable.) Subject to Licenses & Permits from Relevant City Departments

A. Vending*: Food _____ Beverages _____ Alcohol _____ Goods _____ Total # of Vendors _____

*If checked, signature from Health Director required (Page 3)

B. Entertainment: (Subject to City's Noise Ordinance.) Live Music _____ DJ _____ Radio/CD _____

Performers _____ Dancing _____ Amplified Sound ☒ Stage _____

C. Games /Rides: Adult Rides _____ Kiddie Rides _____ Games _____ Raffle _____

Other _____ Total # _____

Name of Carnival Operator: _____

Address: _____

Telephone: _____

D. Organizer is responsible for clean-up during and after event. All trash must be collected and removed from event location immediately at the end of the event unless prior written agreement had been made with the Department of Public Services (DPS).

Will you be conducting the clean-up for this event? Yes ☒ No _____

If yes:

- a) How many trash receptacles will you be providing? Two
- b) How many recycling receptacles will you be providing? ~~Two~~ One
- c) Will you be contracting for disposal of : **Trash** Yes _____ No X **Recycling** Yes _____ No X
- i. If yes, size of dumpster(s): **Trash** _____ **Recycling** _____
- ii. Name of disposal company: **Trash** _____ **Recycling** _____
- iii. If no, will you remove trash & recycling with organizers' cars or trucks? Yes X No _____
- iv. If no, where will the trash & recycling be disposed ? _____

If no:

- a) # of trash container(s) to be provided by DPS _____
- b) # of recycling container(s) to be provided by Recycling Office _____
- c) \$45.00/hr/DPS employee charge must be paid by the organizer to DPS in advance of the event (Fee for Special Events). The hours required for the event will be determined by DPS.

All fees must be paid prior to the event. Check or money order is payable to the City

of Newburyport. E. Portable Toilets: (Each cluster of portable toilets must include at least one ADA accessible toilet)

_____ Standard # _____ ADA accessible

Name of company providing the portable toilets: N/A

N/A

FOR STREET CLOSURE OR ANY USE OF A PUBLIC WAY

PARADE _____

ROAD RACE _____

WALKATHON _____

1. Name of the Group or Person Sponsoring the Road Race, Parade, Walkathon:

N/A

2. Name, Address & Daytime Phone Number of Organizer: _____

3. Name, Address & 24/7 Telephone Number of Person Responsible for Clean Up _____

4. Date of Event: _____ Expected Number of Participants: _____

5. Start Time: _____ Expected End Time: _____

6. Road Race, Parade or Walkathon Route: (List street names & **attach map of route**): _____

7. Locations of Water Stops (if any): _____

8. Will Detours for Motor Vehicles Be Required? _____ If so, where? _____

9. Formation Location & Time for Participants: _____

10. Dismissal Location & Time for Participants: _____

11. Additional Parade Information:

- Number of Floats: _____
- Locations of Viewing Stations: _____
- Are Weapons Being Carried: Yes _____ No _____
- Are Marshalls Being Assigned to Keep Parade Moving: Yes _____ No _____

APPROVAL SIGNATURES REQUIRED FOR STREET CLOSURE OR ANY USE OF A PUBLIC WAY

CITY MARSHAL _____ 4 Green St. FIRE CHIEF _____ 0 Greenleaf St.

DEPUTY DIRECTOR _____ 16A Perry Way CITY CLERK _____ 60 Pleasant St.

HEALTH DIRECTOR _____ 60 Pleasant St. (only needed when Food & Beverage Vendors are included in the event)

DEPARTMENT APPROVAL (for Committee Member use only):

It will be necessary for you to obtain permits or certificates from the following Departments: Please note that costs for some City support services during an event are an estimate only. Some Departments may forward an invoice for services rendered at the completion of the event, and others may require advance payment.

