

CITY COUNCIL MEETING AGENDA - VERSION 1
CITY COUNCIL CHAMBERS
DECEMBER 12, 2016

7:30PM

(Sound Check)

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

November 28, 2016

(Approve)

8. TRANSFERS

- **TRAN031_12_12_16** Budget Contingency (38,919.76) to SAL Deputy Chief (5,427.33), SAL Firefighters (33,492.43) (B&F)
- **TRAN032_12_12_16** Longevity (7,270.47) to SAL Firefighters (7,270.47) (B&F)
- **TRAN033_12_12_16** General Fund - Free Cash (21,908) to Compensated Absences (21,908) (B&F)

9. COMMUNICATIONS

- **COMM110_12_12_16** Newburyport High School Roof (B&F)(JtEd)
- **COMM111_12_12_16** Plum Autoworks, Inc. - Secondhand Vehicle License (L&P)
- **COMM113_12_12_16** Snow and Ice Plan 2016-2017 (PS)
- **COMM114_12_12_16** Memo on Master Plan - Work Plan and Appendix XX (P&D)

10. APPOINTMENTS

- **APPT079_12_12_16** Dan Mello 2B Fulton St Waterfront Trust 12/31/2021

END OF CONSENT AGENDA
REGULAR AGENDA

11. MAYOR'S UPDATE

12. TRANSFERS

- **TRAN030EP_12_12_16** EMERGENCY PREAMBLE Sewer Retained Earnings (80K) to Odor Control (80K)

- **TRAN030_12_12_16** Sewer Retained Earnings (80K) to Odor Control (80K)

13. COMMUNICATIONS

- **COMM112_12_12_16** Interfaith Candle Lighting - Ahavas Achim – Dec. 24, 2016

14. ORDERS

- **ORDR087_11_28_16** Resolution Girls' Soccer Team (**TABLED**)
- **ORDR088_11_28_16** Resolution Cross Country Team (**TABLED**)
- **ORDR090_12_12_16** Parking Restriction – High St at Ashland St
- **ORDR091_12_12_16** Parking Restriction - Howard St at Chapel St
- **ORDR092_12_12_16** Stop Sign – Howard St at Chapel St
- **ORDR093_12_12_16** Odor Control Loan Order \$800,000
- **ORDR094_12_12_16** Resolution on Funding Capital from Operating Budget

15. ORDINANCES

- **NONE**

14. COMMITTEE ITEMS

Budget & Finance

In Committee:

- **ORDR002_01_25_16** Accept Gift of \$25,000 Repairing Brown's Wharf Culvert (COTW)
- **ORDR009_02_08_16** Increase Fees for Fire Dept.
- **ORDR010_02_08_16** Increase Fines Parking Violations
- **ORDR039_05_31_16** Increase Hourly Parking Rate to \$1.50
- **ORDR079_09_26_16** Movie Location Order
- **ORDR080_09_26_16** **LATE FILE** Order of Taking Parking Facility
- **COMM104_11_14_16** Letter re: Single Tax Rate

General Government

In Committee:

Joint Education

License & Permits

In Committee:

- **COMM010_01_25_16** Licensing Commission Acoustic & Amplified Entertainment
- **ODNC011_05_31_16** Amend Transient Vendors for Cashman (COTW)
- **ODNC013_07_11_16** Amend Outdoor Seating (Two Year Renewals)
- **ORDR079_09_26_16** Movie Location Order
- **COMM106_11_28_16** Families for Peace – Tables in Market Square on 1/20/17
- **COMM077_08_08_16** Communications re: Seacoast Taxi

Neighborhoods and City Services

In Committee:

- **ODNC001_01_11_16** Amend Ch11 Parks and Recreation (COTW)
- **ORDR048_06_13_16** Sidewalk Order
- **COMM099_10_31_16** Proposed Improvement in Our Scenic Byway

Planning & Development

In Committee:

- **COMM020_02_08_16** Memo re: Hiring Process for Building Commissioner
- **COMM076_07_11_16 LATE FILE** Boyd Drive Petition
- **ODNC014_08_08_16** Zoning Amend Sidewalks/Trees Sec XI-K et al
- **ORDR080_09_26_16 LATE FILE** Order of Taking Parking Facility
- **COMM091_10_11_16** Ltr to Council from J. Sweet on ZBA
- **COMM096_10_31_16** Draft of Newburyport's Master Plan
- **ORDR089_11_28_16** Order of Taking - 223 High St

Public Safety

In Committee:

- **ODNC015_08_29_16** 25 MPH Speed Zones
- **ORDR077_09_12_16** Parking Restricted on Daniel Lucy Way
- **COMM098_10_31_16** Use of Streets for "Most Pine Boards Broken in One Minute"
- **COMM101_11_14_16** Walk MS Newburyport on 4/1/2017
- **ORDR085_11_28_16** Stop Sign Avon St & Alberta
- **ORDR086_11_28_16** Stop Signs for Chestnut St and Oak St
- **COMM109_11_28_16 LATE FILE** Griffin Ct Block Party

Public Utilities

In Committee:

- **COMM060_05_31_16** Mobilitie, LLC Highway Access Permit

Rules Committee

In Committee:

15. GOOD OF THE ORDER

16. EXECUTIVE SESSION

17. ADJOURNMENT

CONSENT AGENDA

CITY COUNCIL MEETING MINUTES
CITY COUNCIL CHAMBERS
NOVEMBER 28, 2016

7:30PM

The City Council President, Thomas O'Brien, called the meeting to order at 7:30pm. A moment of silence was held for Richard Barbieri, Meghan D. Thomas, Paul F. Doyle, Daniel J. Twomey, and Wendall Moore, followed by the Pledge of Allegiance. The City Council President then instructed the City Clerk to call the roll. The following Councillors answered present: Zeid, Cameron, Connell (remote participant), Cronin, Devlin, Eigerman, Giunta, Tontar, Vogel, O'Brien. 10 present, 1 absent (Earls).

(Sound Check and Call to Councillor Connell)

1. MOMENT OF SILENCE

2. PLEDGE OF ALLEGIANCE

3. CALL TO ORDER

4. LATE FILE ITEMS Mayor's Update, COMM108EP_11_28_16, COMM109_11_28_16, Plum Island Utility Fund v2

Motion to waive the rules, to accept late files, by Councillor Zeid, seconded by Councillor Cameron.
Roll call vote, 10 yes, 1 absent (Earls). Motion passed.

5. PUBLIC COMMENT

1. Anne & Alec White

19 Brown Street

25mph Speed Limit

2. Rob Germinara

2 Ashland Street

Flammable Permits

6. MAYOR'S COMMENT

The mayor gave an update pursuant to her written communication.

CONSENT AGENDA

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

7. APPROVAL OF MINUTES

November 14, 2016

(Approve)

8. TRANSFERS

- NONE

9. COMMUNICATIONS

- COMM105_11_28_16 Memo re: Fiscal Year 2017 Tax Rate (R&F)
- COMM106_11_28_16 Families for Peace – Tables in Market Square on 1/20/17 (L&P)
- COMM107_11_28_16 Unfunded Mandates (R&F)

10. APPOINTMENTS

- NONE

END OF CONSENT AGENDA
REGULAR AGENDA

Motion to approve the Consent Agenda by Councillor Zeid, seconded by Councillor Cameron. Roll call vote, 10 yes, 1 absent (Earls). Motion passed.

11. MAYOR'S UPDATE

Motion to receive and file by Councillor Zeid, seconded by Councillor Cameron. Roll call vote, 10 yes, 1 absent (Earls). Motion passed.

12. COMMUNICATIONS

- **COMM108EP_11_28_16 Emergency Preamble** Ltr re: Licensing for Flammable Permits
Motion to approve by Councillor Vogel, seconded by Councillor Cameron. Roll call vote, 10 yes, 1 absent (Earls). Motion passed.
- **COMM108_11_28_16** Ltr re: Licensing for Flammable Permits
Motion to refer to License & Permits by Councillor Vogel, seconded by Councillor Cameron.
Withdrawn. Motion to approve as Amended (with friendly amendment (BV/CT) to add 'require a public hearing') by Councillor Vogel, seconded by Councillor O'Brien. Roll call vote, 3 yes SZ RC TO, 7 no (EC, BC, JD, JE, LG, CT, BV), 1 absent (Earls). Motion failed.
- **COMM109_11_28_16 LATE FILE** Griffin Court Block Party
Motion to refer to Public Safety by Councillor Zeid, seconded by Councillor Cameron. Roll call vote, 10 yes, 1 absent (Earls). Motion passed.

13. ORDERS

- **ORDR076_09_12_16** Supplemental Budget Request #1 (**TABLED**)
Motion to remove from the table by Councillor Tontar, seconded by Councillor Vogel. Roll call vote, 9 yes, 1 no (TO), 1 absent (Earls). Motion to approve by Councillor Tontar, seconded by Councillor Cameron. Roll call vote, 5 yes, 5 no (SZ, RC, JD, JE, TO), 1 absent (Earls). Motion fails.
- **ORDR085_11_28_16** Stop Sign Avon St & Alberta
Motion to refer to Public Safety by Councillor Giunta, seconded by Councillor Tontar. Roll call vote, 10 yes, 1 absent (Earls). Motion passed.
- **ORDR086_11_28_16** Stop Signs for Chestnut St and Oak St
Motion to refer to Public Safety by Councillor Giunta, seconded by Councillor Tontar. Roll call vote, 10 yes, 1 absent (Earls). Motion passed.
- **ORDR087_11_28_16** Resolution Girls' Soccer Team
Motion to table by Councillor Vogel, seconded by Councillor O'Brien. 10 yes, 1 absent (Earls). Motion passed.
- **ORDR088_11_28_16** Resolution Cross Country Team
Motion to table by Councillor Vogel, seconded by Councillor O'Brien. 10 yes, 1 absent (Earls). Motion passed.
- **ORDR089_11_28_16** Order of Taking - 223 High St
Motion to receive and file by Councillor Eigerman, seconded by Councillor Cameron. Motion to refer to Planning & Development by Councillor Cameron, seconded by Councillor Tontar. Roll call vote, 10 yes, 1 absent (Earls). Motion passed.

14. ORDINANCES

- **ODNC016_09_12_16** Plum Island Utility Fund (**SECOND READING**)
Motion to approve by Councillor Tontar, seconded by Councillor Cameron. Roll call vote, 8 yes, 1 no (TO), 1 present (JE), 1 absent (Earls). Motion passed.

14. COMMITTEE ITEMS

Budget & Finance

In Committee:

- **ORDR002_01_25_16** Accept Gift of \$25,000 Repairing Brown's Wharf Culvert (COTW)
- **ORDR009_02_08_16** Increase Fees for Fire Dept.
- **ORDR010_02_08_16** Increase Fines Parking Violations
- **ORDR039_05_31_16** Increase Hourly Parking Rate to \$1.50
- **ORDR079_09_26_16** Movie Location Order
- **ORDR080_09_26_16 LATE FILE** Order of Taking Parking Facility
- **TRAN028_10_31_16** Rsv Appr (4,550,014.36) to PI Utility Fund (4,550,014.36)
Motion to remove from Budget & Finance by Councillor Tontar, seconded by Councillor Zeid. Roll call vote, 10 yes, 1 absent (Earls). Motion to approve by Councillor Tontar, seconded by Councillor Zeid. Roll call vote, 9 yes, 1 no (TO), 1 absent (Earls). Motion passed.
- **TRAN029_10_31_16** PI Utility Fund (530,654.47) to Water EF (283,303.59) and Sewer EF (247,350.88)
Motion to remove from Budget & Finance by Councillor Tontar, seconded by Councillor Zeid. Roll call vote, 9 yes, 1 no (TO), 1 absent (Earls). Motion to approve by Councillor Tontar, seconded by Councillor Vogel. Roll call vote, 6 yes, 4 no (SZ, RC, JD, LG), 1 absent (Earls). Motion failed. 2/3 vote required.
- **ORDR083_10_31_16** Tax Rate - Fiscal Year 2017
Motion to remove from Budget & Finance by Councillor Tontar, seconded by Councillor Vogel. Roll call vote, 10 yes, 1 absent (Earls).
Motion to approve at \$13.45 by Councillor Tontar, seconded by Councillor Zeid, motion to amend approval to \$13.39 by Councillor Zeid, seconded by Councillor Devlin. Roll call vote, 4 yes (JD, LG, SZ, TO), 6 no (EC, BC, RC, JE, CT, BV), 1 absent (Earls). Motion failed.
Motion to approve at \$13.45 by Councillor Tontar, seconded by Councillor Vogel. Roll call vote, 6 yes (EC, BC, RC, JE, CT, BV), 4 no (LG, JD, SZ, TO), 1 absent (Earls). Motion passed.
- **COMM103_11_14_16** Letter re: Morrill Foundation Funding Directive
Motion to remove from Budget & Finance by Councillor Tontar, seconded by Councillor Cameron. Roll call vote, 10 yes, 1 absent (Earls). Motion to approve by Councillor Tontar, seconded by Councillor Cameron. Roll call vote, 10 yes, 1 absent (Earls). Motion passed.
- **COMM104_11_14_16** Letter re: Single Tax Rate

General Government

In Committee:

Joint Education – Councillor Giunta meeting Dec 5th @ 5:30 pm High School RM 118

License & Permits

In Committee:

- **COMM010_01_25_16** Licensing Commission Acoustic & Amplified Entertainment
- **ODNC011_05_31_16** Amend Transient Vendors for Cashman (COTW)
- **ODNC013_07_11_16** Amend Outdoor Seating (Two Year Renewals)
- **ORDR079_09_26_16** Movie Location Order

Neighborhoods and City Services

In Committee:

- **ODNC001_01_11_16** Amend Ch11 Parks and Recreation (COTW)
- **ORDR048_06_13_16** Sidewalk Order
- **COMM099_10_31_16** Proposed Improvement in Our Scenic Byway

