

CITY COUNCIL COMMITTEE MEETING REPORT

COMMITTEE: Public Works & Safety
LOCATION: Remote Only
DATE & TIME: September 7, 2023 5:00 pm
RECORDER: Christine Wallace

MEETING POSTING LINK: <https://www.cityofnewburyport.com/public-works-safety/events/340496>

COMMITTEE MEMBERS: Ward 4 Councillor Christine Wallace – PRESENT
Ward 2 Councillor Jennie Donahue – PRESENT
Ward 5 Councillor Jim McCauley – PRESENT

OTHER ATTENDEES: Mike Hennessey, Parks Manager
Jalen Howard, 229 River Road West Newbury
Jim McCarthy, 17 Russia Street
Andrew Levine, Chief of Staff
Wayne Amaral, DPS Director

AGENDA:

- Approve Minutes from 8/14
- APPT00431 Michael Hennessey Tree Warden 10/1/2026
- APPT00434 Jalen Howard Harbor/Shellfish Const/SP PO 10/1/2026
- COMM00497 Ltr. Jim McCarthy Banner Locations
- COMM00498 Ltr. Jim McCarthy Banner on High St.
- ODNC00159 Handicapped Space - 42 Market St

ZOOM RECORDING LINK:

https://us02web.zoom.us/rec/play/TUeDxaq1Vxnv1YT4K9smkQ8U_ZFqjMsmFRnS4SrIhCVPXwthaz-6KaWICyKdEq-Ule8pFpZLWqpRojIW.yzMFIPtj1sXPsNT?canPlayFromShare=true&from=my_recording&continueMode=true&componentName=rec-play&originRequestUrl=https%3A%2F%2Fus02web.zoom.us%2Frec%2Fshare%2FaVekayXdhaPovL5_TgF2Mc7e-XqjYlwOe4cLli3uQiyQyktZtapTA45qRXe6qp.ZbrdAG_k_M01juhN

DISCUSSION AND ACTIONS:

Approve Minutes from 8/14

Action Taken: Approved 3-0

**APPT00431 08 28 2023 Michael Hennessey PO Box 1636 Hampton, NH Tree Warden
10/1/2026**

Action Taken: Approved 3-0

Notes:

- Tree Warden has typically been DPS Director or Deputy Director
- Mike is a certified arborist, done work in the city since many years, had own landscape company. Tree enthusiast.
- Worked for Parks since 2016 doing all the tree work, tree warden for Parks
- This would expand his role to street trees too for a stipend, working with Tree Commission
- He wants to make sure we don't just cut trees but care for them.
- Trees need a lot of maintenance and many requests come in from residents. The work order system for trees will be integrated with DPS/Parks system
- Different rules: Parks & Street Trees. Councillor Wallace would like to see public notice for Park removal trees
- This is a good example of integration of Parks Dept with DPS – efficiencies, share equipment, etc.

**APPT00434 08 28 2023 Jalen Howard 229 River Rd. West Newbury Asst. Harbor/Shellfish
Const/SP PO 10/1/2026**

Action Taken: Approved 3-0

Notes:

- Moved to the area 2 years ago
- 18 assistant Harbor Masters in the city. They work with Harbormaster, and Harbormaster schedules their shifts.
- Jalen has been in the Coast Guard in this area, this new role is a natural transition
- He is available all shifts, duties, whenever needed
- He wants to make sure the public is safe and educated
- He is very familiar with the Merrimack River. He was one of the boat drivers over at the station, and had quite a quite a bit of experience doing surf training and driving through the mouth daily. The river can change very quickly, and he has seen both unfortunate events, and then some successful events where they were able to save people.
- Look into this in the charter, and looking at State law. State law is pretty clear that you can appoint harbor masters. The charter mentioned as an assistant harbor master, but then it goes on to talk about the necessary roles of that position. It sounds like because of their enforcement responsibilities and the other things that that they need to do, it would make sense that you'd have a title of Assistant Harbor Master who takes on those responsibilities. So that that explains why the Harbor Master would need so many different people doing this work, especially the busy harbor like ours with the enforcement and other functions that would require that title.

ODNC00159 08 28 2023 Handicapped Space - 42 Market St

Action Taken: Approved 3-0

Notes:

- Sponsored By: President Shand, Ward 3 Councilor
- One space on west side in front of 42 Market Street for a period of 2 years
- VERY narrow driveway
- Letter from the resident that his wife uses a wheelchair and driveway is so narrow they can't fit both the car and the wheelchair. To transition from chair to car, they need to do that from the sidewalk.

COMM00497 08 28 2023 Ltr. Jim McCarthy Banner Locations

COMM00498 08 28 2023 Ltr. Jim McCarthy Banner on High St.

Action Taken: Collectively Receive & File 3-0

Notes:

- Several years ago the City updated Chapter 12 of the Ordinance, and in Section 12-1.3 (d)(2), detailed procedures that allow for banner requests in the public right of way. According to this section, "The city council may, in addition to Atkinson Common and Fuller Field fence, designate additional areas within public ways where.. ..." Council has never affirmed other locations, but two are routinely used. McCarthy requests that the Council make a formal determination as to the allowed locations of banners, and suggest that, in addition to Atkinson, and Fuller field, the Council add the High Street bridge over Route One, and the fence at the Little River Trailhead.
- Re: Banner Request - In accordance with Newburyport Ordinance, Chapter 9, Article II, and Chapter 12, Sec 12-1.3 (d) (2), on behalf of the Port Parks Alliance, McCarthy requests to place a 3' X 5' banner on the High Street bridge during the period Sept 1-15 2023., and take the Mayor's approval as a waiver from this provision.
- Signs on public property fall under this committee. Signs on private property fall under Zoning. There are temporary signs and permanent signs.
- McCarthy likes the banners for advertising because they are temporary. Would like to see ordinance changes – Little River & High Street. Discussed where else could put banners.
- Goes on to ask for Port Parks Alliance on High Street – come to find out it's a MassDOT approval. No policy, but ordinance says the Mayor can come up with an MOU w/state – McCarthy will contact Mayor.
- Advised him to find a sponsoring Councilor to revise ordinance. Can start with banners, or can do other edits to sign ordinance. That would take longer.
- Committee in agreement, will R&F but gage the interest of the full council

MEETING ADJOURNED

Action Taken: Approved 3-0