

CITY COUNCIL MEETING AGENDA -VERSION 1

REMOTE

November 9, 2020

Link to join Webinar

Please click the link below to join the webinar:

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Webinar ID: 884 5464 0847

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7:30PM

City Council Meeting

1. **MOMENT OF SILENCE**
2. **CALL TO ORDER**
3. **LATE FILE ITEMS**
4. **PUBLIC COMMENT**
5. **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.

6. APPROVAL OF MINUTES

- October 26, 2020

(Approve)

7. COMMUNICATIONS

8. TRANSFERS

9. APPOINTMENTS

- APPT198_11_09_2020 Elaine Paglia 39 Jefferson St Council on Aging 5/31/2025

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

Budget & Finance

- ORDR218_10_26_2020 Supplemental Budget 18K No Shore Tech School

Planning & Development

- ODNC054_03_09_2020 Enforcement of the State Building Code
- COMM277_10_26_2020 Climate Resiliency Plan

**END OF CONSENT AGENDA
REGULAR AGENDA**

10. MAYOR'S UPDATE

11. SECOND READING APPOINTMENTS

- | | | | | |
|----------------------|-------------------|----------------|-------------------|------------|
| • APPT195_10_26_2020 | Thomas F. O'Brien | 11 Moseley Ave | CPA Comm | 11/01/2020 |
| • APPT196_10_26_2020 | Lisa Rowan | 17 Boardman St | Disabilities Comm | 11/01/2020 |
| • APPT197_10_26_2020 | Constance Preston | 18 Atwood St | Tree Commission | 11/30/2023 |

12. ORDERS

- ORDR219_11_09_2020 Residential Factor FY 2021
- ORDR220_11_09_2020 Tax Rate for FY 2021

13. ORDINANCES

- ODNC059_06_29_2020 Truck Routes (2nd Reading)
- ODNC062_09_29_2020 Summer Hours Residential Parking 13 – 180 (2nd Reading)
- ODNC065_11_09_2020 Amend Senior Tax Work-Off Program

14. COMMITTEE ITEMS

Ad Hoc Committee on Economic Development

In Committee:

- COMM262_08_31_2020 Gasbarro Ltr re: Awareness

Ad Hoc Committee on Waterfront and COTW

In Committee:

- COMM261_08_31_2020 Proposed Timeline, Waterfront

Budget & Finance

In Committee:

- ORDR132_07_15_19 CPC FY2020 Recommended Appropriations (COTW)
Project No. 9 held in committee.
- ORDR136_08_19_19 Fuller Track Phase II Loan Order
- COMM189_09_09_19 CPC Revised Recommendation for FY2020 Appropriations
- COMM264_09_29_2020 Colleen Turner Letter
- ODNC063_09_29_2020 Bond and Transfer Limit
- ORDR214_10_13_2020 Low Street Purchase w/ P&D
- ORDR216_10_13_2020 Supplemental Budget Charter Sec. 2-4
- **ORDR218_10_26_2020 Supplemental Budget Request FY 21**

Education

In Committee:

- COMM235_03_30_2020 Ltr re: SC Appt. of Brett Murphy to Whittier Vo-Tech Cmte
- COMM240_04_27_2020 Memo re: SOI Submission Info
- COMM273_10_13_2020 Ltr of Non-Support from Mayor on Acts of 1987

General Government

In Committee:

- COMM241_05_11_2020 Charter Review Final Report
- COMM242_05_11_2020 Confirmatory Legal Opinion from KP Law re: Charter Changes

License & Permits

In Committee:

- ODNC047_1_27_20 General Ordinance - Short Term Rental Units Rules
- COMM229_02_24_2020 Ltr re: Implementation of Short-Term Rental Ordinance
- COMM230_03_09_2020 Yearly Report, Section 16A of the Liquor Control Act
- APPL014_06_08_2020 Outdoor Seating application from Vera Ristorante LLC
- APPL015_06_08_2020 Ltr with Layout from Ted Epstein re: Outdoor Seating

Neighborhoods & City Services

In Committee:

- COMM197_10_28_19 Ltr re: Phillips Drive Neighborhood Drainage (COTW)
- COMM233_03_09_2020 Ltr re: MVRTA State Street Bus Stop Shelter
- COMM234_03_30_2020 Ltr from Newburyport Livable Streets March 11, 2020
- COMM252_07_30_2020 Ltr re: Face Masks in public

Planning & Development

In Committee:

- COMM214_01_13_2020 Ltr from Central Cong Church re: CPA Funding, Historic Pres
- COMM215_01_13_2020 Ltr re: Colby Farm Open Space Beautification
- ODNC046_1_27_20 Zoning Amendment - Short Term Rental Units Definition
- COMM231_03_09_2020 Ltr re: Short-Term Rental Ordinance
- **ODNC054_03_09_2020 Enforcement of the State Building Code**
- ORDR196_07_13_2020 Open Space and Recreation Plan 2020 (COTW)
- ORDR214_10_13_2020 Low Street Purchase w/ P&D
- COMM270_10_13_2020 Ltr To DCAM_Jeigerman
- **COMM277_10_26_2020 Climate Resiliency Plan**

Public Safety

In Committee:

- COMM216_01_13_2020 Ltr re: Ban the Use of Glyphosate
- COMM221_01_27_2020 Letter re: Sign at 43 Pine Hill Road
- COMM227_02_10_2020 Update and Request from Waste Stream Task Force
- APPL012_03_09_2020 Invitation Nights - 12/4, 12/11, 12/18 2020
- COMM243_05_11_2020 Ltr from Jane Rascal re: NMMCD
- APPT165_04_13_2020 Dr. Robin Blair 18 Market St Board of Health 4/30/2023
- COMM254_08_10_2020 Moseley Ave Ltr re: Sidewalk Safety and Roadway Speeding
- ORDR200_07_30_2020 List of Crosswalks Amended
- COMM269_10_13_2020 DPS Snow and Ice Plan
- COMM275_10_26_2020 Ltr. Jim McCarthy
- COMM276_10_26_2020 Ltr. Alex Matthews

Public Utilities

In Committee:

Rules

In Committee:

- COMM220_01_27_2020 Proposed City Council Rule 9F
- ORDR170_02_24_2020 Amendment Council Rules 2020 (COTW)
- ORDR171_02_24_2020 Amendment to Rule 17B (COTW)

15. GOOD OF THE ORDER

16. ADJOURNMENT

CONSENT AGENDA

CITY COUNCIL MEETING AGENDA - VERSION 1

REMOTE

October 26, 2020

Minutes

Link to join Webinar

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/85360718055>

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Webinar ID: 853 6071 8055

7:30 PM

Council Meeting

1. MOMENT OF SILENCE

2. CALL TO ORDER

The City Council President, Jared Eigerman, called the meeting to order at 7:30pm. The City Council President then instructed the City Clerk to call the roll. The following Councillors answered present: Shand, Tontar, Vogel, Wallace, Zeid, Lane, McCauley, Connell and Eigerman. 9 present using Zoom as a platform. 7:34pm Councillors Devlin and Khan joined the meeting in progress.

3. LATE FILE ITEMS

4. PUBLIC COMMENT

David Chatfield, 67 Federal Street

Jane Snow, 9 Coffin Street

5. MAYOR'S COMMENT

CONSENT AGENDA

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6. APPROVAL OF MINUTES

- September 29, 2020 (Approve)
- October 13, 2020 (Approve)

7. COMMUNICATIONS

- COMM275_10_26_2020 Ltr. Jim McCarthy (PS)
- COMM276_10_26_2020 Ltr. Alex Matthews (PS)
- COMM277_10_26_2020 Climate Resiliency Plan (P&D)

8. TRANSFERS

9. APPOINTMENTS

		First Reading		
• APPT195_10_26_2020	Thomas O'Brien	11 Moseley Ave	CPA Committee	11/1/2023
• APPT196_10_26_2020	Lisa Rowan	17 Boardman St	Disabilities Commission	11/1/2023
• APPT197_10_26_2020	Constance Preston	18 Atwood St	Tree Commission	11/30/2023

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

Budget & Finance

- ORDR216_10_13_2020 57 Supplemental Budget Charter Sec. 2-4 – Removed from the Consent Agenda
- ORDR217_10_13_2020 Election Grant Acceptance – Removed from the Consent Agenda

Planning & Development

- APPT187_08_31_2020 Robert Armstrong 35 Louise Ave. Bldg Commissioner 1/1/2023
- ORDR211_09_29_2020 Preservation Restriction 272 High Street (Kemble Widmer II Trust)
- ORDR215_10_13_2020 57 Pres Restriction Central Cong Church

Public Safety

- ODNC059_06_29_2020 Truck Routes
- ODNC062_09_29_2020 Residential Permit Zones seasonal hours extension

Motion to Approve Consent Agenda Amended by Councillor Zeid, seconded by Councillor Vogel. So voted.