Planning & Development

In Committee:

- **COMM020_02_08_16** Memo re: Hiring Process for Building Commissioner
- **COMM076_07_11_16 LATE FILE** Boyd Drive Petition
- **ODNC014_08_08_16** Zoning Amend Sidewalks/Trees Sec XI-K et al
- **ORDR078_09_26_16** Titcomb Street Order
- **ORDR080_09_26_16 LATE FILE** Order of Taking Parking Facility
- **COMM091_10_11_16** Ltr to Council from J. Sweet on ZBA
- **COMM096_10_31_16** Draft of Newburyport's Master Plan

Public Safety

In Committee:

- **ODNC015_08_29_16** 25 MPH Speed Zones
- **ORDR077_09_12_16** Parking Restricted on Daniel Lucy Way
- **COMM098_10_31_16** Use of Streets for "Most Pine Boards Broken in One Minute"
- **COMM101_11_14_16** Walk MS Newburyport on 4/1/2017
- **COMM102_11_14_16** Ladies Night Out Run on 12/3/2016
Motion to remove from Public Safety by Councillor Cronin, seconded by Councillor Giunta. Roll call vote... Motion to approve by Councillor Cronin and seconded by Councillor Cameron. Motion to amend with two stipulations that the Clerk will assess a fee up to \$1,500 based upon actual expenses incurred by City and the that Applicant be notified that there are alternate areas in which to park by Councillor Devlin, seconded by Councillor Cameron. Roll call vote 9Y, 1N(JE), 1A Motion passed.
- **ORDR084_11_14_16** Add Fruit Street to 2-Hr Residential Zone Motion to Remove and Approve, Councillor Cronin and seconded Councillor Cameron 10Y, 1A roll

Public Utilities

In Committee:

- **COMM060_05_31_16** Mobilitie, LLC Highway Access Permit
- **TRAN028_10_31_16** Rsv Appr (4,550,014.36) to PI Utility Fund (4,550,014.36)
- **TRAN029_10_31_16** PI Utility Fund (530,654.47) to Water EF (283,303.59) and Sewer EF (247,350.88)

Rules Committee

In Committee:

15. GOOD OF THE ORDER

Councillor Zeid Meeting in auditorium Thursday, December 1, 2016 at 7:00 pm Rail Trail

16. EXECUTIVE SESSION

17. ADJOURNMENT

Motion to adjourn by Councillor Vogel, seconded by Councillor Tontar. Roll call vote, 10 yes, 1 absent (Earls). Motion passed. 10:04pm.

TRANSFERS



City of Newburyport

FY 2017

BUDGET TRANSFER REQUEST

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2016 DEC -6 P 3:49

Department: Mayor's Office

Submitted by: Donna D. Holaday, Mayor

Date Submitted: 12/12/2016

Transfer From:

Account Name	Budget Contingency	YTD Bal:	\$	48,228.82
Account Number:	01129007-57805	Trans In:	\$	-
Amount:	\$38,919.76	Trans Out:	\$	(32,026.24)
Why are Funds Available:	<i>A contingency was budgeted for two collective bargaining agreements that were not complete at the start of the fiscal year.</i>			

Transfer To:

Account Name	SAL Deputy Chief	YTD Bal:	\$	61,540.70
Account Number:	01220001-51102	Trans In:	\$	-
Amount:	\$5,427.33	Trans Out:	\$	-
Why are Funds Required:	<i>To fund the first year of the newly ratified collective bargaining agreement between the City of Newburyport and Local 827 National Association of Firefighters AFL-CIO effective July 1, 2016.</i>			

Transfer To:

Account Name	SAL Firefighters	YTD Bal:	\$	1,245,863.27
Account Number:	01220001-51142	Trans In:	\$	-
Amount:	\$33,492.43	Trans Out:	\$	-
Why are Funds Required:	<i>To fund the first year of the newly ratified collective bargaining agreement between the City of Newburyport and Local 827 National Association of Firefighters AFL-CIO effective July 1, 2016.</i>			

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

Donna D. Holaday
Ethan R. Manning

Date: 12/6/16
Date: 12/6/16



City of Newburyport

FY 2017

BUDGET TRANSFER REQUEST

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2016 DEC -6 P 3:49

Department: Mayor's Office

Submitted by: Donna D. Holaday, Mayor

Date Submitted: 12/12/2016

Transfer From:

Account Name	Longevity	YTD Bal:	\$	18,112.75
Account Number:	01220001-51401	Trans In:	\$	-
Amount:	\$7,270.47	Trans Out:	\$	-
Why are Funds Available:	<i>Longevity payments are being phased out due to retiring firefighters, therefore a surplus exists in this account.</i>			

Transfer To:

Account Name	SAL Firefighters	YTD Bal:	\$	1,245,863.27
Account Number:	01220001-51142	Trans In:	\$	-
Amount:	\$7,270.47	Trans Out:	\$	-
Why are Funds Required:	<i>To fund the first year of the newly ratified collective bargaining agreement between the City of Newburyport and Local 827 National Association of Firefighters AFL-CIO effective July 1, 2016.</i>			

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

Date: 12/6/16
Date: 12/6/16



CITY OF NEWBURYPORT
OFFICE OF THE MAYOR
DONNA D. HOLADAY

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

To: President and Members of the City Council
From: Donna D. Holaday, Mayor
Date: December 12, 2016
Re: Firefighters Union – Tentative Agreement

The following is a summary of the agreement that has been reached in principle for FY16-FY19 with the International Association of Firefighters bargaining unit, Local 827. The City has agreed to the terms contained herein subject to the appropriation by the City Council. Local 827 voted to ratify the terms of this agreement on November 1st.

- **Article 9, Section 1 – Vacations:**

1. Employees hired prior to July 1, 2016 will receive vacation as follows:
 - 2 weeks from one year up to five years of service
 - 3 weeks after 5 years of service
 - 4 weeks after 10 years of service
 - 5 weeks after 15 years of service (prior contract had after 20 years)
 - 6 weeks after 20 years of service (prior contract had after 25 years)
2. Employees hired July 1, 2016 or after will receive vacation as follows:
 - 2 weeks from one year up to five years of service
 - 3 weeks after 5 years of service
 - 4 weeks after 10 years of service
 - 5 weeks after 15 years of service
3. Changes the number of firefighters per shift allowed to take a vacation from 1 to 2 during non-prime times and from 2 to 3 during prime times (June 1 – August 31).

- **Article XII, Section 1 – Sick Leave Buyback:**

1. Adds a section stating that employees hired after July 1, 2016, will be eligible to buyback 50% of accrued sick leave upon retirement or death up to a maximum of 120 days. This is a decrease of 20 days from the prior contract. The revised sick leave buyback is as follows:
 - Hired prior to July 1, 2014: 50% of sick leave up to 150 days.

- Hired after July 1, 2014 through June 30, 2016: 50% of sick leave up to 140 days.
 - Hired July 1, 2016 and after: 50% of accrued sick leave up to 120 days.
2. Adds optional sick leave cash program for employees hired prior to July 1, 2016 as follows:

Beginning in FY2018, employees with 10 or more years of service shall be eligible to be paid out 50% of their sick leave accrual, up to a maximum of 25 days per year at 90% of their daily rate. Employees who exercise this option must retain at least 50 days in sick leave accrual. This can be done twice over an employee's career for a maximum of 50 days in total. Any sick leave paid out during employment will be deducted from the payout upon retirement or death. Payout requests must be made by December 1st of the prior fiscal year to provide the City with the requisite notice and opportunity to budget for the necessary funds. A form is provided as an appendix for such requests.

- **Article XVI – Wages**

- 1. Increased wages by the following schedule:
 - FY17: 2.0% effective 7/1/2016
 - FY18: 2.0% effective 7/1/2017
 - FY19: 2.0% effective 7/1/2018

- 2. Additional step increase of 3% after 15 years.

- **Article XXI, Section 3 – Schooling**

Changes methodology and timing of \$200 education stipend.

- **Article XXIV, Section 1 – Miscellaneous**

- 1. Fire Alarm Work: clarified wording.
- 2. Changes replacement of lost check policy from “on demand” to next regular pay date. Union refused to accept mandatory direct deposit and this change was to eliminate unnecessary administrative costs resulting in the replacement of lost live checks.

- **Article XXV, Section 1 – Hazardous Materials and Decontamination Stipend**

The Haz-Mat & Decon stipend will increase to \$1,000 (from \$750) for FY17, and then to \$1,350 for FY18 and FY19.

- **Article XXVI, Section 1 – Duration:** Language changed to reflect the duration of the contract to cover the period from July 1, 2016 to June 30, 2019.

The cost of this contract will be transferred from the Budget Contingency and surplus accounts via transfers submitted by the Finance Director.



City of Newburyport

FY 2017

BUDGET TRANSFER REQUEST

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2016 DEC -6 P 3:56

Department: Mayor's Office

Submitted by: Donna D. Holaday, Mayor

Date Submitted: 12/12/2016

Transfer From:

Account Name	General Fund - Free Cash	YTD Bal:	\$ 2,374,002.00
Account Number:	01-35910	Trans In:	\$ -
Amount:	\$21,908.00	Trans Out:	\$ -
Why are Funds Available: <i>The Massachusetts Department of Revenue certified Free Cash for FY2017 at \$2,374,002. These funds are available for any legal expenditure with the approval of the Mayor and a vote of the City Council.</i>			

Transfer To:

Account Name	Compensated Absences	YTD Bal:	\$ 16,588.00
Account Number:	8270-49700	Trans In:	\$ -
Amount:	\$21,908.00	Trans Out:	\$ -
Why are Funds Required: <i>This special reserve fund was established by the City Council to pay City employees for compensated absences upon separation from employment, in accordance, with contractual agreements. Funds remain in this account and cannot be used for any other purposes unless approved by the City Council.</i>			

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

Donna D. Holaday
Ethan R. Manning

Date: *12/6/16*
Date: *12/16/16*

COMMUNICATIONS



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

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

978-465-4413 PHONE

978-465-4402 FAX

2016 DEC -6 P 2:22

To: President O'Brien and City Councilors

From: Donna D. Holaday, Mayor

Date: December 6th, 2016

Subject: Newburyport High School Roof

Attached you will find a draft Statement of Interest (SOI) to be finalized and submitted to the MA School Building Authority (MSBA) for the Accelerated Repair Program for repairs to the Newburyport High School roof. The roof repairs have been identified as a priority by the school department and were included in our latest 5 year Capital Improvement Plan.

The roof sections in need of repair are part of the original building that was constructed in 1937 and the last roof installation to this section occurred in 1995. Steve Bergholm, Facilities Director, has prepared this SOI that provides great detail of the status of the building and roof.

The MSBA Accelerated Repair Program will open for acceptance of SOI applications on or around Jan. 6th, 2017. As you are holding only one meeting in December, it is important to get the SOI into the packet so a 2nd reading can occur at your next meeting on Jan. 9th, 2017 following the opening of submissions. Estimates for the roof repairs are still being finalized but it appears we will need around \$750,000 for the repairs. If accepted into the program we could realize a 50% cost-share of the project.

Steve Bergholm will be available to meet with committee(s) assigned to review the project and SOI.

Thank you

Name of School: Newburyport High School

Massachusetts School Building Authority

School District: Newburyport

District Contact: Steve Bergholm, Director of Facilities
978.465.4440 x5008

Name of School: Newburyport High School

Submission Date: TBD

SOI CERTIFICATION

To be eligible to submit a Statement of Interest (SOI), a district must certify the following:

- ✓ The district hereby acknowledges and agrees that this SOI is NOT an application for funding and that the submission of this SOI in no way commits the MSBA to accept an application, approve an application, provide a grant or any other type of funding, or places any other obligation on the MSBA.
- ✓ The district hereby acknowledges that no district shall have any entitlement to funds from the MSBA, pursuant to M.G.L. c.70B or the provisions of 963 CMR 2.00.
- ✓ The district hereby acknowledges that the provisions of 963 CMR 2.00 shall apply to the district and all projects for which the district is seeking and/or receiving funds for any portion of a municipally-owned or regionally-owned school facility from the MSBA pursuant to M.G.L. c.70B.
- ✓ The district hereby acknowledges that this SOI is for one existing municipally-owned or regionally-owned public school facility in the district that is currently used or will be used to educate public Pre-K -12 students and that the facility for which the SOI is being submitted does not serve a solely early childhood or Pre-K student population.
- ✓ After the district completes and submits this SOI electronically, the district must sign the required certifications and submit one signed original hard copy of the SOI to the MSBA, with all of the required documentation described under the "Vote" tab, on or before the deadline.
- ✓ The district will schedule and hold a meeting at which the School Committee will vote, using the specific language contained in the "Vote" tab, to authorize the submission of this SOI. This is required for cities, towns, and regional school districts.
- ✓ Prior to submission of the hard copy of the SOI, the district will schedule and hold a meeting at which the City Council/Board of Alderman or Board of Selectmen/equivalent governing body will vote, using the specific language contained in the "Vote" tab, to authorize the submission of this SOI. This is not required for regional school districts.
- ✓ On or before the SOI deadline, the district will submit the minutes of the meeting at which the School Committee votes to authorize the Superintendent to submit this SOI. The district will use the MSBA's vote template and the vote will specifically reference the school and the priorities

Name of School: Newburyport High School

for which the SOI is being submitted. The minutes will be signed by the School Committee Chair. This is required for cities, towns, and regional school districts.