Approval Required	Date: _____	Signature _____
_____	1. Special Events:	_____
_____	2. Police:	_____
	Is Police Detail Required: _____	# of Details Assigned: _____
_____	3. Traffic, Parking & Transportation:	_____
_____	4. ISD/Health:	_____
_____	5. Recycling:	_____
_____	6. ISD/Building:	_____
_____	7. Electrical:	_____
_____	8. Fire:	_____
	Is Fire Detail Required: _____	# of Details Assigned: _____
_____	9. Public Works: <i>Fee for Special Events: \$45/hr/DPS employee for trash handling/staging etc. may apply</i>	
	Yes: \$_____ due on _____	No Fee for Special Events applies
	Other requirements/instructions per DPS _____	
_____	10. Parks Department:	_____
_____	11. License Commission	_____

The departments listed above have their own application process.
Applicants are responsible for applying for and obtaining all required
permits & certificates from the various individual departments

Sec. 13-97. - Road races, walkathons, bicycle and other multidisciplined events.

(a) *Short title.* This section may be cited as the "road races, walkathons and bicycle events."

(b) *Purpose and intent.* The use of city streets and sidewalks for the purpose of road races, walkathons or bicycle tours are positive events that promote exercise, general good health and Newburyport as a destination. These events do from time to time create hardships, impacting neighborhoods and traffic. To create a balance between conflicting interests, by safeguarding participants, residents, visitors and the City of Newburyport, this section will define and codify the procedure for the benefit of all.

(c) *Definitions.*

(1) *Road race.* A competitive or non-competitive running event that utilizes the streets, sidewalks and/or crosses over streets or sidewalks within city limits and in which an entry fee is required or charitable donation is solicited or suggested.

(2) *Walkathon.* A competitive or non-competitive walk event that utilizes the streets, sidewalks and/or crosses over streets or sidewalks within city limits and in which an entry fee is required or charitable donation is solicited or suggested.

(3) *Bicycle race.* A competitive or non-competitive bicycling event that utilizes the streets, sidewalks and/or crosses over streets or sidewalks within city limits and in which an entry fee is required or charitable donation is solicited or suggested.

(4) *Multidisciplined event.* A competitive or non-competitive event requiring or offering running, walking, biking, swimming or any combination thereof in which an entry fee is required or a charitable donation is solicited or suggested.

(5) *Event.* Any road race, walkathon, bicycle race, multi-disciplined event as defined above.

(d) *Limitations.*

(1) *Procedure.* All events shall, through that event's organizer, board of directors, charity foundation or designee ("organizer") apply for city council authorization to hold the event through the office of the city clerk no later than sixty (60) days before the event's proposed date. There shall be a grace period through December 31, 2017, during which applications will be accepted beyond the prescribed due date. Prior to application with the city council, the event shall file and receive approval from all applicable city departments, boards, and commissions. Copies of such approved applications, including along with documentation of any fees, donations, in-kind donations paid as part of said application(s), shall be included as part of the city council application.

The date of application is the date a completed application is submitted to the city clerk's office and stamped by the same. The city clerk, upon review of the completed form, will place the application on the next regular city council agenda, even if such submission is a late file. Upon following the procedures of the council, as deemed appropriated in the sole judgment of the council, the application will be considered approved if the council votes favorably by majority. The application shall name one (1) person responsible on the application and shall provide contact information to include name, address, email address, and telephone number.

(2) *Exemptions.* Each event organizer or organization shall comply with this ordinance and no exemptions will be permitted.

(3) *Course map.* All applications shall be accompanied by a legible, precise course map showing the event route, water stops, refreshment stops, and so-called "port-a-potties". The course map shall also include any road closures, detours and parking areas. The course map shall be approved by police, fire, department of public services, parks commission and harbor masters departments prior to submission to the city clerk.

(4) *Electronic amplifier.* Electronic amplifiers, loudspeakers and bullhorn use shall be requested at time of application. Under no circumstances will they be used for public address announcements or music before 8:00 a.m., except for Sundays when electronic amplifiers, loud speakers or bullhorns will not be used for public address announcements or music before 9:00 a.m.