END OF CONSENT AGENDA REGULAR AGENDA

10. MAYOR'S UPDATE

11. SECOND READING APPOINTMENTS

- APPT190_10_13_2020 Elizabeth Valeriani 29 Oak St, Nbpt Emma Andrews 10/29/2021
- APPT191_10_13_2020 Elizabeth L. Watson 53 Warren St, Unit 315, Nbpt Emma Andrews 10/29/2021
- APPT192_10_13_2020 Aine G. Ellrott 43 Purchase St, Nbpt Emma Andrews 10/29/2021
- APPT193_10_13_2020 Virginia R. Champi 84 Purchase St, Nbpt Emma Andrews 10/29/2021
- APPT194_10_13_2020 Donna Conway 27 Marlboro St, Nbpt Emma Andrews 10/29/2021

Motion to Approve collectively by Councillor Vogel, seconded by Councillor Tontar. Roll call vote. 11 yes.
Motion passes.

12. ORDERS

- ORDR178_04_27_2020 Acts of 1987-Resubmittal
Motion to Approve by Councillor Zeid, seconded by Councillor Devlin. Roll call vote. 7 yes, 4 no (Shand, Tontar, Vogel, Khan). Motion fails.
- ORDR218_10_26_2020 Supplemental Budget Request FY21
Motion to refer to Budget & Finance by Councillor Tontar, seconded by Councillor Khan. So voted.

13. ORDINANCES

- ODNC050_02_24_2020 Curb Cuts and Notice of Work Involving Sidewalks (2nd Reading)
Motion to Approve by Councillor Connell, seconded by Councillor Wallace. Roll call vote. 11 yes. Motion passes.
- ODNC064EP_10_26_2020 Emergency Preamble Parks COVID Extend to April 30, 2021
Motion to Approve by Councillor Zeid, seconded by Councillor Tontar. Roll call vote. 11 yes. Motion passes.
- ODNC064_10_26_2020 Parks COVID Extend to April 30, 2021
Motion to Approve Councillor Zeid, seconded by Councillor Tontar. Roll call vote. 11 yes. Motion passes.

14. COMMITTEE ITEMS

Ad Hoc Committee on Economic Development

In Committee:

- COMM262_08_31_2020 Gasbarro Ltr re: Awareness

Ad Hoc Committee on Waterfront and COTW

In Committee:

- COMM261_08_31_2020 Proposed Timeline, Waterfront

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- COMM189_09_09_19 CPC Revised Recommendation for FY2020 Appropriations
- COMM264_09_29_2020 Colleen Turner Letter
- ODNC063_09_29_2020 Bond and Transfer Limit
- ORDR214_10_13_2020 57 Low Street Purchase w/ P&D
- **ORDR216 10 13 2020 57 Supplemental Budget Charter Sec. 2-4**
- **ORDR217 10 13 2020 Election Grant Acceptance**
Motion to remove from Committee by Councillor Tontar, seconded by Councillor Vogel. So voted.
Motion to Approve by Councillor Tontar, seconded by Councillor Vogel. 10 yes, 1 no (Zeid). Motion passes.

Education

In Committee:

- COMM235_03_30_2020 Ltr re: SC Appt. of Brett Murphy to Whittier Vo-Tech Cmte
- COMM240_04_27_2020 Memo re: SOI Submission Info
- COMM273_10_13_2020 Ltr of Non-Support from Mayor on Acts of 1987

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- COMM231_03_09_2020 Ltr re: Short-Term Rental Ordinance
- ODNC054_03_09_2020 Enforcement of the State Building Code
- ORDR196_07_13_2020 Open Space and Recreation Plan 2020 (COTW)
- **APPT187_08_31_2020 Robert Armstrong 35 Louise Ave. Bldg Commissioner 1/1/2023**
Motion to Receive and File by Councillor Shand, seconded by Councillor Tontar. So voted.
- **ORDR211_09_29_2020 Preservation Restriction 272 High Street (Kemble Widmer II Trust)**
Motion to Approve by Councillor Shand, seconded by Councillor Tontar. Roll call vote. 11 yes. Motion passes.
- ORDR214_10_13_2020 57 Low Street Purchase w/ B&F
- **ORDR215_10_13_2020 57 Pres Restriction Central Cong Church**
Motion to Approve by Councillor Shand, seconded by Councillor Tontar. Roll call vote. 11 yes. Motion passes.
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In Committee:

- COMM216_01_13_2020 Ltr re: Ban the Use of Glyphosate
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- APPL012_03_09_2020 Invitation Nights - 12/4, 12/11, 12/18 2020
- COMM243_05_11_2020 Ltr from Jane Rascal re: NMMCD
- **ODNC059_06_29_2020 Truck Routes**
Motion to Approve 1st Reading by Councillor McCauley, seconded by Councillor Lane
Motion to Amend to Strike Water Street by Councillor Zeid, seconded by Councillor Devlin. Motion to Approve As Amended by Councillor McCauley, seconded by Councillor Lane. Roll call vote. 11 yes. Motion passes.
- **ODNC062_09_29_2020 Residential Permit Zones seasonal hours extension**
Motion to Approve 1st Reading Councillor McCauley, seconded by Councillor Shand. Roll call vote. 10 yes, 1 no (Zeid). Motion passes.
- APPT165_04_13_2020 Dr. Robin Blair 18 Market St Board of Health 4/30/2023
- COMM254_08_10_2020 Moseley Ave Ltr re: Sidewalk Safety and Roadway Speeding
- ORDR200_07_30_2020 List of Crosswalks Amended
- COMM269_10_13_2020 DPS Snow and Ice Plan