- ✓ The district has arranged with the City/Town Clerk to certify the vote of the City Council/Board of Alderman or Board of Selectmen/equivalent governing body to authorize the Superintendent to submit this SOI. The district will use the MSBA's vote template and submit the full text of this vote, which will specifically reference the school and the priorities for which the SOI is being submitted, to the MSBA on or before the SOI deadline. This is not required for regional school districts.
- ✓ The district hereby acknowledges that this SOI submission will not be complete until the MSBA has received all of the required vote documentation and certification signatures in a format acceptable to the MSBA. If Priority 1 is selected, your Statement of Interest will not be considered complete unless and until you provide the required engineering (or other) report, a professional opinion regarding the problem, and photographs of the problematic area or system.

Chief Executive Officer*

School Committee Chair

Superintendent of Schools

(print)

(print)

(print)

(sign)

(sign)

(sign)

(date)

(date)

(date)

*Local chief executive officer: In a city or town with a manager for of government, the manager of the municipality; in other cities, the mayor; and in other towns, the board of selectmen unless, in a city or town, some other municipal office is designated to the chief executive office under the provisions of a local charter. Please note, in districts where the Superintendent is also the Local Chief Executive Officer, it is required for the same person to sign the Statement of Interest Certifications twice. Please do not leave any signature lines blank.

Name of School: Newburyport High School

Massachusetts School Building Authority

School District: Newburyport

District Contact: Steve Bergholm, Director of Facilities
978.465.4440 x5008

Name of School: Newburyport High School

Submission Date: TBD

The following priorities have been included in the Statement of Interest:

- Replacement, renovation or modernization of school facility systems, such as roofs, windows, boilers, heating and ventilation systems, to increase energy conservation and decrease energy related costs in a school facility.

SOI Vote Requirement

- I acknowledge that I have reviewed the MSBA's vote requirements for submitting an SOI which are set forth in the Vote Tab of this SOI. I understand that the MSBA requires votes from specific parties/governing bodies, in a specific format using the language provided by the MSBA. Further, I understand that the MSBA requires certified and signed vote documentation to be submitted with the SOI. I acknowledge that my SOI will not be considered complete and, therefore, will not be reviewed by the MSBA unless the required accompanying vote documentation is submitted to the satisfaction of the MSBA.

Potential Scope: Accelerated Repair-Roof

Is this SOI the District Priority SOI? Yes

School name of the District Priority SOI: Newburyport High School

Is this part of a larger facilities plan? Yes-Capital Improvement Plan

If "yes" please provide the following:

- **Facilities Plan Date:** Continuously Updated
- **Planning Firm:** Internal
- **Please provide an overview of the plan including enough detail to describe the plan, its goals and how the school facility fits into that plan:**

The Newburyport Public Schools, working with the City of Newburyport, updates a 5-year Capital Improvement Plan annually. This plan lists capital needs for all school facilities across the district. The

Name of School: Newburyport High School

CIP is presented by the Director of Facilities to, and approved by the School Committee before being sent to the Mayor and City Council for prioritization with other capital needs across the city. Funding is appropriated as available.

Please provide the current student to teacher ratio at the school facility that is the subject of this SOI:

Answer: 9.5 students per teacher (774 students, 81 teachers)

Please provide the originally planned student to teacher ratio at the school facility that is the subject of this SOI:

Same as above

Does the District have a Master Educational Plan that includes facility goals for this building and all school buildings in the district?

The City currently has a "draft" Master Plan; also the Capital Plan (see below from City Charter).

Does the District have related report(s)/document(s) that detail its facilities, student configurations at each facility, and District operational budget information, both current and proposed?

If "YES", please provide title, author, and date of report in area below.

BeSafe Technologies, Inc. School Specific Information Binder. Also, site maps

Please include a hard copy of these report(s)/documents(s) with your hard copy Statement of Interest submittal.

Due to safety issues, we do not share the layouts of the schools

Is there overcrowding at the school facility? NO

If "YES", please describe in detail, including specific examples of the overcrowding.

Has the district had any recent teacher layoffs or reductions? YES

If "YES", how many teaching positions were affected? .9 FTE

At which school in the district? Bresnahan and at the High School

Please describe the types of teacher positions that were eliminated (e.g. art, math, etc)

Bresnahan Elementary: .2 physical education; .1 art; .1 music

NHS: .1 Business; .1 World Language; .2 Science

Has the district had any recent staff layoffs or reductions? YES

If "YES", how many staff positions were affected? 1

Name of School: Newburyport High School

At which school in the district?

Bresnahan Elementary

Please describe the types of staff positions that were eliminated (e.g. guidance, administrator)

.2 Library assistant at Bresnahan

Please provide a description of the program modifications as a consequence of these teacher and/or staff reductions, including impact on district class sizes and curriculum.

None

Please provide a description of your most recent budget approval process including a description of any budget reductions and the impact of those reductions on the district's school facilities, class sizes, and educational program.

City Charter excerpt:

ARTICLE 6

FINANCE AND FISCAL PROCEDURES SECTION 6-1: FISCAL YEAR

The fiscal year of the city shall begin on the first day of July and shall end on the last day of June, unless another period is required by general law.

SECTION 6-2: ANNUAL BUDGET MEETING

The mayor shall call a joint meeting of the city council and school committee, to include the superintendent of schools, before the commencement of the annual budget process to review the financial condition of the city, revenue and expenditure forecasts, and other relevant information prepared by the mayor in order to develop a coordinated budget.

SECTION 6-3: SUBMISSION OF OPERATING BUDGET; BUDGET MESSAGE

No later than May 15 of each year, the mayor shall submit to the city council a proposed operating budget for all city agencies, which shall include the school department, for the ensuing fiscal year with an accompanying budget message and supporting documents. The budget message submitted by the mayor shall indicate the mission statement of the city and explain the goals of the operating budget in fiscal terms and in terms of work programs for services provided by all city agencies. It shall outline the proposed fiscal policies of the city for the ensuing fiscal year, describe important features of the proposed operating budget and indicate any major variations from the current operating budget, fiscal policies, revenues and expenditures together with reasons for these changes. The proposed operating budget shall provide a complete fiscal plan of all city funds and activities and shall be in the form the mayor deems desirable. The school budget, as adopted by the school committee shall be submitted to the mayor at least 10 days before the submission of the proposed operating budget to the city council. The mayor shall notify the school committee of the date by which the proposed budget of the school committee shall be submitted to the mayor. The mayor and the superintendent of schools shall coordinate the dates and times of the school committee's budget process under the General Laws.

SECTION 6-4: ACTION ON THE OPERATING BUDGET

Public Hearing - The city council shall publish in at least one (1) local newspaper a notice of the proposed operating budget as submitted by the mayor. The notice shall state (1) the times and places where copies of the entire proposed operating budget are available for inspection by the public, and

Name of School: Newburyport High School

(2) the date, time and place not less than 14 days after its publication, when a public hearing on the proposed operating budget will be held by the city council.

Adoption of the Budget - The city council shall adopt the proposed operating budget, with or without amendments, within 45 days following the date the proposed budget is filed with the city clerk. In amending the proposed operating budget, the city council may delete or decrease any amounts except expenditures required by law, but except on the recommendation of the mayor, the city council shall not increase any item in or the total of the proposed operating budget, unless otherwise authorized by the general laws. If the city council fails to take action on any item in the proposed operating budget within 45 days after its receipt, that amount shall, without any action by the city council, become a part of the appropriations for the year, and be available for the purposes specified.

Availability of the Operating Budget - In addition to any other posting requirements under law, immediately after the submission of the proposed budget to the city council, the mayor shall cause the entire budget document to be posted on the city's website. Said proposed budget document shall remain posted during the city council review process contained in this Article. After the enactment of the budget, it shall be posted on the city's website and shall remain there throughout the fiscal year for which it is in effect. Said budget document shall reflect any amendments made by the city council and approved by the mayor and shall indicate that it is the final budget of the city.

Availability of the School Budget - In addition to any other posting requirement under law, immediately after the submission of its approved school budget to the mayor, the school committee shall cause it to be posted on the school department website. Said budget document shall remain posted there during the review process contained in this Article. The final school budget as enacted shall be posted on the school department's website and shall remain there at least throughout the fiscal year for which it is in effect. Said budget document shall specify any revisions made to reflect any action by the city council and the mayor and it shall indicate that it is the final budget of the school department.

Name of School: Newburyport High School

General Description

BRIEF BUILDING HISTORY: Please provide a detailed description of when the original building was built, and the date(s) and project scope(s) of any additions and renovations (max. 5000 characters).

Original construction of Newburyport High School was completed in 1937. A complete renovation and addition occurred from 1999 to 2002.

A project to rehabilitate the exterior woodwork on the high school has been ongoing since 2012 as Community Preservation Funds are made available and allotted to the project. This historic restoration has been designed and monitored by an architectural firm with extensive historic restoration experience, and following strict historic restoration standards.

TOTAL BUILDING SQUARE FOOTAGE: Please provide the original building square footage PLUS the square footage of any additions.

215,000 square feet

SITE DESCRIPTION: Please provide a detailed description of the current site and any known existing conditions that would impact a potential project at the site. Please note whether there are any other buildings, public or private, that share the current site with the school facility. What is the use(s) of this building(s)? (maximum of 5000 characters).

Newburyport High School sits on a 13.3 acre site at the top of a hill in a residential neighborhood.

The site also includes the War Memorial Stadium which was recently renovated (completed 2016) including an artificial turf field. The Stadium is used for various sporting events as well as the site for the high school's graduation ceremony.

There is a concession stand near the Stadium along with a small electrical shed that provides power to the Stadium.

A baseball field is also located on the site.

The parking areas are insufficient for the number of staff in the building. Some staff and all student have to park off-site. Any project that requires a lay-down area for materials is challenging when done while school is in session.

ADDRESS OF FACILITY: Please type the address, including number, street name and city/town.

Newburyport High School
241 High School
Newburyport, MA 01950

Name of School: Newburyport High School

BUILDING ENVELOPE: Please provide as detailed description of the building envelope, types of construction materials used, and any known problems or existing conditions (max 5000 characters).

Exterior walls of the building are brick. They are in generally good condition.

Most windows are over-sized double-hung wooden sash. The one major exception is the south façade which has aluminum frame windows overlooking the stadium. The size of the double-hung windows make them difficult to operate, but they are generally in good condition.

Doors are a combination of wooden historic replica and aluminum store-front style.

Over the center main portion of the 1937 portion of the building is an asphalt shingled hip roof. This section of roof is in poor condition, needing regular maintenance to replace shingles that blow off during strong wind storms, and leaking in areas where flashing has apparently failed. This roof was installed in 1995.

The remaining sections on the 1937 portion of the building are flat Sarnafil roofs that were last replaced in 1995 as part of a district-wide roofing project. There have been numerous leaks on all four of these separate sections (Library, Auditorium, East Classroom Wing, West Classroom Wing) as can be seen by the number of patches in these areas and stained ceilings that are visible in areas such as the Auditorium.

The five sections described above, and collectively referred to as Building A, are the focus of this SOI.

The EPDM roof on the 2002 addition is in good condition. A small project was conducted on this roof circa 2011 to correct an issue with the membrane pulling away from the bases of several of the roof top air handling units.

Has there been a major repair or replacement of the EXTERIOR WALLS? NO

Year of last major repair or replacement: N/A

Description of last major repair or replacement: N/A

Roof Section:

Is the district seeking replacement of the roof section? YES

Area of section: 6000 Square Feet

Type of roof: Pitched Asphalt Shingle

Age of roof section: 21 years-installed in 1995

Is the district seeking replacement of the roof section? YES

Area of section: 35,100 Square Feet over four separate sections

Type of roof: Flat-Sarnafil

Age of roof section: 21 years-installed in 1995

Name of School: Newburyport High School

Window Section:

Is the district seeking replacement of the window section? NO

Window in section (count): N/A

Type of windows in section: N/A

Age of window section: N/A

Description of repairs, if applicable, in the last three years. Include years of repair: N/A

MECHANICAL and ELECTRICAL SYSTEMS: Please provide a detailed description of the current mechanical and electrical systems and any known problems or existing conditions (maximum of 5000 characters).

Both the mechanical and electrical systems were updated as part of the renovation and addition project between 1999 and 2002.

Heat is provided to the school by two natural gas-fired Smith Boilers which provide hot water to various terminal devices throughout the school including nine interior air handling units and three roof-top air handling units which provide fresh air throughout the building. Heat to the classrooms is provided by ceiling mounted fan coil units, and offices generally receive their heat via variable air volume boxes and baseboard radiant heat.

Two Trane chillers provide chilled water for air conditioning to about 90% of the building.

Both boilers are fully operational and receive regular preventive maintenance from in-house staff with assistance from contractors from time to time. The interior fire walls of one boiler were rebuilt approximately three years ago, and the second boiler is in currently in need of that repair.

All mechanical equipment is operational and is in a condition that would be expected at this stage of its life cycle. Mechanical equipment receives regular preventive maintenance from in-house staff with assistance from contractors from time to time.

The entire electrical system from the main switch gear to all branch circuit wiring was replaced during the renovation and addition project from 1999-2002. The main electrical service is 480/277 volt, 4000 amp, three phase. The switch gear and all distribution panels were manufactured by General Electric.

A 250KW Kohler generator provides backup power to selected equipment and emergency lighting.

Lighting throughout the building is a combination of T-8 and compact fluorescent as well as recently converted LED fixtures.

Name of School: Newburyport High School

Boiler Section:

Is the district seeking replacement of the boiler? No
Is there more than one boiler in the school? Yes
What percentage of the school is heated by the boiler? 100%
Type of heating fuel: Natural Gas
Age of boiler (number of years since the boiler was installed or replaced): 14 years
Description of repairs in the last three years. Include year of repair:

Interior fire brick was replaced in one boiler approximately three years ago.

Has there been a major repair or replacement of the HVAC SYSTEM? YES
Year of last major repair or replacement: 2002
Description of last major repair or replacement:

All mechanical equipment was replaced during the renovation and addition project from 1999 to 2002.