(5) *Road closure.* No ways, public or private, boat ramps or parking lots controlled or patrolled by the city shall be closed without authorization. Authorization shall be considered granted only if said closure(s) are contained in the approved permit. It is the sole responsibility of the race organizers to notify residents fourteen (14) days in advance that neighborhood roads will be closed if no alternate route is available to those residents. Notification shall be made by race organizers by informational packet drop-off at all residences that may be impacted, including, but not limited to, road closures, restricted driveway access, parking restrictions, or noise. In the case of multi-family residences with so-called security doors, notification will be sufficient at said security door. A copy of the notification shall be provided to the city clerk and, when possible, posted on the city website and distributed via email. Further,

a list of all streets notified shall be provided to the city clerk to be date stamped and appended to the application record. Press releases and other media type notifications are encouraged.

(6) *Insurance.* All events shall have an insurance policy or rider in effect for the event naming the "City of Newburyport" as an additional insured. The policy shall be no less than two million dollars (\$2,000,000.00).

(7) *Event termination.* If in the judgment of the city marshal, fire chief or department of public services (DPS) director or designees thereof determine that an event is unsafe due to existing conditions, that event may be stopped, terminated or suspended. In the case of a multidiscipline event such as a triathlon, the harbormaster or his/her designee may likewise stop, terminate or suspend the swimming portion for cause.

(8) *Event and traffic security.* The city marshal, fire chief, DPS director or in the case of a triathlon, the harbormaster can require special duty personnel to assist in the organizing and coordinating the safety and security of the event. All special duty assignments will be paid by the event organizers.

(9) *Clean-up.* The event organizers shall be responsible for post event trash collection, removal of signage, directional arrows, advertisements or other promotional material associated with the event.

(10) *Parking.* The event organizers shall be responsible for including parking instructions in materials disseminated to event participants. If the event is happening within one-half mile of municipal parking, then participants shall be asked to park at such parking facilities.

(11) *Notification of previous event organizers.* To the extent reasonably possible, the city clerk shall notify all event organizers from events held from 2014—2016, inclusive, by a one-time phone, email, or letter of the new application timeline and other requirements.

(12) *Simplification.* Departments are encouraged to unify their respective applications into a singular application, managed and distributed by the city clerk's office.

(13) *Americans with Disabilities Act.* Event organizers are reminded of the importance of and expectation of adherence to the Americans with Disabilities Act of 1990 (42 U.S.C § 12101) and subsequent applicable amendments.

(e) *Enforcement.*

(1) *Regulations.* Consistent with this section, the city shall promulgate regulations to enforce and otherwise implement the provisions of this section upon passage by the city council. Any event previously approved by city council shall be deemed permitted.

(2) *Warning.* In the circumstance that this section is violated, the enforcement may consist of a warning. Any warnings issued for violation(s) will be reported to the city clerk and city council and may be used as a factor in future application approvals and denials.

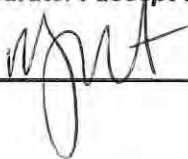
(3) *Noncriminal disposition.* If the city determines that a violation has occurred in which a noncriminal violation is issued, the named event organizer shall be penalized by a non-criminal disposition as provided in Massachusetts General Law as adopted by the City of Newburyport as a general ordinance in section 1-17 of chapter 1 of the Code or Ordinances of the City of Newburyport in the amounts set herein in subsection (e)(4) below.

(4) *Violation.* The non-criminal violation shall be one hundred dollars (\$100.00) for the first offense and two hundred fifty dollars (\$250.00) for second and subsequent offenses. Any non-criminal citations issued for violation(s) will be reported to the city clerk and city council and shall be used as a factor in future application approvals and denials.

(5) *Failure to notify.* If the event fails to notify residents and provide documentation to the city clerk, pursuant to subsection (d)(5) above, shall render that organization ineligible to receive an event permit for a period of twelve (12) months unless special leave is granted by two-thirds supervote of the city council.

