

CITY COUNCIL MEETING AGENDA - VERSION 1
CITY COUNCIL CHAMBERS
MARCH 13, 2017

7:15PM PUBLIC HEARING

- **ORDR008_02_27_17** Change the Name of Crow Lane to Colby Farm Lane

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

February 27, 2017

(Approve)

8. TRANSFERS

- **TRAN006_03_13_17** Free Cash \$27,100 to Cherry Hill Soccer Field \$27,100 (B&F)
- **TRAN007_03_13_17** Free Cash \$89,000 to Water Safe Yield Est. \$89,000 (B&F)
- **TRAN008_03_13_17** Free Cash \$66,342 to Wastewater Collect Sys Analysis \$66,342 (B&F)

9. COMMUNICATIONS

- **COMM024_03_13_17** Newburyport's Master Plan - Final Document (P&D)
- **COMM025_03_13_17** Merrimack Valley Planning Commission Assessment (R&F)
- **COMM026_03_13_17** Outdoor Seating Application - The Purple Onion (L&P)
- **COMM027_03_13_17** Outdoor Seating Application - Atomic Café (L&P)

10. APPOINTMENTS

Appointments

- **APPT016_03_13_17** Adam Armstrong 5 Buck St Harbor Comm (Alt) 4/1/2019
- **APPT017_03_13_17** Walter Lesynski 364 Merrimac St Harbor Comm (Alt) 4/1/2019

Re-Appointments

- **APPT018_03_13_17** Dr. Robin Blair 18 Market St Board of Health 3/31/2020
- **APPT019_03_13_17** Christopher Carey 25 Temple St Disabilities Comm 3/1/2020
- **APPT020_03_13_17** Andrew Casson 240 Merrimac St Harbor Comm 3/31/2020
- **APPT021_03_13_17** Robert Dow 185 Storey Ave Harbor Comm 5/1/2020

- APPT022_03_13_17 Kristen M. Farrell 28 Spofford St Disabilities Comm 2/1/2020
- APPT023_03_13_17 James Knapp 24 Cutting Dr Harbor Comm 5/1/2020
- APPT024_03_13_17 Arthur M. Levine 43B Kent St Disabilities Comm 4/30/2020
- APPT025_03_13_17 Leah McGavern 21 Marlboro St Planning Board 5/31/2022
- APPT026_03_13_17 Katherine D. Preftes 6 H St Human Rights Comm 2/1/2020
- APPT027_03_13_17 Bonnie Sontag 10 Upland Rd Planning Board 5/31/2022
- APPT028_03_13_17 Ronald S. Ziemba 58 Lime St #1 Cultural Council 4/30/2020

**END OF CONSENT AGENDA
REGULAR AGENDA**

11. MAYOR'S UPDATE

12. APPOINTMENTS

Second Reading

Re-Appointments

- APPT014_02_27_17 Susanne F. Gallagher 3 Garnet St Brd of Registrars 3/31/2020
- APPT015_02_27_17 Richard Goulet 19 Kent St ZBA 3/30/2022

13. ORDERS

-

14. ORDINANCES

-

15. COMMITTEE ITEMS

Budget & Finance

In Committee:

- ORDR002_01_25_16 Accept Gift of \$25,000 Repairing Brown's Wharf Culvert (**COW**)
- 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 (**L&P**)
- ORDR080_09_26_16 **LATE FILE** Order of Taking Parking Facility (**P&D**)
- ORDR094_12_12_16 Resolution on Funding Capital from Operating Budget
- COMM013_01_30_17 FY2017 Mid-Year Budget Report
- TRAN002_2_13_17 Mayor's Office - Free Cash, 10K to Maint. Trees
- TRAN003_2_13_17 Clerk's Office - Free Cash, 5K to Elections & Reg
- TRAN004_02_27_17 K9 Unit Grant 14K, Rsv. Appr. Sale Municipal Property 2K, POL Fuel/Oil Vehicles 23.5K, POL Purchase Cruisers 5.5K to Utility Vehicle Purchase 45K
- TRAN005_02_27_17 Free Cash 25K to Dog Park Project 25K
- ORDR009_02_27_17 Revolving Fund Spending Limits
- ORDR010_02_27_17 Dog Park Grant Acceptance