Has there been a major repair or replacement of the ELECTRICAL SERVICES AND DISTRIBUTION SYSTEM? YES
Year of last major repair or replacement: 2002
Description of last major repair or replacement:

Total replacement of entire electrical system during the renovation and addition project from 1999 to 2002.

BUILDING INTERIOR: Please provide a detailed description of the current building interior including a description of the flooring systems, finishes, ceilings, lighting, etc. (maximum of 5000 characters).

Interior walls are generally constructed of metal studs and gypsum wall board and finished with an egg-shell paint.

Most floors are vinyl composite tile with carpeting in offices, the auditorium and library. Most ceilings areas are suspended grids with acoustical ceiling tile, with some gypsum wall board ceilings in select areas.

Lighting is typically T-8 and compact fluorescent with some recently converted LED fixtures in some areas such as the gym, auditorium, cafeteria, stairways and parking lots.

PROGRAMS and OPERATIONS: Please provide a detailed description of the current programs offered and grades served, and indicate whether there are program components that cannot be offered due to facility constraints, operational constraints, etc. (maximum 5000 characters).

Newburyport High School serves grades nine through twelve and the curriculum is designed around two interconnected premises. First, students will acquire and demonstrate competencies in areas of academics, career options, personal/social relationships and wellness. Second, a major aspect of

Name of School: Newburyport High School

demonstrating those competencies is successful completion of a core curriculum and elective course work to earn the minimum of 110 credits to be eligible for graduation.

Courses are offered in art and theater, English, math, history/social studies, science and technology, world language, wellness and physical education, and special education.

The one area that is most restricted by facility constraints at Newburyport High School is the Science program. A shortage of lab space limits the amount of lab time that each class can be allotted.

CORE EDUCATIONAL SPACES: Please provide a detailed description of the Core Educational Spaces within the facility, a description of the number and sizes (in square feet) of classrooms, a description of science rooms/labs including ages and most recent updates, a description of the cafeteria, gym and/or auditorium and a description of the media center/library (maximum 5000 characters).

9 Math classrooms average approximately 750 sq. ft.

9 Social Studies classrooms average approximately 750 sq. ft.

6 English classrooms average approximately 800 sq. ft.

6 Science classrooms average approximately 850 sq. ft.

4 Science Labs average approximately 750 sq. ft.

7 World Language classrooms average approximately 800 sq. ft.

5 Special Education classrooms range from 750 to 1200 sq. ft.

The Nutrition Lab is 1350 sq. ft.

The 2 Computer Labs are 800 & 850 sq. ft.

The Distance Learning Lab is a 1200 Sq. Ft. lecture hall

The Art Suite includes 2 classrooms at 1600 & 1800 sq. ft, Photo Lab at 280 sq. ft. and Graphic Arts Computer Lab at 900 sq. ft.

The Library is 6600 sq. ft. and includes a PC Lab, Mac Lab, and quiet study area.
(the Library was renovated in 2012 including new carpeting, paint, furniture & technology)

The Auditorium is 6600 sq. ft. and seats approximately 660 people.

The Theater Program has a 900 sq. ft. room adjacent to the Auditorium

Theater also operates the TV Production Lab (580 sq. ft.) and TV Studio (340 sq. ft.)

The Band Room is 1580 sq. ft.

The 2300 sq. ft. Wood Shop is shared by the Theater group and other programs

The Gym is 12,670 sq. feet including a fitness room

Three sets of bleachers can seat approximately 600 people

The Gym includes a full basketball court along with two smaller side courts

Name of School: Newburyport High School

There is a walking track around the perimeter of the gym
The PE Department also has a 1200 sq. ft. Wellness Classroom

The Cafeteria is approximately 8800 sq. ft. and can seat approximately 300 students
There are three lunch periods served by a full kitchen of approximately 1500 sq. ft.

CAPACITY AND UTILIZATION: Please provide a detailed description of the district's current maintenance practices, its capital repair program, and the maintenance program in place at the facility that is the subject of this SOI. Please include specifics of capital repair projects undertaken in the past, including any override or debt exclusion votes that were necessary.

The Newburyport Public School Facilities Department consists of a Director of Facilities, Head of Maintenance, two Maintenance Technicians and 16 Custodians serving the three building in the district. Service contractors are used to supplement the Facilities Department staff typically working under service contracts for regular predictable maintenance needs on equipment such as emergency generators, fire sprinkler systems, fire alarm systems and several others.

The Facilities Department utilizes the School Dude Maintenance Direct CMMS for all routine maintenance requests. Faculty and Staff are asked to submit requests for any maintenance or custodial needs through School Dude. The requests are routed to the Director of Facilities and Head of Maintenance, and then assigned to appropriate personnel for completion. The Technicians and Custodians mark the work requests complete, and they are then reviewed by the Director of Facilities before being closed.

Preventive maintenance is also scheduled through School Dude, utilizing the PM Direct program. Schedules are developed and maintained for equipment needing regular service. The program then creates a work request when maintenance comes due, and it gets assigned to the appropriate Technician or service contractor. Completion and close-out follows the same procedure as above.

The Newburyport Public Schools, working with the City of Newburyport, updates a 5-year Capital Improvement Plan annually. This plan lists capital needs for all facilities across the district. The CIP is presented by the Director of Facilities to, and approved by the School Committee before being sent to the Mayor and City Council for prioritization with other capital needs across the city. Funding is appropriated as available.

This process has led to a number of projects at the schools, most notably construction of the new Bresnahan School, renovation of the Nock-Molin School and renovation of the War Memorial Stadium at Newburyport High School. Other projects at Newburyport High School that have gone through this process and found funding from various sources include the ongoing Exterior Woodwork Restoration Project, sound and lighting upgrades in the Auditorium, and exterior masonry work to prevent water infiltration which was causing a serious problem with efflorescence.

PRIORITY 5

Question 1: Please provide a detailed description of the issues surrounding the school facilities (e.g. roof, windows, boilers, HVAC systems, and/or electrical service and distribution system) that you are indicating require repair or replacement. Please describe all deficiencies to all systems in sufficient detail to explain the problem.

The roof sections that are included in this Statement of Interest are on the Building A section of Newburyport High School. This is the original portion of the building that was constructed in 1937. The current roofing was installed in 1995, just prior to the major renovation and addition that was undertaken on the high school between 1999 and 2002. We identify these roofs as Pitched Roof, East Classrooms, West Classrooms, Auditorium and Library.

As one of the highest structures in Newburyport, and within close proximity to the ocean, the Pitched Roof section on the high school is often subjected to very strong winds. It is not uncommon for pieces of shingle to be found on the lower roofs and the grounds surrounding the building. Additionally, this section of roof is penetrated by two large air intake and exhaust ducts in the back center of the roof, and other ductwork out of the east and west ends. These areas have been frequently problematic as can be seen by the stained ceiling areas in the attic. The cupola also projects from this roof section and efforts to stop leaking around its base have been variably successful. There are still damp areas at times.

As a part of the renovation and addition project several pieces of mechanical equipment, as well as some skylights were removed from the flat roof sections of Building A. Additionally, other mechanical equipment was installed, and the increase in foot traffic, equipment and materials on these roofs during the construction project caused additional wear and tear and numerous issues. This has resulted in a patch-worked roof with many potential water infiltration points.

As the roof has continued to age, many of those patches have begun to detach. Water has found its way under the membrane taking its toll on the insulation and causing it to compact in areas, interrupting the drain channels that were initially built into the roof when it was installed. Ponding can now be seen in many areas with the water unable to reach the drains.

Recent (November 2016) rain storms caused flooding in rooms 340 and 341 (West Classroom Section). Water also made it down and caused damage to a first floor wall outside of the Student Support offices. Past leaks have occurred in Rooms 312 & 313 (East Classroom Room Section), as well as other areas. Water stained and falling plaster indicate leak issues with the Auditorium Roof while theater classes have at times had to work around active leaks on the stage. Smaller intermittent leaks have occurred in the Library.

Name of School: Newburyport High School

PRIORITY 5

Question 2: Please describe the measures the district has already taken to mitigate the problems/issues described in Question 1 above.

Patching each of these roof sections has been an ongoing task since the completion of the renovation and addition project in 2002. This has been done both by in-house staff and roofing contractors including CJ Phoenix, Hurley Roofing and Garland.

Gale Associates assisted with a project to repair leaks around the ductwork on the east and west ends of the Pitched Roof in 2011.

As part of the Exterior Woodwork Restoration Project-Phase 2, which was completed in the summer of 2015, some flashing around the base of the cupola was replaced. More work on and around the cupola is needed.

Additionally, the Director of Facilities conducts a roof inspection on a regular basis. The most recent inspection was conducted on 12.1.16.

PRIORITY 5

Question 3: Please provide a detailed explanation of the impact of the problem/issues described in Question 1 above on your district's educational program. Please include specific examples of how the problem prevents the district from delivering the educational program it is required to deliver and how students and/or teachers are directly affected by the problem identified.

Leaks often cause the need for teachers to find another space in which to conduct their class, or choose to arrange student around barrels and buckets that are catching water from an active leak. If a class is moved to another space the teacher may not have all of the resources and teaching aids that they would normally work with in their home classroom, thus diminishing the quality of the lesson on that particular day.

Additionally, poor air quality is always a concern when building components become damp from an active leak. If the leak has gone unnoticed for a period of time before the water actually makes it into a classroom, there could be concerns with mold growth on certain building materials, and it becomes imperative to dry them out as quickly as possible.

Leaks can, and have, caused damage to teaching materials and other items in classrooms. This causes the need for the teacher to reproduce or replace these items, taking time away from other tasks more directly associated with teaching.

PRIORITY 5

Question 4: Please describe how addressing the school facility systems you identified in Question 1 above will extend the useful life of the facility that is the subject of this SOI and how it will improve your district's educational program.

A new roof will provide protection for these section of Newburyport High School for the next 25 to 30 years. This in turn will free up both manpower and financial resources, that are now being used on roof related issues, to be allocated to other issues throughout the facility. A new roof would also likely provide an improved insulating R-value for the roof, saving on energy costs.

Please also provide the following:

- **Have the systems above been examined by an engineer or other trained building professional?**
 - **If "Yes", please provide the name of the individual and his/her professional affiliation (maximum of 250 characters)**
 - **The date of the inspection:**
 - **A summary of the findings (maximum of 5000 characters)**

Roof inspections are conducted by Steve Bergholm, Director of Facilities on a regular basis with the most recent being completed on 12.1.16. Among the findings of this inspection for the sections of roof included in this Statement of Interest are:

- There are depressions in the insulation on all four sections leaving ponds of water that cannot run to the roof drains. The East and West Classroom section have the most extensive ponding.
- There is an inordinate number of patches on these sections of roof. Some are loose.
- Fasteners are pushing up from under the membrane in places, and while none were noted to have pushed through, they are placing a lot of stress on the membrane.
- Punctures were found on the West Classroom and Library sections. (Work orders were created and the punctures were patched).
- Scrapes and gouges were noted on the membrane, particularly on the East and West Classroom sections. None appeared to penetrate the membrane, but these are likely from efforts to clear ice and snow away from the roof drains to mitigate active leaks during the winter.
- Insulation in several areas was noted to be soft and "crunchy" indicating potentially water damaged areas of insulation.
- Mortar on the wall rising above the Auditorium roof was noted to be loose and missing in sections, potentially contributing to water infiltration into the building.
- Insulation on ductwork that runs along the East and West Classroom sections is in poor condition and is obviously absorbing rather than repelling water. It appears that birds are picking at this insulation to get at insects within the insulation. Numerous similar holes have previously been patched.
- Leaking is occurring around the air intake and exhaust vents on the south side of the Pitched Roof.

Name of School: Newburyport High School

- Numerous shingles have blown off the pitched roof and are currently in need of replacement.
- Active leaks are occurring at the base of the east side of the cupola through the Pitched Roof, and also through the dome of the cupola itself.

Name of School: Newburyport High School

REQUIRED FORM OF VOTE TO SUBMIT AN SOI

REQUIRED VOTES

If the SOI is being submitted by a City or Town, a vote in the following form is required from both the City Council/Board of Alderman OR the Board of Selectmen/equivalent governing body AND the School Committee.

If the SOI is being submitted by a regional school district, a vote in the following form is required from the Regional School Committee only.

FORM OF VOTE

Please use the text below to prepare your City's, Town's or District's required vote(s).

Resolved: Having convened in an open meeting on _____, prior to the closing date, the (City Council/Board of Alderman/Board of Selectmen/Equivalent Governing Body/School Committee of _____ (city or town), in accordance with its charter, by-laws, and ordinances, has voted to authorize the Superintendent to submit to the Massachusetts School Building Authority the Statement of Interest dated _____ for the _____ (name of school) located at _____ (address) which describes and explains the following deficiencies and the priority category(s) for which an application may be submitted to the Massachusetts School Building Authority in the future:

Priority 5: Replacement of roofing on the Building A portion of Newburyport High School due to age deterioration and leakage, including flat sections of roofing over the east and west classroom wings, auditorium and library, totaling 35,100 square feet as well as the 6000 square foot asphalt-shingled pitched roof section over the main center section of the building.

and hereby further specifically acknowledges that by submitting this Statement of Interest Form, the Massachusetts School Building Authority in no way guarantees the acceptance or the approval of an application, the awarding of a grant or any other funding commitment from the Massachusetts School Building Authority, or commits the City/Town/Regional School District to filing an application for funding with the Massachusetts School Building Authority.

Name of School: Newburyport High School

CERTIFICATIONS

The undersigned hereby certifies that, to the best of his/her knowledge, information and belief, the statements and information contained in this Statement of Interest and attached hereto are true and accurate, and that this Statement of Interest has been prepared under the direction of the district School Committee and the undersigned is duly authorized to submit this Statement of Interest to the Massachusetts School Building Authority. The undersigned also hereby acknowledge and agrees to provide the Massachusetts School Building Authority, upon request by the Authority, any additional information relating to this Statement of Interest that may be required by the Authority.