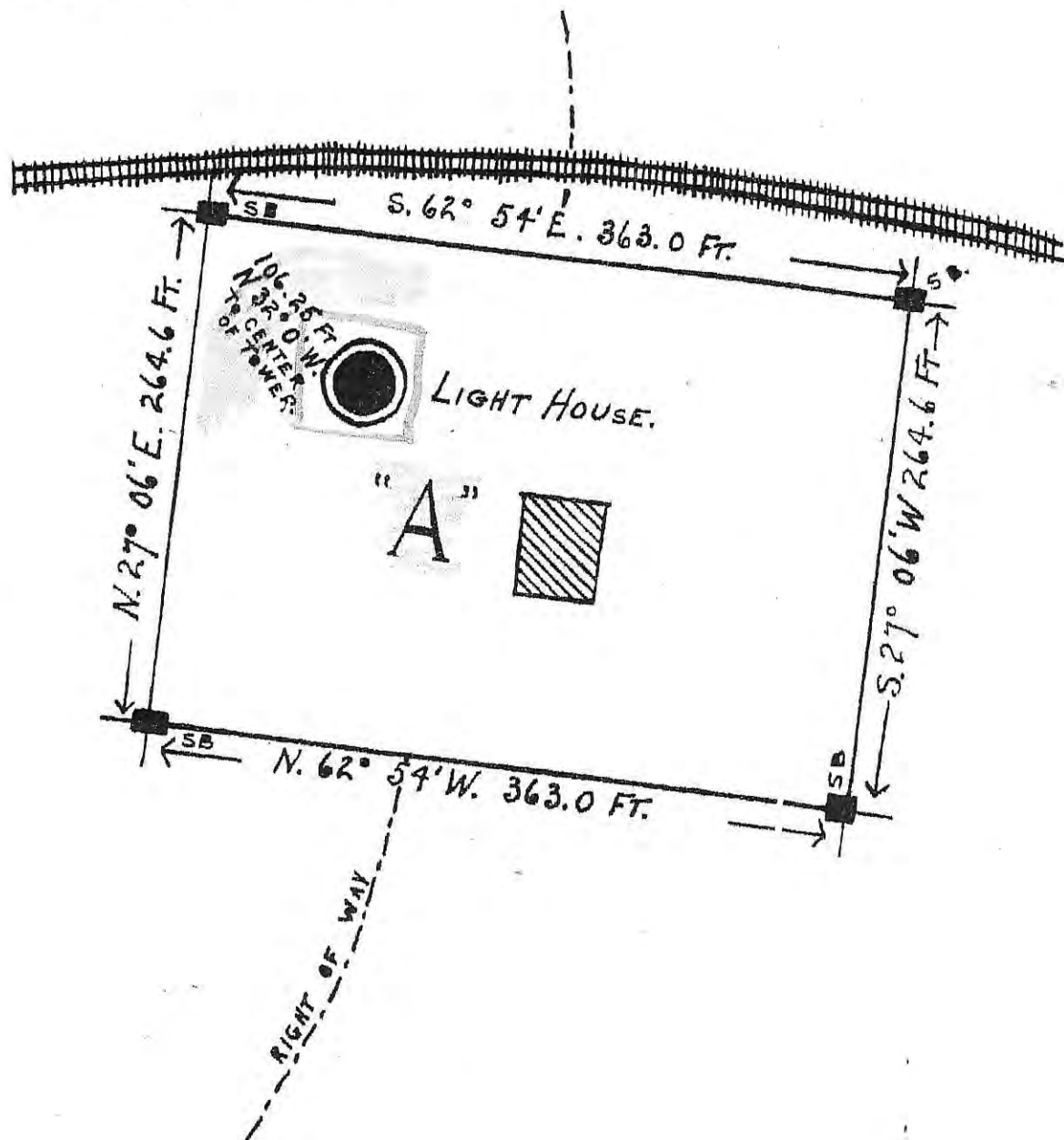
I fully understand and agree to all the terms set forth in this application. The information that I have provided is truthful and accurate. I accept all responsibility related to this event.

Signed: _____



Date: _____

Area of Light House (164 sq ft)
maintained by L.H. Foundation



Committee Items – March 27, 2023

Public Works & Safety

In Committee:

- APPT00382_02_13_2023 Thomas O'Brien 11 Moseley Ave. Water/Sewer Comm. 3/1/2025
- ODNC00140_02_27_2023 Amend Municipal Fee Schedule Parking Fines
- COMM00466_03_13_2023 NCOD HP Violation Data and Info Sheet
- ORDR00432_03_13_2023 Crosswalk Federal and Water Street
- ORDR00433_03_13_2023 Street Layout cnr of Federal and Water Street



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

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA
2023 FEB -7 P 2:40

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: February 13, 2023
Subject: Appointment

I hereby appoint, subject to your approval, the following named individual as an alternate member of the Water/Sewer Commission. This term will expire March 1, 2025.