General Government

In Committee:

- **ORDR005_01_30_17** Human Rights Commission Resolution (**COW**)

Joint Education

In Committee:

License & Permits

In Committee:

- **COMM010_01_25_16** Licensing Commission Acoustic & Amplified Entertainment
- **ODNC011_05_31_16** Amend Transient Vendors for Cashman (**COW**)
- **ODNC013_07_11_16** Amend Outdoor Seating (Two Year Renewals)
- **ORDR079_09_26_16** Movie Location Order (**B&F**)
- **ODNC001_01_30_17** BYOB Ordinance

Neighborhoods and City Services

In Committee:

- **ODNC001_01_11_16** Amend Ch11 Parks and Recreation (**COW**)
- **ORDR048_06_13_16** Sidewalk Order
- **COMM099_10_31_16** Proposed Improvement in Our Scenic Byway
- **ORDR007_02_13_17** Change the Name of Park Circle to Kelleher Way (**PU**)
- **ORDR008_02_27_17** Change the Name of Crow Lane to Colby Farm Lane (**PU**)

Planning & Development

In Committee:

- **COMM020_02_08_16** Memo re: Hiring Process for Building Commissioner
- **COMM076_07_11_16** **LATE FILE** Boyd Drive Petition
- **ORDR080_09_26_16** **LATE FILE** Order of Taking Parking Facility (**B&F**)
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- **COMM096_10_31_16** Draft of Newburyport's Master Plan
- **COMM114_12_12_16** Memo on Master Plan - Work Plan and Appendix XX
- **COMM014_01_30_17** 30% Garage Design Docs (**COW**)
- **COMM023_02_27_17** Zoning Changes to Waterfront West (**COW**)

Public Safety

In Committee:

- **ODNC015_08_29_16** 25 MPH Speed Zones
- **ORDR077_09_12_16** Parking Restricted on Daniel Lucy Way
- **COMM015_02_13_17** Ltr from Charter School re: Flasher Beacons, Low Street
- **COMM016_02_13_17** Ltr from Chamber re: Use of Downtown Streets
- **COMM018_02_13_17** Chocolate Tour, Central Cong, May 20, 2017
- **ORDR012_02_27_17** Update of Rules for Special Events

Public Utilities

In Committee:

- **COMM060_05_31_16** Mobilitie, LLC Highway Access Permit
- **ORDR006_2_13_17** TW Excavating & Dev, Newbury, Licensed Contractor
- **ORDR007_02_13_17** Change the Name of Park Circle to Kelleher Way (**NCS**)

- **ORDR008_02_27_17** Change the Name of Crow Lane to Colby Farm Lane (**NCS**)

Rules Committee

In Committee:

- **ORDR013_02_27_17** Amend City Council Rules Relating to Bonding Funds (**COW**)

16. GOOD OF THE ORDER

17. EXECUTIVE SESSION

18. ADJOURNMENT



CITY OF NEWBURYPORT

MASSACHUSETTS

CITY CLERK'S OFFICE

NEWBURYPORT CITY HALL

60 PLEASANT STREET • P.O. BOX 550

NEWBURYPORT, MA 01950

TEL: 978-465-4407 • FAX: 978-462-7936

RICHARD B. JONES

CITY CLERK

February 28, 2017

Dear Property Owner:

Notice is hereby given that a Public Hearing will be held by the City Council of the **City** of Newburyport, to consider that a portion of Crow Lane is hereby renamed Colby Farm Lane in memory of local veteran, Jackman Colby.

Said meeting will be held on Monday, March 13 at 7:15 PM in the City Council Chamber, City Hall, 60 Pleasant St., Newburyport, MA 01950. At that time, all interested parties will have an opportunity to be heard.