Public Utilities

In Committee:

Rules

In Committee:

- COMM220_01_27_2020 Proposed City Council Rule 9F
- ORDR170_02_24_2020 Amendment Council Rules 2020 (COTW)
- ORDR171_02_24_2020 Amendment to Rule 17B (COTW)

15. GOOD OF THE ORDER

Clerk mentions early voting hours at the Senior Center ending Friday, October, 30, 2020

16. ADJOURNMENT

Motion to Adjourn at 9:34 pm by Councillor Vogel, seconded by Councillor Tontar. So voted.

**APPOINTMENTS
FIRST READING**



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

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

NOV -4 PM 3:47

60 PLEASANT STREET - P.O. BOX 550
NEWBURYPORT, MA 01950
978-465-4413 PHONE
978-465-4402 FAX

To: President and Members of the
City Council
From: Donna D. Holaday, Mayor
Date: November 3, 2020
Subject: Appointment

I hereby appoint, subject to your approval the following named individual as a member of the Council on Aging. This term will expire on May 31, 2025.

Elaine Paglia
39 Jefferson Street
Newburyport, MA 01950

Elaine Paglia

39 Jefferson St.
Newburyport, MA
01950
(978) 808-8194
epaglia28@gmail.com

EXPERIENCE

Salem Five Bank, Salem, MA— Sales and Service Center Senior VP

1988 - 2014

- Responsible for budget, service quality standards , sales goals, strategic direction of Center and Virtual Branch.
- Developed and managed all department policies and procedures to ensure effective risk management.
- Bank Ombudsman responsible for complaint resolution with regulatory agencies as well as customers for the Bank and the Mortgage Company.
- Training Director for the Bank and Mortgage Company

EDUCATION

National School of Banking at Fairfield University, CT — Certificate in Banking, High Honors Top 20%

1996

Suffolk University, Boston, MA — M.S. Business Education

1978

Salem State College, Salem, MA — B.S. Business Education

1973

VOLUNTEER EXPERIENCE

Council on Aging, Newburyport, MA

- Works at front desk and supports the Director on the City Tax work off program
- Board Member on Friends of the Council on Aging

Care Dimensions/Hospice of The North Shore, Danvers, MA

- Patient support volunteer and Walk committee Finance Chair
- Served on the Fundraising committee for the Hospice House in Danvers

Anna Jacques Hospital, Newburyport, MA

- Gift Shop volunteer

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

**APPOINTMENTS
SECOND READING**

SECOND READING APPOINTMENTS

- APPT195_10_26_2020 Thomas O'Brien 11 Moseley Ave. CPA Committee 11/01/2023
- APPT196_10_26_2020 Lisa Rowan 17 Boardman St. Disabilities Commission 11/01/2023
- APPT197_10_26_2020 Constance Preston 18 Atwood St. Tree Commission 11/30/2023

In City Council October 26, 2020:

Motion to Approve Consent Agenda Amended by Councillor Zeid, seconded by Councillor Vogel. So voted.

ORDERS

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

November 9, 2020

THAT, all property within the City of Newburyport be taxed equally and that the method to determine this percentage of the local tax levy to be assessed by each class of property is established by the adoption of a **Residential Factor** of [] for **Fiscal Year 2021** in the City of Newburyport.

Councillor Charles F. Tontar

**CITY OF NEWBURYPORT
FISCAL YEAR 2021
CLASSIFICATION**



November 30, 2020

Minimum Residential Factor

- A Residential Factor of 1 and raising the levy by 1.00% would yield a single tax rate of \$12.64 per thousand dollars of value.
- Tax Levy: \$61,029,115 / Value: \$4,828,252,824 = (0.01264) X 1000 = Single Tax Rate of \$12.64.
- Chapter 200 allows Newburyport to select a factor less than 1 for the residential class, thereby shifting more of the tax burden onto the CIP classes of properties.
- Since 1918 Newburyport has chosen to adopt a MRF of 1 except for Fiscal Year 1986 when a shift to 1.50 of the CIP class was adopted.