Thomas O'Brien
11 Moseley Avenue
Newburyport, MA 01950

February 7, 2023

Mayor Sean Reardon
City Hall 60 Pleasant St.
Newburyport, Ma 01950

Dear Mayor Reardon,

I would like to be considered for an opening on the Water/Sewer Commission when one is available. I was on the Water Commission for five years, City Council for 22 years and Housing Authority since 1997.

Thank you for your consideration,

Thomas O'Brien

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

February 27, 2023

Appendix B Municipal Fee Schedule**Section 2 Municipal Fees by Category****Section 2-D – City Clerk (vital records, certification and parking).**

The City Council of the City of Newburyport hereby amends Ordinance Section 2-D City Clerk (vital records, certification and parking specifically the following parking fines with deletions ~~double-stricken and italicized~~ and additions double-underlined and italicized:

Section 2-D – City Clerk (vital records, certification and parking).

Parking	Fee
Non-payment	\$25.00
Overtime	\$25.00
Over 1" from curb	\$20.00
Wrong position	\$20.00
Driveway alleyway	\$25.00
Crosswalks	\$30.00
No parking anytime	\$25.00
Loading zone	\$25.00
Fire lane	\$50.00
Double parking	\$25.00
Within 20' intersection	\$25.00
Within 10' fire hydrant	\$50.00
Unattended	\$35.00

Snow emergency	\$50.00
Handicap parking zone	\$100.00
Bus Stop	\$50.00

Councillor James J. McCauley

In City Council February 27, 2023:

Motion refer collectively ODNC00138 and ODNC00140 to Public Works & Safety by Councillor McCauley, seconded by Councillor Cameron. Roll call vote. 11 yes. Motion passes.



City Of Newburyport
Commission on Disabilities
 60 Pleasant St • PO Box 550 • Newburyport MA 01950
www.cityofnewburyport.com/commission-on-disabilities



Handicapped Parking Violation: Fact Sheet Data Analysis, February 2023

- Handicapped Parking violations had fees changed in January 2015, from the previous fine amount of \$25.
 - First offense: \$100
 - Second offense: \$200
 - *Note: Maximum fine amount allowed by State Law: \$300/violation*
- Currently unsure of “how” second (or repeat) offenses can be tracked, as the NCOD has never seen a recorded fee paid for any violation cited at \$200.
 - Other municipalities’ Commissions on Disabilities are also unsure about how (or “if”) second offenses are/can be issued or cited/tracked. (Question for the State Commission on Disability Alliance, question/discussion from 02/01/2023 – K. Farrell)
- Current Handicapped Parking Violation signage, purchased by the NCOD in 2015, was designed in order to be able to cover the current fee amount in order to update the fee structures as they change.
- Current data shows that first two quarters of FY2023 have had the highest number of quarterly violations compared to all years going back to 2017. (See chart, page 2.)
 - Possible causes:
 - More people/vehicles out post-pandemic
 - Removal of some on-street parking due to the creation of Outdoor Dining Parklets
 - Creation of a number of “15 minute only” parking spaces downtown removes additional longer-term spaces
- **Goals:**
 - Drastically reduce Handicapped Parking violations in Newburyport
 - Increase Disability Awareness among the public
- **Benefit/Outcome:**
 - More Handicapped Parking spaces will be available for lawful use by individuals with appropriate placards/plates
- **Consideration: City Council to kindly consider elevating the HP fine to the maximum amount allowed by State Law (\$300) for any and all HP violation offenses.**

Respectfully Submitted,
 The Newburyport Commission on Disabilities
Kristen Farrell and Lisa Rowan, Co-Chairs

Newburyport Commission on Disabilities
February 8, 2023
Handicapped Parking Violations/Fines - Historical Data