Chief Executive Officer*

School Committee Chair

Superintendent of Schools

(print)

(print)

(print)

(sign)

(sign)

(sign)

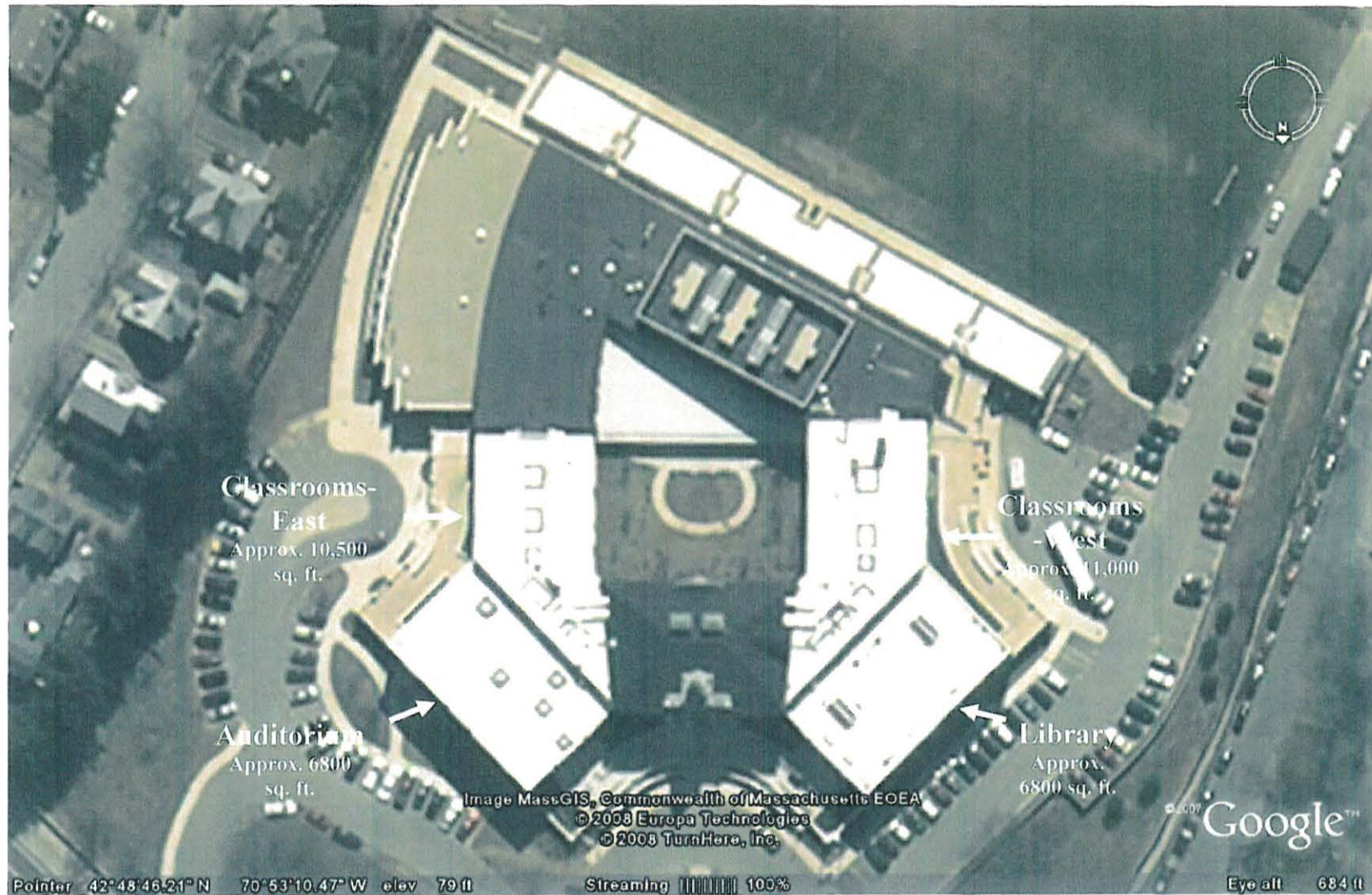
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(date)

(date)

*Local chief executive officer: In a city or town with a manager for of government, the manager of the municipality; in other cities, the mayor; and in other towns, the board of selectmen unless, in a city or town, some other municipal office is designated to the chief executive office under the provisions of a local charter. Please note, in districts where the Superintendent is also the Local Chief Executive Officer, it is required for the same person to sign the Statement of Interest Certifications twice. Please do not leave any signature lines blank.

Newburyport High School
Capital Improvement Plan Item
Roof Replacement

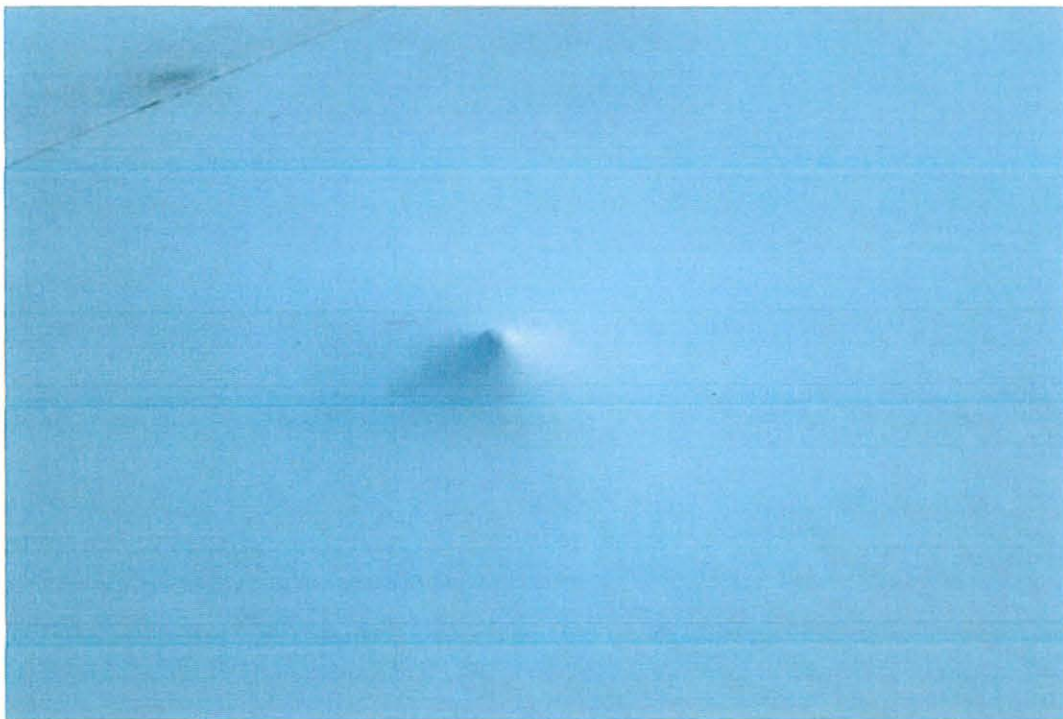


**Newburyport High School
Roof Inspection Photos
12.1.16**

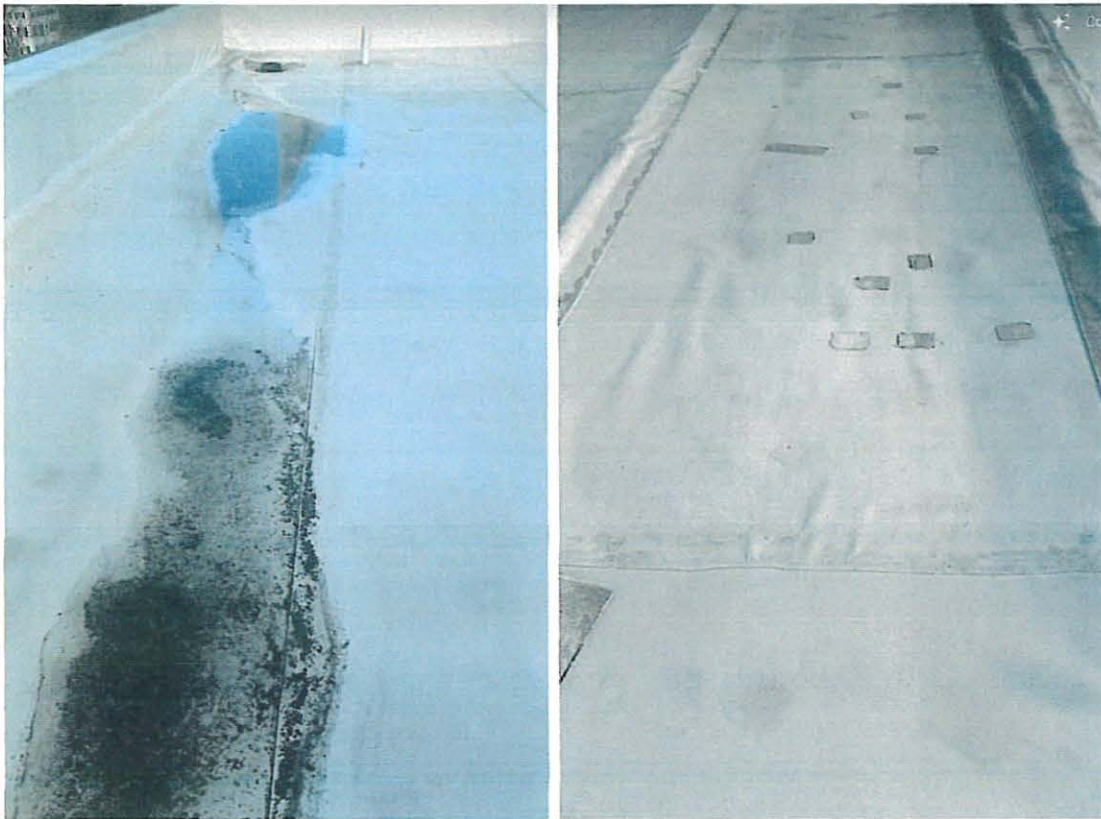
West Classroom Roof: Note ponding, excessive patches and patched area from removed mechanical equipment.



East Classroom Wing Roof: Note fastener poking up under membrane, water not reaching roof drains and tired insulation on ductwork.



Library Roof: Note excessive patches and water not reaching roof drain



Auditorium Roof Section: Photo shows section of rising wall above roof that needs repointing



Pitched Roof Section:

- Top photo-backside of pitched roof showing exhaust and intake ducts (water is finding its way in around these ducts) along with ductwork coming out west side (notice patched area around duct where repairs have been made).
- Bottom right photo-damp area at base of cupola from recent rains.
- Bottom left photo-missing shingles blown off in a wind storm.



THE COMMONWEALTH OF MASSACHUSETTS

City OF NewburyportAPPLICATION FOR A LICENSE TO BUY, SELL, EXCHANGE
OR ASSEMBLE SECOND HAND MOTOR VEHICLES
OR PARTS THEREOFRECEIVED
CLERK'S OFFICE
NEWBURYPORT, MA
2016 DEC - 6 P 12:56

I, the undersigned, duly authorized by the concern herein mentioned, hereby apply for a _____
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? Plum Autoworks Inc

Business address of concern. No. 71 Storey Ave St.,
Newburyport MA 01950 City — Town.

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

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

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

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

President Nancy J London 11 Warrenton Rd Haverhill MA 01830

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.

Lot Size of Approx 90 Ft Frontage on Stovey Ave
Approx 120 Ft Deep on which A Building Approx 20x40
Consisting of 2 offices & 2 Baths Paved Lot with
Parking For Approx 35-40 Cars

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? _____

(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 MA

Did you receive a license? yes

(Yes or No)

For what year? 2006 - 2015

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 _____

John A. Powers G.M.

(Duly authorized to represent the concern herein mentioned)

Residence 11 Warrenton Rd Haverhill MA 01838

IMPORTANT

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

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

APPLICANT WILL NOT FILL THE FOLLOWING BLANKS

Application after investigation _____
(Approved or Disapproved)

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

Signed _____

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

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

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

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

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

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

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

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

APPLICANT WILL NOT FILL THE FOLLOWING BLANKS

Application No. _____

Class _____ License No. _____

Name _____

St. and No. _____

City — Town _____

Date Issued _____

Remarks _____

ISSUED THROUGH

A. A. DORITY COMPANY

BOSTON

CONTINUATION CERTIFICATE

The **NGM Insurance Company**, hereinafter called the Company, hereby continues in force its **MA Used Car Dealer** Bond Number **148623**

in the sum of **Twenty-Five Thousand dollars (\$25,000.00)**

on behalf of

Plum Auto Works, Inc.

located at

71 Storey Ave
Newburyport, MA 01950

in favor of **City of Newburyport, MA**

for the term beginning **December 31st, 2016** and ending on **December 31st, 2017**, subject to all covenants and conditions of said bond.

This Continuation is executed upon the express condition that the Company's liability shall not be cumulative and shall be limited at all times by the amount of the penalty stated in the bond.

In witness whereof, the Company has caused this instrument to be signed by its duly authorized Attorney-in-Fact and its Corporate Seal to be hereto affixed this day, October 26, 2016

NGM Insurance Company

By: 

Katie E. Ford

Attorney-in-Fact

A. A. DORITY Company, Inc.

262 Washington Street, Suite 99

Boston, MA 02108

(617) 523-2935 Fax: 617-523-1707



CITY OF NEWBURYPORT
OFFICE OF THE MAYOR
DONNA D. HOLADAY

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

To: President and Members of the City Council

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

Date: December 12, 2016

Subject: Snow and Ice Plan 2016-2017

Beginning in FY2016, the City Council requested that the Department of Public Services (DPS) submit an annual plan regarding the process of handling snow and ice events in the City. Attached is the updated Snow and Ice Plan for the 2016/2017 Season.