Average Tax Bill FY 2020 – FY 2021

	FY2020	FY2021	Change
Avg. Single Family Assessment	\$617,500	\$640,800	+3.77%
Residential Tax Rate	\$12.84	\$12.64	-\$0.20
Avg. Residential Tax Bill	\$7,929	\$8,100	+\$171 or +2.16%
Avg. Commercial Value	\$1,376,600	\$1,271,500	-7.63%
CIP Tax Rate	\$12.84	\$12.64	-\$0.20
Avg. Commercial Tax Bill	\$17,676	\$16,072	-\$1,604 or -9.07%

Tax Levy by Class

CLASS	VALUE	%	
Residential	4,237,101,679	87.7564	} R & O %
Open Space	248,800	0.0052	
Commercial	341,030,521	7.0632	} C I P %
Industrial	196,000,300	4.0594	
Personal Property	53,871,524	1.1158	
Total	4,828,252,824	100.0000	

ENTER A LEVY (ESTIMATED IF NECESSARY)

Levy	61,052,280
Single TaxRate	12.64

CIP Shift	Residential	Open Space	Commercial	Industrial	Pers. Prop.
1.0000	12.64	12.64	12.64	12.64	12.64
1.0500	12.56	12.56	13.28	13.28	13.28
1.1000	12.47	12.47	13.91	13.91	13.91
1.1500	12.38	12.38	14.54	14.54	14.54
1.2000	12.29	12.29	15.17	15.17	15.17
1.2500	12.20	12.20	15.81	15.81	15.81
1.3000	12.12	12.12	16.44	16.44	16.44
1.3500	12.03	12.03	17.07	17.07	17.07
1.4000	11.94	11.94	17.70	17.70	17.70
1.4500	11.85	11.85	18.33	18.33	18.34
1.5000	11.76	11.76	18.97	18.97	18.97

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

November 9, 2020

THAT, the City of Newburyport **Tax Rate for Fiscal Year 2021** will be \$[] for all classes of property.

Councillor Charles F. Tontar



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 CLERK'S OFFICE
NEWBURYPORT, MA

2020 NOV -3 PM 3:22

To: President and Members of the City Council
From: Donna D. Holaday, Mayor
Date: November 3, 2020
Subject: Fiscal Year 2021 Tax Rate

For Fiscal Year 2021, we recommend establishing a tax rate of **\$12.64 per \$1,000** based on a tax levy of \$61,052,933 and a city-wide valuation of \$4,828,252,824. This tax rate represents a 1.0% increase to the prior year levy limit compared to the 2.5% increase provided by Proposition 2½, which results in a decrease to the tax rate of \$0.20 per \$1,000 compared to the FY2020 tax rate of \$12.84.

Based on the FY2021 valuation, the average single-family home in Newburyport is now assessed at \$640,800, compared to \$617,500 in FY2020. This results in an average single-family tax bill of \$8,100, which represents a 2.2%, or \$171, increase over FY2020's average single-family tax bill. It is worth noting, however, that the change in tax bill for any given household will vary depending on the change in their home's assessed value, including whether or not any improvements were made over the course of the year. For FY2021, the *median* tax bill increase for a single-family home is 1.0%; in other words, half of owners will see their tax bill change by less than 1.0% and half will see an increase of greater than 1.0%.

Our ability to tax below the full levy limit is driven by five factors:

1. State Aid (+\$305,474): This increase is based on recently updated state aid estimates resulting from the Governor's revised budget proposal.
2. New Growth (+\$275,830): The Department of Revenue certified the City's FY2021 new growth value at \$925,830 compared to the \$650,000 estimate that was used to build the budget.
3. Reserve for Abatements (+\$124,751): The amount reserved for abatements and exemptions was decreased due to an available balance from prior fiscal years.
4. Unappropriated Amounts (+\$97,928): This reflects the net amount remaining after the \$115,928 in budget reductions and the \$18,000 supplemental appropriation.
5. Revised Local Receipts (+\$51,729): The revenue estimate for local receipts was updated based on updated figures and year-to-date activity.

In total, these factors result in excess levy capacity of approximately \$870,000 that could be taxed for FY2021 under Proposition 2½. While I am cognizant of the need for additional revenue to fund important programs and services throughout the City, including investments in infrastructure, streets and sidewalks, we must also balance this with the financial impact that the ongoing pandemic has had on many households and businesses in our community. Newburyport is fortunate to have one of the lowest unemployment rates in the region. However, at 6.9% as of September, the unemployment rate is still 4.9% higher than it was at this point last year despite going down by 6.6% from the peak in June.

I am hopeful that this tax rate proposal will provide some relief to households and businesses as we wait on additional support from the state and federal government for those struggling to get by.

Thank you for your consideration.