Sincerely,

Tricia E. Barker

Assistant City Clerk

98/ 6/A / /
AMES RONALD H
JACKIE L T/E
2 CROW LN
NEWBURYPORT, MA 01950

98/ 3/A / /
NEWBURYPORT LEASING CORP
C/O WILLIAM THIBEAULT
85-87 BOSTON STREET
EVERETT, MA 02149

98/ 25/ / /
CAPONIGRO JAMES J
6.CROW LN
NEWBURYPORT, MA 01950

97/ 17/ / /
SHERMAN MELISSA GARAND TRS
C/O JOAN GARRAND
163 LOW STREET
NEWBURYPORT, MA 01950

96/ 1/ / /
CITY OF NEWBURYPORT
COMPOST FACILITY
CROW LANE
NEWBURYPORT, MA 01950

97/ 15/A / /
SHERMAN MELISSA GARAND TRS
MALLOW REALTY TRUST
67 RATTLESNAKE HILL RD
ANDOVER, MA 01810

99/ 3/C / /
COLBY GERALDINE B. TR
C/O JOAN GARAND
163 LOW ST
NEWBURYPORT, MA 01950

98/ 5/ / /
EATON ELLSWORTH M JR TRS
EATON CROW REALTY TRUST
10A.PARTRIDGE LN
SALISBURY, MA 01952

98/ 24/ / /
GAINES JAMES E
SHARON LYNN GAINES T/E
4 CROW LN
NEWBURYPORT, MA 01950

98/ 1/ / /
JPBA LIMITED PARTNERSHIP
JOHN P MURPHY
PO BOX 1510
NEWBURYPORT, MA 01950

94/ 2/ / /
MYETTE JERE
38 FRYING PAN LANE
STRATHAM, NH 03885

97/ 18/ / /
NASON,E.A.- COOPER,A.R. CO-TRS
L & G REALTY TRUST
28 NO. ATKINSON STREET
NEWBURYPORT, MA 01950

99/ 3/ / /
NEW VENTURES ASSOCIATES LLC
85-87 BOSTON STREET
EVERETT, MA 02149

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

February 27, 2017

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

THAT that portion of the public way commonly known as "Crow Lane" which is East of I-95 is hereby renamed to "Colby Farm Lane" in memory of local veteran Jackman Colby.

Further, that the City Clerk:

- a. record copy of this Order at the Registry of Deeds;
- b. forward such Order to the local Postmaster and all affected residents and property owners having frontage along such public way;
- c. forward such Order to the Police Department and Fire Department (*with a request that those departments similarly notify any private ambulance companies or other emergency responders covering the Newburyport area*); and
- d. forward such Order to the Department of Public Services (*with a request that that the Department of Public Services post new street signs and notify the Massachusetts Department of Transportation*).

And further:

1. that the Office of Planning & Development notify applicable online mapping services; and
2. that all official city maps developed hereafter be updated accordingly.

Councillor Larry Giunta, Jr.

CONSENT AGENDA

CITY COUNCIL MEETING MINUTES
CITY COUNCIL CHAMBERS
FEBRUARY 27, 2017

7:15PM PUBLIC HEARING

- **ORDR007_02_13_17** Change the Name of Park Circle to Kelleher Way
The hearing commenced at 7:15 pm. 10 Councillors present, 1 absent (O'Brien). Councillor Connell presided and asked for anyone to speak in favor or against the proposed name change from Park Circle to Kelleher Way. No one spoke in opposition or in favor. Motion to adjourn at 7:22 pm by Councillor Vogel, seconded by Councillor Cameron. So voted.

7:30PM

Councillor Connell called the meeting to order at 7:30pm. A moment of silence was followed by the Pledge of Allegiance. Councillor Connell then instructed the City Clerk to call the roll. The following Councillors answered present: Earls, Eigerman, Giunta, Tontar, Vogel, Zeid, Cameron, Connell, Cronin, Devlin, O'Brien (remote). 11 present, 0 absent.