Removal of snow and ice from our public ways is one of the most critical jobs of our DPS Highway Division during the winter months. Ensuring that our roads and public ways are safe and passable is a priority. DPS department staff and independent plow contractors work together to ensure that our 70 miles of public roadways are attended during unfavorable weather conditions throughout the season.

We look forward to providing any additional information Council members may require.



City of Newburyport
Department of Public Services

SNOW AND ICE PLAN

2016 / 2017 Season

Donna D. Holaday, Mayor

Anthony J. Furnari, Director

Wayne S. Amaral, Deputy Director

INTRODUCTION

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

SNOW EMERGENCY PARKING BAN

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

In addition, eleven flashing blue lights will be activated throughout the city at the following locations, usually at least six hours before a declared snow emergency:

March's Hill at Bromfield St.

Route 113 at Hoyt's Lane

Water St. at Shandel Dr.

Market Square

Storey Ave, Ferry Rd and Moseley Ave Intersection

Malcolm Hoyt Dr. at Parker St.

High St. @ State St.

Route 1 Rotary and State St.

Route 1 and Merrimac St.

Merrimac, Moseley and Spofford (Roundabout)

Storey Ave. across from Daniel Lucy Way

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

ALTERNATIVE DESIGNATED PARKING AREAS

The City of Newburyport offers alternative designated parking areas for on-street cars that include the following: Green Street Municipal Lot, Cashman Park (off Merrimac Street), Cushing Park (Washington Street) NRA Waterfront Lots East and West, Hales Court Lot (corner of Hales Court and Prince Place) and State Street Lot (corner of Harris Street and State Street). In order for DPS to clear these lots, temporary parking bans and vehicle removal may be posted and announced on the City website and Weather Event and Emergency Information Line at 978-463-0472. After snow removal is complete in a lot, it will open for parking.

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

SNOW EMERGENCY CANCELLATION information can be obtained by checking www.cityofnewburyport.com or calling the Weather Event and Emergency Information Line at 978-463-0472.

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

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

SNOW PLOWING

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

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

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

Step 2. Snow clearing (2" or greater)

Snow plowing begins when snow accumulates or is predicted to be two (2) or more inches. Over 48 city and

privately operated pretreatment and snow clearing vehicles/equipment may be dispatched to respond to a snow emergency. DPS crews and private contractors will continue to plow until the snow event ends. We will continue to monitor the conditions of the roadways and determine if additional snow clearing equipment is needed or if equipment may need to be reassigned to another section of the city.

Step 3. Post storm clean-up and clearing

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

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

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

SIDEWALKS

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

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

DRIVEWAYS

DPS tries to minimize the amount of snow that gets plowed across driveways, but snow plows cannot “go around” driveways. Plow blades cannot be lifted as they pass by a driveway. Unfortunately, snow will be plowed into driveways as we perform curb-to-curb plowing. You may wish to clear your driveway several times during the storm or wait until the storm and plowing activities have ended.

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

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

NOTIFICATIONS

All residents and business owners are strongly urged to sign up for announcements or urgent alerts from any or all City departments. On the City of Newburyport’s website homepage, click on the large gray button that reads “Notify Me” to choose your notification preferences. Weather-related and other emergency notifications are provided by the City via news announcement posted to the website. If you are signed up for notifications, you will receive an e-mail alert letting you know that a new announcement has been posted by the City. This is especially useful in receiving the latest messages about parking restrictions and other information.



CITY OF NEWBURYPORT
OFFICE OF PLANNING AND DEVELOPMENT

60 PLEASANT STREET • P.O. BOX 550

NEWBURYPORT, MA 01950

(978) 465-4400 • (978) 465-4452 (FAX)

TO: **City Council / Planning & Development Committee**

CC: **Planning Board**

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

DATE: **December 7, 2016**

RE: **Draft of Newburyport's Master Plan – "Work Plan" Appendix**

On October 31, 2016, the City Council received a copy of the Draft Master Plan update from the Mayor and Office of Planning & Development. That document is also posted on the City website here:

<http://www.cityofnewburyport.com/master-plan-steering-committee>

A that time we were able to post the main narrative of the document but were unable to provide you with a copy of the detailed "Work Plan" appendix, which identifies specific actions that, when implemented, will result in the achievement of the goals listed within the plan. The Work Plan is structured with Goals, Objectives and Actions, and identifies specific departments and/or boards that will be responsible for implementing each of these recommendations over the next ten years.

Attached is a copy of the draft Master Plan "Work Plan" which is to be incorporated in the adopted Master Plan (*as an appendix*). We ask that you review this document in addition to the core Master Plan report previously provided. We intend to use the "Work Plan" as a checklist which can be monitored on a yearly basis moving forward, in order to assess progress being made each year in implementation of the Master Plan, as well as to identify shortcomings which may be improved in future years. We intend to provide the Planning Board and City Council with this yearly progress report. We ask that you forward this Work Plan to the Planning & Development Committee where it can be discussed further as P&D/COTW.

We will make ourselves available to address any questions the Council may have in the coming weeks, beginning with the Planning & Development (P&D) / Committee of the Whole (COTW) meeting scheduled for December 8, 2016. We expect to make additions and revisions to the draft Master Plan during the next few weeks with the goal of obtaining final City Council and Planning Board approval of the entire Master Plan document in early 2017.

Please do not hesitate to contact me if you have any questions regarding the Master Plan or any other planning initiative. Thank you.

**APPOINTMENTS
FIRST READING**



CITY OF NEWBURYPORT

OFFICE OF THE MAYOR

DONNA D. HOLADAY, MAYOR

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA60 PLEASANT STREET - P.O. BOX 550
NEWBURYPORT, MA 01950

978-465-4413 PHONE

978-465-4402 FAX

2016 DEC -6 P 1:26

To: President and Members of the
City Council

From: Donna D. Holaday, Mayor

Date: December 6, 2016

Subject: Appointment

I hereby appoint, subject to your approval, the following
named individual as a member of the Waterfront Trust.
This term will expire on December 31, 2021.

Dan Mello
2b Fulton Street
Newburyport, MA 01950

November 30, 2016

Dan Mello
2b Fulton Street
Newburyport, MA
508 642 6814
mello.neu@gmail.com

Dear Mayor Holaday and the Newburyport Waterfront Trust,

For seven years now, I've been so proud to call Newburyport my home. My partner and I set out north after graduating from Northeastern University in search of a place to build our family. In Newburyport's burgeoning shops and restaurants, hallmark waterfront, close-knit communities and Plum Island's rich natural environment, Rhiannon and I found the place for us. I feel a strong responsibility to contribute to strengthening this community and enhancing all that Newburyport has to offer. Please consider my candidacy for a seat on Newburyport's Waterfront Trust.

I value both the natural environmental gifts that Newburyport offers as well as the variety of commerce and small business developed in the city. Above all though, I value this community and the strong relationships that make this town so supportive and welcoming to all. As Newburyport navigates this waterfront development process, the community needs strong leadership to transform invested citizens' values and visions into cohesive and decisive action that reflect the city's rich culture and environment.

In my professional life I am a research associate for WestEd, a non-profit invested in transforming research into practice to create rich teacher and student support systems. I serve as a program evaluator, product developer, and technical assistance provider. My clients value me as an active listener, a logical thinker and a decisive planner. In my work, I transform the expertise of seasoned professionals and the experiences of stakeholders into products, research and recommendations. I would hope to bring these research and stakeholder engagement skills to Newburyport's Waterfront Trust to ensure that this community has a waterfront to be proud of.

Please contact me at your convenience. I look forward to discussing how I might meet the current needs of the Trust and the community.

A handwritten signature in black ink, appearing to read 'Dan Mello', with a stylized, cursive script.

Dan Mello

Dan Mello

2B Fulton Street, Newburyport, MA 01950 | 508.642.6814 | mello.neu@gmail.com

Skills & Certifications

- Data visualization
- Qualitative & quantitative analysis
- Expertise/experience with statistical and survey software: SPSS, R, Qualtrics
- Technical assistance, research, evaluation
- Project management
- Experienced in client management: needs assessment, facilitation, and influencing
- Survey development and implementation
- Institutional Review Board (IRB) certified

Experience

Program Associate • April 2013 - current

WestEd • 300 Unicorn Park Drive, Woburn, MA 01801

- State liaison to NH, RI, PR and VI. Responsibilities include: assessing state education agency needs; planning and coordinating ongoing targeted technical assistance in all states, with intensive technical assistance implemented in one state to support achievement of systemic agency goals.
- Technical assistance provider in NH, MD, NC, VI, AK, and more. Responsibilities include: leveraging legal requirements of Individuals with Disabilities Education Act and data quality expertise to develop technical assistance content; facilitating adult learning sessions; supporting state clients to create tailored solutions to meet local needs.
- Product development workgroup lead. Responsibilities include: convening senior staff to develop whitepapers, infographics, and technical documents for national dissemination to build capacity within state agencies.

Web Design and Brand Consultant • April 2011 – February 2013

GrowFood.com (no longer active)

- Managed products and communications in Wordpress
- Consulted on communications plan for community engagement

Research Assistant • August 2008 – April 2013

WestEd • 300 Unicorn Park Drive, Woburn, MA 01801

- Co-director of SurveyWorks Statewide Survey System. Responsibilities included: engaging clients in and leading design, development, and implementation of statewide education climate surveys with over 120k respondents.
- Research and program evaluation support. Responsibilities included: developing proposals, planning methodology, interviewing, analyzing data, and writing reports.

Student Teacher (Co-op) • June 2006 – December 2006

Balfour Academy, Roxbury, MA

- Taught summer academy high school students in SAT mathematics preparation; Coached and mentored students in preparation for transition to college

Dan Mello

2B Fulton Street, Newburyport, MA 01950 | 508.642.6814 | mello.neu@gmail.com

Publications

Henry, S. F., Mello, D., Avery, M. P., Parker, C., & Stafford, E. (manuscript in review). Home Language Survey Data Quality Self-Assessment (REL 2016–198). Washington, DC: U.S. Department of Education, Institute of Education Sciences, National Center for Education Evaluation and Regional Assistance, Regional Educational Laboratory Northeast & Islands. Retrieved from <http://ies.ed.gov/ncee/edlabs>.

Petrosino, A., and Mello, D. (manuscript under review, August, 2014). "Institutional Review Boards" Encyclopedia of Criminal Justice Ethics (as edited by Bruce A. Arrigo, University of North Carolina, Charlotte)

Bocala, C., Morgan, C., Louie, J., Sánchez, M.T., North, C., Cazabon, M., Mello, D., and Kagle, M. (2012). A descriptive analysis of state-supported formative assessment initiatives in New York and Vermont. (Issues & Answers Report, REL 2012 – No. 112). Washington, DC: US Department of Education, Institute of Education Sciences, National Center for Education Evaluation and Regional Assistance, Regional Educational Laboratory Northeast and Islands. Retrieved from <http://ies.ed.gov/ncee/edlabs>

Bocala, C., Morgan, C., Mundry, S., and Mello, D. (2010). Do states have certification requirements for preparing general education teachers to teach students with disabilities? Experience in the Northeast and Islands Region (Issues & Answers Report, REL 2010 – No. 090). Washington, DC: US Department of Education, Institute of Education Sciences, National Center for Education Evaluation and Regional Assistance, Regional Educational Laboratory Northeast and Islands. Retrieved from <http://ies.ed.gov/ncee/edlabs>

Bocala, C., Mello, D., Reedy, K., and Lacireno-Paquet, N. (2009). Features of state response to intervention initiatives in Northeast and Islands Region states (Issues & Answers Report, REL 2009 – No. 083). Washington, DC: US Department of Education, Institute of Education Sciences, National Center for Education Evaluation and Regional Assistance, Regional Educational Laboratory Northeast and Islands. Retrieved from <http://ies.ed.gov/ncee/edlabs>

Presentations

STATS-DC, Washington, D.C. 2016. The Value of Stakeholder Engagement in Developing the Home Language Survey Data Quality Self-Assessment Tool

American Education Research Association, Washington, D.C. 2016. The Value of Stakeholder Engagement in Developing the Home Language Survey Data Quality Self-Assessment Tool as a part of the panel event: Strengthening the Validity and Utility of Home Language Surveys to Identify Potential English Learners

Asociación de Supervisión y Desarrollo Curricular de Puerto Rico, Annual Conference, San Juan, PR. 2011. Do states have certification requirements for preparing general education teachers to teach students with disabilities?

Data Alignment Webinar Series, 2012-2013. Presentation and facilitation of state leadership discussions of data systems alignment issues facing emerging research fronts in the Northeast and Islands

Education

Northeastern University • May 2008

Bachelor of Science, Mathematics

Minor in Spanish and Marine Science

Personal Interests

Enjoy duck hunting, fishing, yoga, ultimate frisbee, woodworking, puzzles, air guitar, and drinking coffee

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

TRANSFERS

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

EMERGENCY PREAMBLE

Pursuant to Charter Section 2-9 (b) and as further defined in Section 1-7(7) an emergency exists due to the fact that the matter referenced in TRAN030_12_12_16 is time sensitive; there is only one scheduled meeting in December and funds are required in order to meet project milestones and keep the Odor Control Improvements Project on schedule.

Therefore, the City Council hereby affirmatively declares that an emergency exists such that TRAN030_12_12_16 may be voted upon at its first introduction to this Council.