ORDINANCES

CITY OF NEWBURYPORT



IN CITY COUNCIL

June 29, 2020

ORDERED:

AN ORDINANCE TO ESTABLISH POSTED COMMERCIAL TRUCK ROUTES AND FOR PETITIONING MASSDOT TO ALLOW FURTHER REGULATION

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

WHEREAS, The City of Newburyport is committed to reducing the adverse impacts of commercial truck traffic, including noise and vibrations, on its residents while ensuring the continued, reasonable delivery of goods and services to businesses and residences in the City;

WHEREAS, Authority to restrict commercial truck traffic derives from Chapter 85 of the Massachusetts General Laws and the 2006 Massachusetts Amendment to the 2003 Manual on Uniform Traffic Control Devices (MUTCD) Section 11A-9;

WHEREAS, Federal and state numbered routes through Newburyport are open to commercial truck traffic at all times, including: Federal Route 1 (including Winter Street and Summer Street), Federal Route 1A (portions of High Street and State Street), and State Route 113 (Storey Avenue and portion of High Street);

WHEREAS, While commercial trucks are permitted on any municipal way in Newburyport if they have a destination on that municipal way or a nearby municipal way, all commercial trucks are encouraged to use the system of Posted Truck Routes for the majority of every trip;

WHEREAS, The City is required to receive written permission from the Massachusetts Department of Transportation (MassDOT) to exclude commercially plated trucks from specific municipal ways; and

WHEREAS, Key criteria to exclude commercial truck traffic from a municipal way include the availability of a suitable alternative route, and one or more of the following:

- There is at least five percent (5%) commercial vehicle traffic on such way;
- Heavy wheel loads will result in severe deterioration of the way; and/or
- Land use along the way is primarily residential, and the municipality has requested exclusion only during hours of darkness.

NOW, THEREFORE, the Code of Ordinances, City of Newburyport, Massachusetts, is hereby amended by adding a new Division 8. – *Commercial Trucks* to Article IV. – *Specific Street Schedules* of Chapter 13 – *Traffic and Motor Vehicles*, as follows:

Sec. 13-190. – Posted commercial truck routes.

The Posted Truck Routes in Newburyport shall be:

- a. Upalong / Downalong Streets: Storey Avenue, Ferry Road, High Street, Low Street, Merrimac Street, and Water Street.
- b. Cross Streets: Spofford Street, Hale Street, Graf Road, Parker Street, Green Street, and State Street.
- c. Business Park Streets: Malcolm Hoyt Drive, Perry Way, New Pasture Road, Opportunity Way, Mulliken Way, Perkins Way, Stanley Tucker Drive, and Preble Road.

Sec. 13-191. – Petitions to limit commercial trucks.

By order, a majority of the city council may authorize the department of public services to petition the Massachusetts Department of Transportation (MassDOT) to exclude from specific municipal ways in Newburyport commercial trucks over a specified gross vehicle weight (GVW), during specific hours or at all times. The department of public services shall maintain and cause to be posted on the city website a list of any municipal ways for which such a petition has been approved.

Councillor Jared J. Eigerman

In City Council June 29, 2020:

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

In City Council October 26, 2020:

Motion to Approve 1st Reading by Councillor McCauley, seconded by Councillor Lane

Motion to Amend to Strike Water Street by Councillor Zeid, seconded by Councillor Devlin.
Motion to Approve As Amended by Councillor McCauley, seconded by Councillor Lane. Roll
call vote. 11 yes. Motion passes.

Approve: _____

Donna D. Holaday, Mayor

Attest: _____

Richard B. Jones, City Clerk

Date: _____

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

September 29, 2020

AN ORDINANCE TO EXTEND SUMMER HOURS OF THE TWO-HOUR RESIDENTIAL PARKING PROGRAM

THAT the City Council of the City of Newburyport hereby amends existing subsection (a)(2) of section 13-180 the City of Newburyport Code of Ordinances as follows, with deletions ~~double-stricken through and in bold~~, and additions double-underlined and in bold:

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

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

Councillor Jared J. Eigerman

In City Council September 29, 2020:

Motion to refer to Public Safety by Councillor Eigerman, seconded by Councillor Zeid. So Voted.

In City Council October 26, 2020:

Motion to Approve 1st Reading Councillor McCauley, seconded by Councillor Shand. Roll call vote. 10 yes, 1 no (Zeid). Motion passes.

Approve: _____
Donna D. Holaday, Mayor

Attest: _____
Richard B. Jones, City Clerk

Date: _____

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

November 9, 2020

AN ORDINANCE TO AMEND THE MUNICIPAL CODE WITH RESPECT TO THE SENIOR CITIZEN PROPERTY TAX WORK-OFF PROGRAM

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

Amend Section 2-86 – “Senior citizen tax incentive program,” as follows, with deletions ~~double striken through in bold~~, and additions double-underlined and in bold:

Sec. 2-86. – Senior citizen ~~tax incentive~~ property tax work-off program.