(Sound Check and Call to Councillor O'Brien)

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

1. Mayor Holaday	6 Parsons St	Chapter 32B
2. Patricia Levitt	34 Oakland St	Chapter 32B
3. Gordon Bowman	8 Applehill Rd, Pbdy	Chapter 32B
4. John Piretti	200 Northern Blvd	Chapter 32B
5. Shawn Flaherty	3 Summit Pl	Chapter 32B
6. Joe Spaulding	6 Bayberry Rd	Chapter 32B
7. Lauren Eramo	49 Kent St	Chapter 32B
8. Joan Sheehan	66 Longfellow Dr	Chapter 32B
9. Boyd Hancock	4 Tilton St	Chapter 32B
10. Sean King	15 Charles St	Chapter 32B
11. Michael Nesson	317 Merrimac St	Chapter 32B
12. Kelly Crowley	50 N Atkinson St	Chapter 32B
13. Michelle MacDougall	36 Bayberry Rd	Chapter 32B
14. Lynne Cote	9 Butler St	Chapter 32B
15. Lisa Christie	196 High St	Chapter 32B
16. Kathy Desilets	196 High St	Chapter 32B
17. Deborah Szabo	14 Atwood St	Chapter 32B
18. Kathleen Cutter	17 Rawson Ave	Chapter 32B
19. Melissa Farmer	2 Foster Ct	Chapter 32B
20. Mike Comora	66 Thompson St	Chapter 32B
21. Jeff Cutter	26 N Atkinson St	Chapter 32B

6. **MAYOR'S COMMENT**

CONSENT AGENDA

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THAT ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED SEPARATELY.

7. APPROVAL OF MINUTES

February 16, 2017

(Approve)

8. TRANSFERS

- **TRAN004_02_27_17** K9 Unit Grant 14K, Rsv. Appr. Sale Municipal Property 2K, POL Fuel/Oil Vehicles 23.5K, POL Purchase Cruisers 5.5K to Utility Vehicle Purchase 45K (B&F)
- **TRAN005_02_27_17** Free Cash 25K to Dog Park Project 25K (B&F)

9. COMMUNICATIONS

- **COMM023_02_27_17** Zoning Changes to Waterfront West (P&D) (COW)
Removed from Consent Agenda by Councillor Cronin.

10. APPOINTMENTS

Re-Appointments

- **APPT013_02_27_17** Suzanne Marzi Cameron 17 Oakland St Aff Housing Trust 1/1/2019
- **APPT014_02_27_17** Susanne F. Gallagher 3 Garnet St Brd of Registrars 3/31/2020
- **APPT015_02_27_17** Richard Goulet 19 Kent St ZBA 3/30/2022

APPT013_02_27_17 removed from Consent Agenda by Councillor Cameron.

END OF CONSENT AGENDA

REGULAR AGENDA

Motion to approve the Consent Agenda as amended by Councillor Zeid, seconded by Councillor Vogel. So voted.

11. MAYOR'S UPDATE

Motion to receive and file by Councillor Cameron, seconded by Councillor Giunta So voted. Roll call 11 yes

COMM023_02_27_17- Zoning Changes to Waterfront West

Motion to refer to Planning & Development and Committee of the Whole by Councillor Zeid, seconded by Councillor Cameron. So voted.

Roll Call vote 9 yes / 2 recused (Councillor Cronin and Councillor Vogel Recused)

APPT013_02_27_17

Motion to approve in one reading by Councillor Zeid, seconded by Councillor Tontar. Roll call vote, 10 yes, 1 recused (Cameron). Motion passed.

12. APPOINTMENTS

Second Reading

- **APPT010_02_13_17** Steven D. Hines 54 Ferry Rd Spec Police Officer
- **APPT011_02_13_17** Ahmer Ibrahim 85 Prospect St Human Rights Comm 6/1/2018

Re-Appointments

- **APPT012_02_13_17** Paul J. Harrington 251B High St Tree Comm 3/1/2020

Motion to approve second reading appointments collectively by Councillor Vogel, seconded by Councillor Cameron. Roll call vote, 11 yes. Motion passed.