Councillor Barry Connell



City of Newburyport

FY 2017

BUDGET TRANSFER REQUEST

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA
2016 DEC -6 P 3:49

Department: Department of Public Services

Submitted by: Anthony Furnari, DPS Director

Date Submitted: 12/12/2016

Transfer From:

Account Name	Sewer Retained Earnings	YTD Bal:	\$ 1,419,115.00
Account Number:	61-35920	Trans In:	\$ -
Amount:	\$80,000.00	Trans Out:	\$ -
Why are Funds Available:	<i>The Massachusetts Department of Revenue certified Retained Earnings for the Sewer Enterprise Fund for FY2017 at \$1,419,115. These funds are available for any legal expenditure with the approval of the Mayor and a majority vote of the City Council.</i>		

Transfer To:

Account Name	Odor Control Improvements Project	YTD Bal:	\$ 61,540.70
Account Number:	4101-49700	Trans In:	\$ -
Amount:	\$80,000.00	Trans Out:	\$ -
Why are Funds Required:	<i>To fund the submittals and shop drawings for the clarifier covers and biofilter odor control system, which are to be included in the bid document for the second phase of the odor control improvements project. See explanatory memo from Mayor Donna Holaday.</i>		

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

Donna D. Holaday
Ethan R. Manning

Date: 12/16/16
Date: 12/16/16



CITY OF NEWBURYPORT
OFFICE OF THE MAYOR
DONNA D. HOLADAY

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

To: President and Members of the City Council
From: Donna D. Holaday, Mayor
Date: December 6, 2016
Subject: Transfer Request & Loan Order to Fund Equipment for the Wastewater Treatment Facility Odor Control Project

I am writing to respectfully request approval of an appropriation from Sewer Retained Earnings in the amount of \$80,000 toward the funding of two major components for the Wastewater Treatment Facility Odor Control Project- primary clarifier covers and the biofilter system.

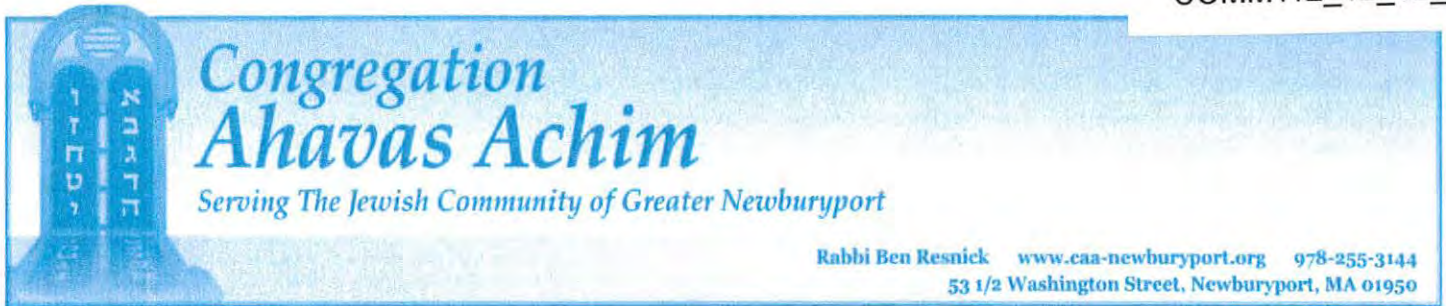
At the December 5, 2016 Water and Sewer Commission meeting, Bob Rafferty from Environmental Partners reported the immediate need for 10% of the projected \$800,000 in order to complete the customized design and shop drawings for the clarifier covers and biofilter. It is critical that the design information is received before the general contract is bid in order to provide the general contractor with the information required to properly estimate the work. The attached transfer will position the Water and Sewer Commission to meet those project milestones and allows DPS to move forward within the expected timeline.

Environmental Partners' structured the project's contracts to allow the City to purchase these items directly from the manufacturer, avoiding the markup from the general contractor. The equipment contracts will then be assigned to the general contractor to maintain a single source of responsibility. The estimated cost of the primary clarifiers and biofilter system is \$800,000 to be funded by the loan order contained in your December 12, 2016 packet. Note that those major components cannot be ordered until the loan order is approved, after which there is a twenty day referendum (waiting) period.

The Water and Sewer Commission anticipates requesting a further bond authorization for the general contract for the Wastewater Treatment Facility Odor Control Project in January 2017. The goal of this project is to undergo bidding and construction of the facility upgrades as a permanent solution to reducing odors at the facility. By approving the above mentioned transfer and loan order, the project will be able to continue and, more importantly, meet the late Spring deadline that has been set by the City.

Thank you in advance for your consideration.

COMMUNICATIONS



Dear City Council:

This year, the first night of Hanukkah coincides with Christmas Eve. This presents our local faith communities with a wonderful opportunity to come together and light some lights during a cold and dark season. On December 24th at 5:15pm, a number of local churches are proposing that we all come together for candle lighting, singing, and brief interfaith service in Market Square. Hot chocolate will be on hand. Congregation Ahavas Achim, St. Paul's Episcopal Church, and People's United Methodist Church will take the lead on planning the event.

Thank you kindly for your consideration.

Warm wishes,

Rabbi Benjamin Resnick

ORDERS

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

November 22, 2016

Whereas the Newburyport Girls Soccer Team worked tirelessly to refine their soccer skills during the 2016 season, and

Whereas this same team was able to make it to the State Semi-Finals with extremely competitive play, and

Whereas this Soccer Team had an exemplary record of 17-2-3, and

Whereas the leadership of Coaches Sheridan and Gonnam have inspired the dedication and achievements of this same team,

Now, Therefore, The Newburyport City Council hereby resolves to recognize this considerable achievement by the Soccer Team and its Coaches and offers its heartfelt thanks for the considerable contributions to our community.

Councillor Barry N. Connell

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

November 22, 2016

Whereas, the Newburyport Cross Country Team has continued to achieve winning seasons, and

Whereas, the 2016 Cross Country Team has placed third in the overall standings at the MIAA All State finals in Gardner, MA, and

Whereas, the 2016 Cross Country Team has won the Division 2 Title, and

Whereas, the individual State Championship title was won by Jack Carleo of this same Cross Country Team. Carleo turned in a time of 16:20 to join his older brother Nick (2014) and Molly Landreth (2000) as the only three Clippers to achieve the feat, and Sam Acquaviva, a sophomore, placed Fourth (16:44) at this same event, and

Whereas, the 2016 Cross Country Team also won the Division 5 State Meet in Wrentham, Ma, and

Whereas, Coach Hennigar and his staff continue to produce outstanding teams and provide inspiring role models for the youth of our City,

Now, Therefore, The Newburyport City Council hereby formally resolves to congratulate and recognized the considerable achievements resulting from the tremendous hard work and dedication of all of the runners and outstanding Coaches!

Councillor Barry N. Connell

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

December 12, 2016

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

Street: High Street

Restriction: On the northerly side from a point 180 feet east of Ashland Street running easterly to a point 215 feet east of Ashland Street.

Furthermore, the City Clerk shall add this restriction to the public list available in the Clerk's office. This list shall be updated and posted on the City of Newburyport website.

Councillor Tontar

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

Date: December 12, 2016

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

Street: Howard Street

Restriction: On the westerly side beginning at Chapel Street and running southerly for a distance of 113 feet.

Furthermore, the City Clerk shall add this restriction to the public list available in the Clerk's office. This list shall be updated and posted on the City of Newburyport website.

Councillor Tontar

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

Date: December 12, 2016

THAT the City Council of the City of Newburyport hereby orders, pursuant to Code Section 13-136, that the following street shall be designated as a stop intersection:

Street: Howard and Chapel

Intersection: The three-way intersection at Howard and Chapel Streets

Furthermore, the City Clerk shall add this stop intersection to the public list available in the Clerk's office. This list shall be updated and posted on the City of Newburyport website.

Councillor Charles F. Tontar

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

December 12, 2016

THAT, \$800,000 is appropriated to pay costs of odor control and facility upgrades at the City of Newburyport Wastewater Treatment Facility, consisting of clarifier covers and a biofilter odor control system and related improvements, including the payment of all costs incidental and related thereto, and that to meet this appropriation, the Treasurer with the approval of the Mayor, is authorized to borrow \$800,000 under and pursuant to M.G.L. c.44, s.7(1), or pursuant to any other enabling authority, and to issue bonds or notes of the City therefor; that any premium received by the City upon the sale of any bonds or notes approved by this order, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this order in accordance with Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount; and that the Mayor and the Treasurer are authorized to take any other action necessary or convenient to carry out this vote.

Councillor Charles F. Tontar
Chair, Budget & Finance Committee

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

December 6, 2016

A RESOLUTION RELATING TO THE FUNDING OF CAPITAL, INCLUDING SIDEWALKS AND ROADS, VIA OUR ANNUAL OPERATING BUDGET

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

WHEREAS, the City of Newburyport recognizes the immense importance of investing in, maintaining, and repairing our infrastructure including sidewalks, roads, schools, school buildings, municipal buildings, vehicles, parks and more

WHEREAS, a great deal of our sidewalks, in particular, are in such disrepair that they present a hazard to residents

WHEREAS, the residents/taxpayers of the City of Newburyport have consistently voiced their desire for more focus on core infrastructure including sidewalks and roads

WHEREAS, the City's most recent Capital Improvement Plan, as presented by the Mayor and approved by the City Council, calls for spending of 12 million to 34 million dollars per year in each of the next three years. The Capital Improvement Plan includes everything from Fire Engines to School Building Roof replacements, to water main replacements

WHEREAS, our current mechanism for the funding of Capital primarily involves the use of Debt and/or "free cash"

WHEREAS, there are many uncertainties going forward such as the future of interest rates and the ability of the City to generate free cash on a consistent basis

WHEREAS, having a substantial method of funding Capital through the annual operating budget will provide longer term stability

NOW, THEREFORE, BE IT RESOLVED, that:

1. Recommendation to direct unallocated funds to Capital projects. The City Council of the City of Newburyport recommends the allocation of remaining unallocated Fiscal Year 2016 funds to a Capital Repair and Improvement line item within the budget.
2. Expenditures: The City Council of the City of Newburyport recommends that such funds be expended against one or more items from the current Capital Improvement Plan

3. Future consideration. Further, the Council recommends that such line item be, at an absolute minimum, be level funded in future Fiscal years and that a continued focus be placed on growing this line item whenever fiscally possible.

Councillor Sharif I. Zeid

Councillor Joseph H. Devlin

COMMITTEE ITEMS

LICENSE & PERMIT COMMITTEE ITEMS

COMM106_11_28_16 Families for Peace – Tables in Market Square on 1/20/17

RECEIVED
CITY OFFICE
NOV 22 2016

November 22, 2016

Dear Members of City Council,

2016 NOV 22 P 12:21

I, Kathleen Hickey, have organized a group of parents who would like to teach peaceful assembly to our children. Families for Peace is planning to assemble on January 20th at 12:15 to 1pm at the "bullnose" of Market Square. We plan to sing songs with our children, show signs of peace that they made, and hopefully be joined by community leaders in Newburyport to spread our message of peace, unity, and inclusion.

We are asking to set up two tables for artwork, as well as the ability to have a microphone and speaker. Lastly, we'd like to sell pins of the children's artwork for a local charity that hasn't been picked yet.

Thank you for your consideration,

Kathleen Hickey
442 Merrimac St

PLANNING & DEVELOPMENT COMMITTEE ITEMS

ODNC014_08_08_16 Zoning Amend Sidewalks/Trees Sec XI-K et al

✓ **ORDR072_08_29_16 LATE FILE** Order of Taking – 223 High Street

COMM096_10_31_16 Draft of Newburyport's Master Plan

ORDR089_11_28_16 Order of Taking - 223 High St

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF NEWBURYPORT

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

Zoning Ordinance Amendment:

THAT the Zoning Ordinance be amended pursuant to Section XII-B "Adoption and Amendment" as follows:

Strike Section II-B.46a entirely

Replace existing Section X-H.6.Q., within "Variances" with the following:

Q. In all cases where the board grants a variance from the strict application of the requirements of this chapter, the board shall also adhere to Section XI-K regarding sidewalks and trees.

Replace existing Section X-H.7.B.10, within "Special permit conditions," with the following:

(10) The board shall also adhere to Section XI-K regarding sidewalks and trees.

Replace existing Section XV-H.a.6, with the following:

6. Sidewalks, crosswalks, walkways, bike racks, or other pedestrian access may be required to allow access to adjacent properties and between individual businesses within a development. The board shall also adhere to Section XI-K regarding sidewalks and trees.

Add the following new Section:

XI-K Provision for Sidewalks and Trees

In all cases where a Variance, Special Permit or Site Plan Approval is granted for a project the board shall consider and may require the applicant to install, repair and/or replace City-owned sidewalks adjoining the site in accordance with the Newburyport Code of Ordinances, Section 12-54, entitled "Sidewalk materials" and any design specification promulgated by the Department of Public Services thereunder. In addition, the board shall consider and may require street trees to be planted, preserved and/or replaced along all public rights-of-way adjoining the site. Street tree requirements may be based upon the recommendations from the City's Tree Warden,

Replace existing Section XV-L.f, with the following:

No building permit shall be issued unless the applicant certifies on the application therefor that "All related construction and utilities installation for this project has been reviewed and approved by the respective City departments and will be completed in accordance with approved plans."

Replace the title of Section X-D., entitled "Permits," with the words "Building Permits and Certificates of Occupancy" and add the following new provision at the end of said Section:

No Certificate of Occupancy shall be issued unless the application or request therefor has first been signed or approved by both the Office of Planning and Development and Department of Public Services as certification that the proposed project as constructed complies with any Special Permits, Variances or Site Plan Approvals applicable to the project, and that all utilities, sidewalks and tree plantings have been installed in accordance with applicable requirements.

Councillor Giunta



CITY OF NEWBURYPORT
OFFICE OF THE MAYOR
DONNA D. HOLADAY

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

RECEIVED
CITY OF NEWBURYPORT
OCT 24 2016

2016 OCT 24 P 4:00

To: President and Members of the City Council
From: Donna D. Holaday
Date: October 25, 2016
Subject: Draft of Newburyport's Master Plan

Following three years of work by a group of dedicated volunteers, community members, elected officials, and municipal employees, I am pleased to submit to the City Council the first draft of the new City of Newburyport's Master Plan.