~~The City Council of the City of Newburyport accept the provisions of M.G.L.A., c. 59, § 5K for the purpose of entitling eligible senior citizens over the age of 60 to receive a maximum benefit of one thousand dollars (\$1,000.00) off their property tax bills in exchange for providing volunteer service to the city at a rate no more than the current minimum wage of the commonwealth. This program is to be administered by the mayor's office, in conjunction with the council on aging.~~

Pursuant to the provisions of M.G.L.A., ch.59 § 5K, homeowners who are age 60 or over are provided the opportunity to participate in the senior citizen property tax work-off program. Under the program, participating taxpayers volunteer their services to the city in exchange for a reduction in their tax bills. Participants in the program are compensated for services at an hourly rate equal to the current minimum wage of the commonwealth. The maximum amount of the abatement shall be \$1,500 per fiscal year. This program is administered by the mayor's office, in conjunction with the director of council on aging.

Councillor Barry Connell
Councillor Afroz Khan

COMMITTEE ITEMS

Committee Items-November 9, 2020

Budget & Finance

Budget & Finance

In Committee:

ORDR218_10_26_2020

Supplemental Budget Request FY21

Removal from Committee Form

Instructions: Remit to rjones@cityofnewburyport.com; pbarker@cityofnewburyport.com; cgreen@cityofnewburyport.com by Wednesday, 5 PM preceding Council meeting

Committee Name: Budget and Finance

Committee Chair: Tontar

	Measure Identifier	Measure Title	Amended in Committee? (if yes, attach final version)	Consent Agenda or Regular Agenda?
1.	ORDR218_10_26_2020	Supplemental Budget Request FY21	NO	Consent
2.				
3.				
4.				
5.				
6.				
7.				
8.				
9.				
10.				
11.				
12.				
13.				

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

October 26, 2020

THAT the City Council of the City of Newburyport approves the Mayor’s **Fiscal Year 2021 Supplemental Budget Request** in the total amount of \$18,000, to be appropriated as follows:

Org	Object	Account Description	Amount
01398002	53202	ESSEX NORTH SHORE TECH SCHOOL	\$18,000.00

Councillor Charles F. Tontar



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: Mayor Donna D. Holaday
Date: October 20, 2020
Subject: Supplemental Budget Request #2

I hereby submit a FY2021 supplemental budget totaling \$18,000 in proposed expenditures. This request funds higher than projected enrollment for Newburyport students attending Essex North Shore Agricultural & Technical School. Newburyport currently has five students enrolled at Essex Tech; areas of study include: equine sciences (3), environmental technology (1) and veterinary science (1).

This request is offset by the decrease to the assessment for Whittier Tech. As you know, the Whittier assessment went down by \$22,306 as a result of their School Committee's September budget revision. Following this final supplemental budget request, available revenue will remain from City Council budget reductions, as well as, recently updated state aid estimates following the release of the Governor's Revised FY2021 Budget Proposal (Revised House 2).

The ongoing pandemic has had significant financial impacts on many households and businesses in our community. As such, it is my intent that we retain the remaining revenue as a means of defraying the amount of taxes that need to be raised for FY2021. My Finance Team is working with the Department of Revenue on certifying values and anticipates submitting a FY2021 tax rate proposal for the City Council's November 9, 2020 meeting packet.

Thank you for your consideration.

Committee Items-November 9, 2020

Planning & Development

In Committee:

- ODNC054 03 09 2020 Enforcement of the State Building Code
- COMM277 10 26 2020 Climate Resiliency Plan

CITY OF NEWBURYPORT



 IN CITY COUNCIL

ORDERED:

March 9, 2020

AN ORDINANCE RE ENFORCEMENT OF THE STATE BUILDING CODE

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

Amend existing Chapter 5-61 of the Newburyport Code, as follows, with additions double-underlined and italicized, and deletions ~~stricken through~~:

Sec. 5-61. — ~~State Building Code~~ Adoption of BOCA Abridged Building Code.

~~As provided under section 3A of chapter 143 of the Massachusetts general laws:~~ The BOCA Abridged Building Code (Fourth Edition 1965) issued by the Building Officials Conference of America, Inc., together with the 1967 accumulative supplement thereto, copies of which are on file in the office of the city clerk, issued by the Building Officials Conference of America, Inc., are made a part of the public records of the city, and are hereby adopted by reference the same as if fully set out herein, except as amended in this chapter.

A. **State building code.** Unless otherwise provided by the state building code (title 780 of the Code of Massachusetts Regulations), the city's inspector of buildings shall enforce the state building code as to any building or structure within the city, including any building or structure owned by any authority established by the general court but not owned in whole or in part by the commonwealth, and the state building code shall be the code for all buildings and structures within the city.