Number of PAID Violations	2023	2022	2021	2020	2019	2018	2017
Q4		23	14	6	22	19	12
Q3		14	13	17	20	24	13
Q2	41	19	9	59	17	21	*
Q1	45	29	18	*	20	9	*
Total Paid Violations (FY)	86	85	54	82	79	73	25

Funds Collected	2023	2022	2021	2020*	2019	2018	2017
Q4		\$2,100.00	\$1,530.00	\$565.00	\$2,170.00	\$1,865.00	\$925.00
Q3		\$1,150.00	\$1,350.00	\$1,525.00	\$2,000.00	\$2,255.00	\$1,220.00
Q2	\$3,805.00	\$1,505.00	\$975.00	\$5,299.00	\$1,655.00	\$2,065.00	*
Q1	\$4,460.00	\$2,750.00	\$1,805.00	*	\$1,935.00	\$925.00	*
Total Funds Collected (FY)	\$8,265.00	\$7,505.00	\$5,660.00	\$7,389.00	\$7,760.00	\$7,110.00	\$2,145.00

**note Q2&Q1FY2020 are combined*

**data not recorded*

Notes:

HP Fines were changed in January 2015 to be \$100 (first offense) and \$200 (second offense)

Maximum fines allowed by State Law (per violation) = \$300

Current signage may be updated with stick-on labels to replace violation fine amount

Questions:

How are second offenses tracked/followed? We have never seen a fine amount above the standard \$100 "first violation" fine.

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

March 13, 2023

THAT the CITY COUNCIL of the CITY OF NEWBURYPORT hereby amends the existing list of crosswalks as identified by the Department of Public Services and marked throughout the City of Newburyport by adding the following:

1. Addition of a crosswalk on Water Street to the east of Federal Street.

AND that the City Clerk and Department of Public Services shall maintain this list and make the same available to the public.

AND furthermore the City Clerk shall post this list on the appropriate City website.

Councillor Jennie L. Donahue

In City Council March 13, 2023:

Motion to collectively refer ORDR00431 to Community Services, and to refer ORDR00432 and ORDR00433 to Public Works & Safety by Councillor Zeid, seconded by Councillor McCauley. Roll call vote. 11 yes. Motion passes.



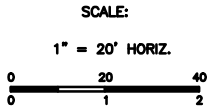
CITY OF NEWBURYPORT
DEPARTMENT OF PUBLIC SERVICES
16A PERRY WAY
NEWBURYPORT, MA 01950