This Plan is a comprehensive document that:

- Establishes long-term policy recommendations for the community's physical development, and outlines implementation strategies that address land issues, transportation, community facilities and services, the local economy and the environment;
- Includes assessments of existing resources and issues, projections of future conditions and needs, and consideration of community goals and desires;
- Acts as a policy guide and provides direction and a framework for decision-making when projects are proposed and funding decisions need to be made; and
- Explores a broad range of issues focused on managing redevelopment and guiding sustainable growth over the next decade.

I encourage your review of this draft document in the coming weeks. You were provided with hard copies of the draft Plan in your packets; additionally, the document, in its entirety, is also posted on the City's website at the following link: <http://www.cityofnewburyport.com/master-plan-steering-committee>.

Together, with the Planning Board, and the community-at-large, we will review the draft document, solicit comments and suggestions, make edits, and finalize our Master Plan that provides an articulated and comprehensive strategy for Newburyport's future.

I would also like to acknowledge the leadership of Kathryn Newhall-Smith, Project Manager for the development of the Master Plan and Courtney Starling, Community Opportunities Group consultant who compiled all of the data and narratives to create this final draft plan.

CITY OF NEWBURYPORT



IN CITY COUNCIL

November 28, 2016

ORDERED:

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

THAT the City Council of the City of Newburyport hereby approve and authorize the permanent taking of a portion of that property located at 223 High Street for open space and recreation purposes, including the construction and operation of a municipal ballfield, in accordance with the attached draft "Order of Taking." Further, that the Council President is hereby authorized to sign said Order of Taking in its final form on behalf of the Council, and that the Mayor of the City of Newburyport is hereby authorized to act on behalf of the City and enter into any and all instruments or actions necessary to execute this Order of Taking accordingly.

Councillor Robert J. Cronin

COMMONWEALTH OF MASSACHUSETTS

ESSEX, SS.

CITY OF NEWBURYPORT

ORDER OF TAKING

At a regularly convened meeting of the CITY COUNCIL of the CITY OF NEWBURYPORT held the 29th day of August, 2016, it was voted and ordered as follows:

The City Council of the City of Newburyport, duly elected, qualified, and acting as such, on behalf of the City and by virtue of and in accordance with the authority of the provisions of Chapter 79 and Chapter 40, Section 14 of the General Laws, as amended, and of any and every other power and authority which is hereunto in any way enabling, does hereby take on behalf of the City, for open space and recreation purposes, including the construction and operation of a municipal ballfield, that parcel of land located at **223 High Street**, Newburyport, Essex County Massachusetts depicted as "Open Space Parcel 'Exclusive Use in Favor of City of Newburyport'", on the plan entitled "Lot Layout Plan, Hamilton Estates, Newburyport, MA. 01950, Prepared For Dr. Douglas A. Wine & Deborah Esteves Wine," prepared by Oculus, LLC., 15 Main Street, Salisbury, MA 01952, dated 04/05/10 with a most recent revised date of 9/04/12, a copy of which plan is attached hereto as Exhibit A. Said parcel consists of approximately 30,768 square feet of land as shown on said plan.

A certified copy of said vote is attached hereto as Exhibit B and recorded herewith.

The lands affected by the herein taking are owned or supposedly owned by Gail Fons, Trustee, Manchester Capital Partners Trust #4, 2 Coventry Road, Atkinson, NH 03811 (Book 33938, Page 275), subject to a mortgage granted to Mark E. Wojcicki and Bradley M. Kutcher, Trustees of Elite Builders Realty Trust recorded with the aforesaid Registry in Book 33938, Page 282, as assigned to Newburyport Five Cents Savings Bank by instrument recorded with said Registry in Book 33938, Page 306, and as further subject to a mortgage granted to John T. O'Malley recorded with said Registry in Book 34392, Page 492. If in any instance the name of the Owner is not correctly stated, it is understood that in such instance the land referred to is owned by an Owner or Owners unknown to us.

We hereby award \$30,000 in damages to said owners for the herein taking. No betterments are to be assessed under this taking.

IN WITNESS WHEREOF, I, the duly elected and qualified president of the City Council of the City of Newburyport, acting as the duly authorized representative of said Council, have hereunto set my hand and seal as of this ____ day of August, 2016.

CITY OF NEWBURYPORT
By its City Council

Thomas F. O'Brien, President

Approved:

Mayor Donna D. Holaday

COMMONWEALTH OF MASSACHUSETTS

Essex, ss.

On this ____ day of August, 2016, before me, the undersigned Notary Public, personally appeared _____, President of the City Council of the City of Newburyport, as aforesaid, and proved to me through satisfactory evidence of identification, which was _____, to be the person whose name is signed on the preceding document, and acknowledged to me that he/she signed it voluntarily for its stated purpose on behalf of the City of Newburyport.

(Official Signature and Seal of Notary)

COMMONWEALTH OF MASSACHUSETTS

Essex, ss.

On this ____ day of August, 2016, before me, the undersigned Notary Public, personally appeared _____, Mayor of the City of Newburyport, as aforesaid, and proved to me through satisfactory evidence of identification, which was _____, to be the person whose name is signed on the preceding document, and acknowledged to me that he/she signed it voluntarily for its stated purpose on behalf of the City of Newburyport.

(Official Signature and Seal of Notary)

<p align="center">LOT LAYOUT PLAN HAMILTON ESTATES REVERSHAMPTON, WA 98050 <small>1000000000</small> DR DOUGLAS & WINE & DEBRA ESTEVES WINE OCULUS, LLC 15 MAIN STREET, SALEM, OR 97302 TELEPHONE (503) 588-1935</p>							
DATE 04/05/11	ISSUED BY TPT	DATE OF TPT	DATE OF PDT	SCALE 1"=30'	PROJECT NO.	SHEET NO. 2 OF 2	

Exhibit A

FRANCES E. LYONS
E.S.D.R.D.
BK 15066 PG 577

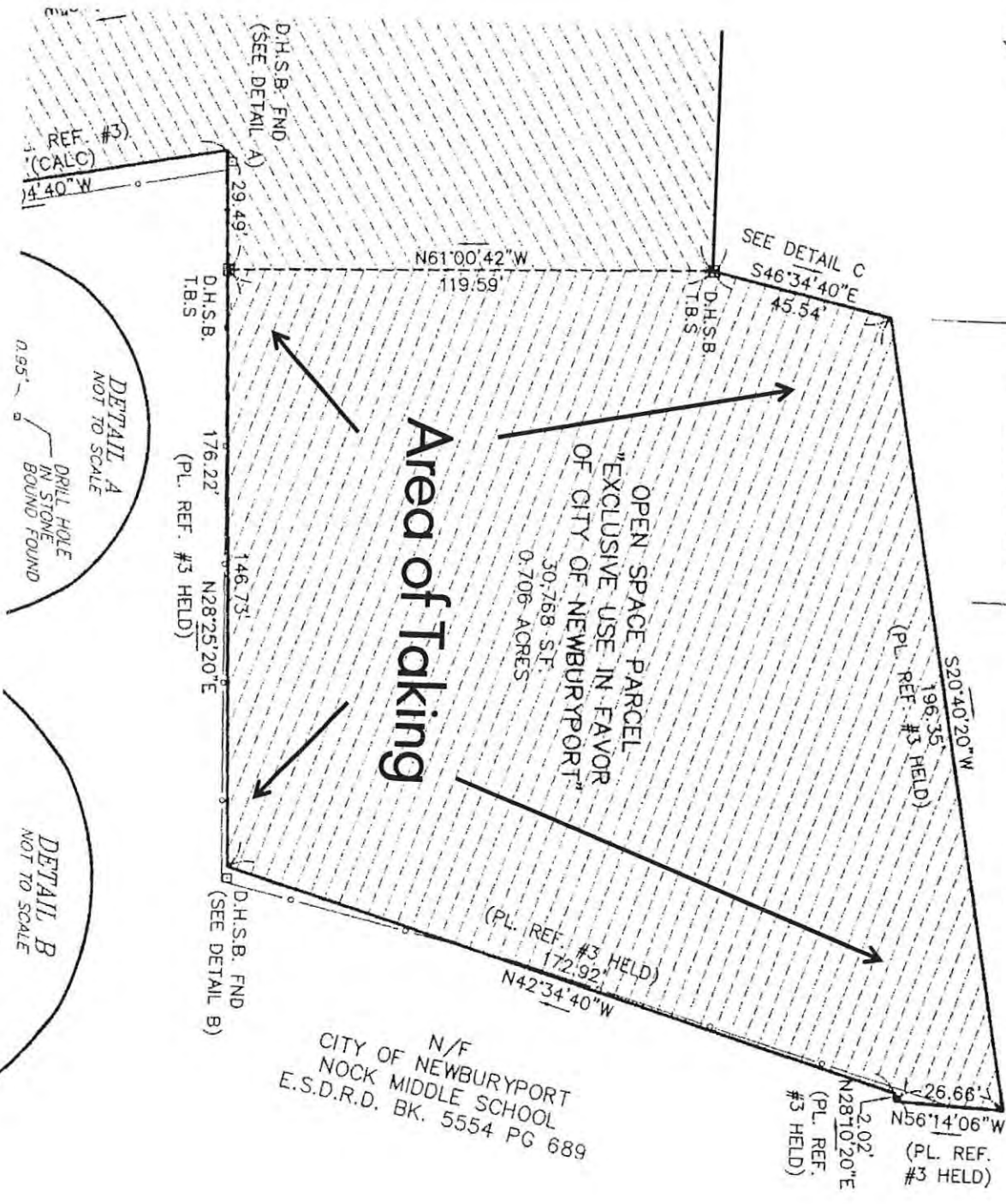
E.S.D.R.D.
BK. 15872 PG 26

Area of Taking

OPEN SPACE PARCEL
"EXCLUSIVE USE IN FAVOR
OF CITY OF NEWBURYPORT"

30,768 S.F.
0.706 ACRES

N/F
CITY OF NEWBURYPORT
NOCK MIDDLE SCHOOL
E.S.D.R.D. BK. 5554 PG 689



PUBLIC SAFETY COMMITTEE ITEMS

- **ORDR085_11_28_16** Stop Sign Avon St & Alberta
- **ORDR086_11_28_16** Stop Signs for Chestnut St and Oak St
- **COMM109_11_28_16 LATE FILE** Griffin Court Block Party

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

Date: November 22, 2016

THAT the City Council of the City of Newburyport hereby orders, pursuant to Code Section 13-136, that the following street shall be designated as a stop intersection:

Street: Avon Street

Intersection: Northeasterly drivers at the intersection of Avon Street and Alberta Street

Furthermore, the City Clerk shall add this stop intersection to the public list available in the Clerk's office. This list shall be updated and posted on the City of Newburyport website.

Councillor Larry G. Giunta

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

Date: November 22, 2016

THAT the City Council of the City of Newburyport hereby orders, pursuant to Code Section 13-136, that the following streets shall be designated as stop intersections:

Street: Chestnut Street

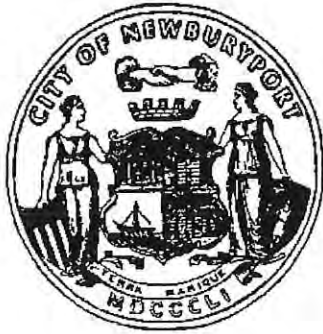
Intersection: Southeasterly drivers at the intersection of Chestnut Street at Marlboro Street

Street: Oak Street

Intersection: Northwesterly drivers at the intersection of Oak Street at Marlboro Street

Furthermore, the City Clerk shall add this stop intersection to the public list available in the Clerk's office. This list shall be updated and posted on the City of Newburyport website.

Councillor Sharif I. Zeid



RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2016 NOV 28



CITY OF NEWBURYPORT
60 PLEASANT STREET
NEWBURYPORT, MA 01950

BLOCK PARTY APPLICATION

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

DATE OF REQUEST: Nov 28 2016

CONTACT INFORMATION

FIRST AND LAST NAME: MEGHAN KINSEY

MAILING ADDRESS: 1 GRIFFIN CT

PHONE NUMBER: 508 574 8095

E-MAIL ADDRESS: meghankinsey@gmail.com

BLOCK PARTY INFORMATION

BLOCK PARTY DATE: Dec 16 2016

DESIRED STREET CLOSING LOCATION: Griffin Ct (b/t Warren + Carter Sts)
Please indicate cross streets when requesting the closing of street sections

STREET TO BE BARRICADED: Griffin Ct

DESIRED STREET CLOSING TIME: 3:30 - 6:30 pm
Block Parties should run no later than 10:00 p.m.

TPS

REGULATIONS

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

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

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

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

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

Applicant Signature



Date

11.28.14

APPROVAL SIGNATURES REQUIRED FOR STREET CLOSURE

CITY MARSHALL

4 Green Street

FIRE CHIEF

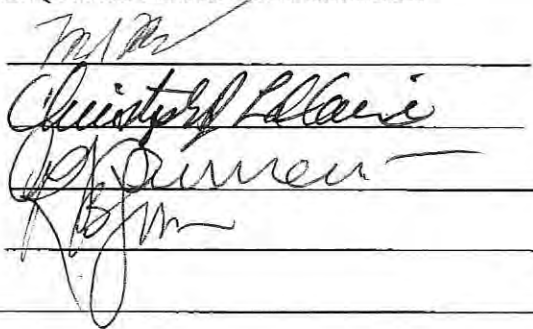
Greenleaf Street

DEPUTY DIRECTOR

1 Perry Way

CITY CLERK

60 Pleasant St.



City use only:

Approved

-Denied

Date