B. **Historic preservation.** In the event of a conflict between the code and a statute, ordinance or bylaw regulating an historic district, regional historic district or architecturally controlled district, the statute, ordinance or bylaw regulating exterior architectural features within that district shall prevail.

C. **Commonwealth buildings or structures.** The city's inspector of buildings shall enforce the state building code as to any building or structure within any city that is owned in whole or in part by the commonwealth or any departments, commissions, agencies or authorities of the commonwealth.

Councillor Jared J. Eigerman

Councillor Heather L. Shand



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

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OFFICE OF THE MAYOR
NEWBURYPORT, MA

OCT 20 PM 3:33

60 PLEASANT STREET - P.O. BOX 550
NEWBURYPORT, MA 01950
978-465-4413 PHONE
978-465-4402 FAX

October 20, 2020

Dear President Eigerman and City Councillors:

It is with great pleasure I submit the Newburyport Climate Resiliency Plan. This plan was developed by the ad hoc Resiliency Committee that worked diligently over the past several years to develop a plan that will guide our community in preparing for storm surge, sea level rise and climate change impacts.

The plan is built on previous studies and our Municipal Vulnerability Preparedness (MVP) findings. The report begins with an overview of the City of Newburyport, infrastructure and resiliency planning to date. Climate Change Hazards Assessment (Chapter 1) provide details on sea level rise, coastal storms, heavy precipitation, flooding, wind, tornados, weather extremes, insect disease vectors and combined sewer overflows. This is followed by Vulnerability Assessment (Chapter 2) detailed for each of the above events, Adaptation Strategies (Chapter 3) and Implementation (Chapter 4). The report provides seven appendices with supportive documentation and over one hundred tables, charts and photos.

I congratulate the ad hoc Resiliency Committee for their extensive time commitment, deep research and well-developed plan for our city. Please see the attached Executive Summary. We are planning to present the plan to the public in coordination with Storm Surge early in the new calendar year.

The full report is posted on the Planning Department's website and can be found at:

<https://www.cityofnewburyport.com/planning-development/files/resiliency-plan>

Thank you

Donna D. Holaday, Mayor



Newburyport Climate Resiliency Plan

October 8, 2020

Newburyport Resiliency Committee

Donna D. Holaday, Mayor

Barry Connell, City Councilor At-Large

David Chatfield, Co-Chair

Michael Morris, Author and Co-Chair

Chris Boelke, Resident

Molly Ettenborough, Sustainability Manager

Julia Godtfredsen, Conservation Administrator Chris LeClaire, Fire Chief

William Mullen, Resident

John O'Connell, Newbury Resident

Lisè Reid, Parks Director

Joe Teixeira, Conservation Commission Chair

Jon-Eric White, City Engineer

Community Communication and Education

- Develop recommendations for personal resilience to assist and educate residents to make their households resilient to climate hazards.
- Develop a property owner's flood resiliency guide and educate property owners of acceptable methods to flood proof their properties.
- Engage with the community to determine under what circumstances and resources, that a managed retreat from shoreline areas would be acceptable.
- Educate and alert residents to emerging public health impacts related to heat, air and water quality, insect disease vectors, public safety, and emergency response, access and shelter. Educate residents of the need to evaluate and strengthen their own personal resilience to climate hazards.
- Develop a public outreach and education program to educate residents about this resiliency plan. Specifically: promote personal preparedness, community resiliency, natural hazard mitigation, public health impacts, CPR, First Aid training and managing carbon footprints. Create school-based programs to educate future generations about climate change impacts and resiliency.

Mitigation through Carbon Footprint Reductions

- To mitigate climate change and temper hazards for future generations, Newburyport and each of its residents must do their part to achieve communitywide net-zero emissions by 2050. To that end, track the current municipal carbon footprint and implement a program to quantify and track the impact of residential households. Implement an annual program of residential carbon footprint reporting.
- Increase the use of renewable energy versus fossil fuel energy citywide.

"Newburyport's Climate Resiliency Plan supports the current and future social, economic, and environmental policies and practices as outlined in the city's 2016 Master Plan. These values serve to strengthen the city and make it more resilient, ensuring that its residents, neighborhoods, and businesses have the capacity to thrive as the community navigates a changing climate and an evolving economy.

This Climate Resiliency Plan represents the culmination of past studies, identified climate hazards, at risk assets and vulnerabilities in Newburyport. The process engaged key stakeholders, partners and community members who contributed to debate, deliberation and creation of the plan. Newburyport has been at the forefront of green and sustainable initiatives, and it is our vision that everyone within the community join us to reduce energy use, promote energy independence, improve public health, strengthen our economy, and build a more livable and resilient community."

Mayor Donna Holaday