Rev No	Date	Drawn	Chkd	Description
Revisions				

Designed By:
N. FEDERICO

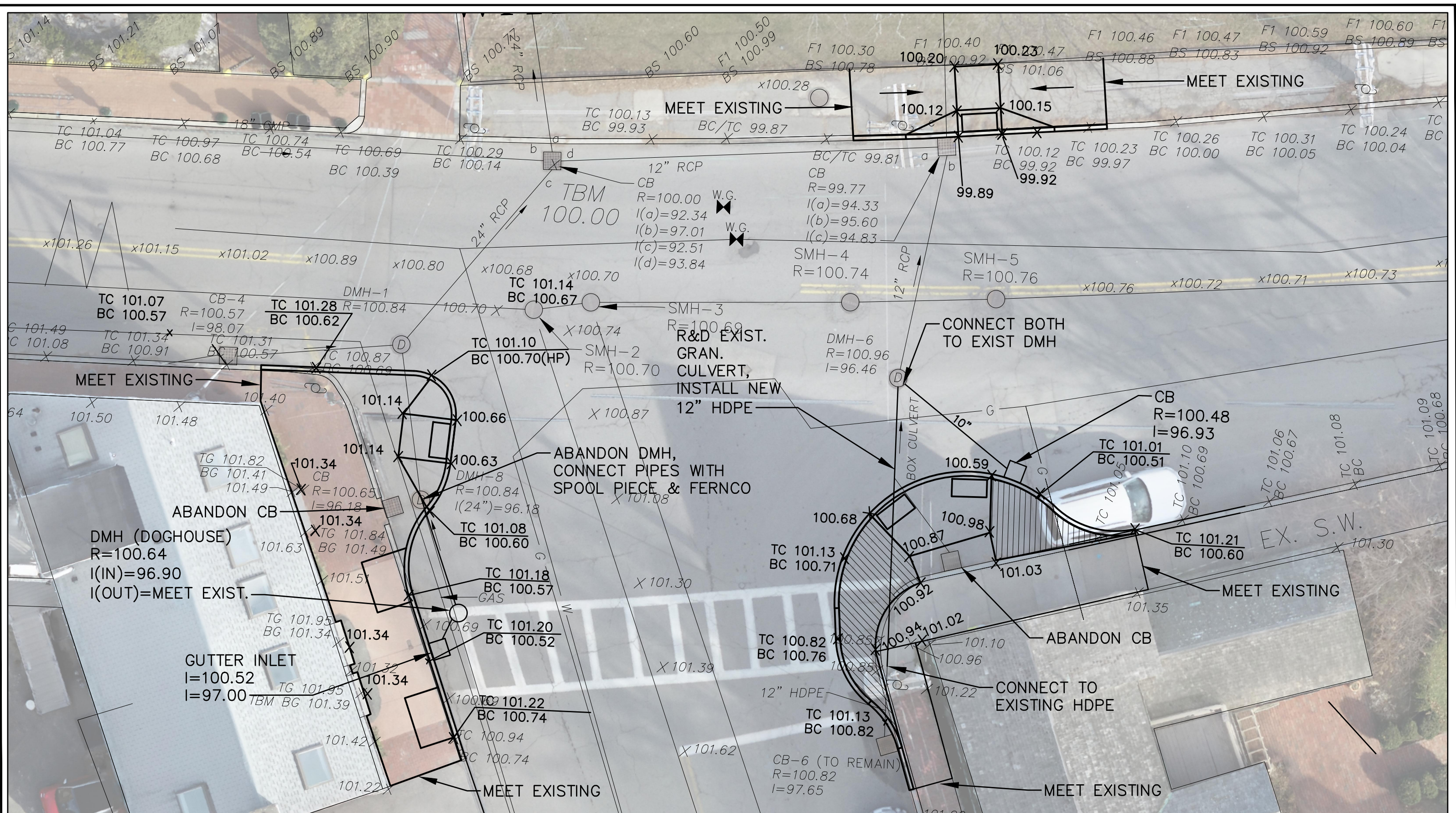
Checked By:
J.E. WHITE

Date:
FEB 24, 2023



FEDERAL AT WATER STREET

SITE PLAN



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

Designed By:
N. FEDERICO

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

March 13, 2023

WHEREAS, the City of Newburyport Home Rule Charter provides at Section 2-5 that, except as otherwise provided by general law or by the charter, all powers of the City shall be vested in the City Council which shall provide for their exercise and for the performance of all duties and obligations imposed upon the City by law; and

WHEREAS, the Newburyport Code provides at Section 12-30 that the surveying and laying out, relocation or altering of a street, highway, or private way, or part thereof, shall be done under the supervision of the City Council; and

NOW, THEREFORE, the City Council shall review and approve the plan for the intersection of Federal and Water Streets submitted herewith, dated February 24, 2023 and entitled "Federal at Water Street, Site Plan", and authorize the Department of Public Service and the City Engineer to use said plan and complete the same. This plan shall be used to add bump outs to the sidewalks on the northern side of Water Street and to move the sidewalk north of Water Street crossing Federal Street further south toward Water Street.

Councillor Jennie L. Donahue

In City Council March 13, 2023:

Motion to collectively refer ORDR00431 to Community Services, and to refer ORDR00432 and ORDR00433 to Public Works & Safety by Councillor Zeid, seconded by Councillor McCauley. Roll call vote. 11 yes. Motion passes.



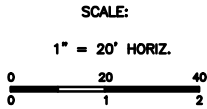
CITY OF NEWBURYPORT
DEPARTMENT OF PUBLIC SERVICES
16A PERRY WAY
NEWBURYPORT, MA 01950

Rev No	Date	Drawn	Chkd	Description
Revisions				

Designed By:
N. FEDERICO

Checked By:
J.E. WHITE

Date:
FEB 24, 2023



FEDERAL AT WATER STREET

SITE PLAN