13. ORDERS

- **ORDR008_02_27_17** Change the Name of Crow Lane to Colby Farm Lane
Motion to refer to Neighborhood & City Services and Public Utilities by Councillor Giunta, seconded by Councillor Cameron. Roll call vote, 11 yes. Motion passed.
- **ORDR009_02_27_17** Revolving Fund Spending Limits
Motion to refer to Budget & Finance by Councillor Tontar, seconded by Councillor Cameron. Roll call vote, 11 yes. Motion passed.
- **ORDR010_02_27_17** Dog Park Grant Acceptance
Motion to refer to Budget & Finance by Councillor Tontar, seconded by Councillor Cameron. Roll call vote, 11 yes. Motion passed.
- **ORDR011_02_27_17** Health Insurance Implementation
Motion to take out of order by Councillor Zeid, seconded by Councillor Cameron. So voted. This Order was acted on after the Consent Agenda. Motion to refer to Budget & Finance by Councillor Tontar, seconded by Councillor Cameron. Motion withdrawn. Motion to receive and file by Councillor Cameron, seconded by Councillor Zeid, Roll call vote, 8 yes, 1 present (Vogel), 2 recused (Earls, Eigerman). Motion passed.
- **ORDR012_02_27_17** Update of Rules for Special Events
Motion to refer to Public Safety by Councillor Zeid, seconded by Councillor Devlin. Roll call vote, 11 yes. Motion passed.
- **ORDR013_02_27_17** Amend City Council Rules Relating to Bonding Funds
Motion to refer to Rules and Committee of the Whole by Councillor Zeid, seconded by Councillor Devlin. Roll call vote, 11 yes. Motion passed.

14. ORDINANCES

-

15. COMMITTEE ITEMS

Budget & Finance

In Committee:

- **ORDR002_01_25_16** Accept Gift of \$25,000 Repairing Brown's Wharf Culvert (**COW**)
- **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 (**L&P**)
- **ORDR080_09_26_16** **LATE FILE** Order of Taking Parking Facility (**P&D**)
- **ORDR094_12_12_16** Resolution on Funding Capital from Operating Budget
- **COMM013_01_30_17** FY2017 Mid-Year Budget Report
- **ORDR003_01_30_17** Graf Road Pump Station Loan Order (**PU**)
Motion to remove from Budget & Finance by Councillor Tontar, seconded by Councillor Vogel. Roll call vote, 11 yes. Motion passed. Motion to approve by Councillor Tontar, seconded by Councillor Vogel. Roll call vote, 11 yes. Motion passed.
- **TRAN002_2_13_17** Mayor's Office - Free Cash, 10K to Maint. Trees
- **TRAN003_2_13_17** Clerk's Office - Free Cash, 5K to Elections & Reg

General Government

In Committee:

- **ORDR005_01_30_17** Human Rights Commission Resolution (**COW**)

Joint Education

In Committee:

Councillor Giunta announced a meeting on March 6th at 5:30pm in Room 118 at Newburyport High School

License & Permits

In Committee:

- **COMM010_01_25_16** Licensing Commission Acoustic & Amplified Entertainment
- **ODNC011_05_31_16** Amend Transient Vendors for Cashman (**COW**)
- **ODNC013_07_11_16** Amend Outdoor Seating (Two Year Renewals)
- **ORDR079_09_26_16** Movie Location Order (**B&F**)
- **ODNC013_07_11_16** Amend Outdoor Seating (Two Year Renewals)
- **ODNC001_01_30_17** BYOB Ordinance
- **COMM019_02_13_17** Seacoast Taxi, App by Richard Hewlett, 2017
- **COMM020_02_13_17** Port Taxi, App by Harold Congdon, 2017
Motion to remove **COMM019_02_13_17** and **COMM020_02_13_17** collectively from License & Permit by Councillor Vogel, seconded by Councillor Cameron, Roll call vote, 11 yes. Motion passed.
Motion to approve **COMM019_02_13_17** and **COMM020_02_13_17** collectively by Councillor Vogel, seconded by Councillor Zeid. Roll call vote, 11 yes. Motion passed.

Neighborhoods and City Services

In Committee:

Councillor Connell announced a meeting on March 14th at 7:00pm in the City Council Chamber

- **ODNC001_01_11_16** Amend Ch11 Parks and Recreation (**COW**)
- **ORDR048_06_13_16** Sidewalk Order
- **COMM099_10_31_16** Proposed Improvement in Our Scenic Byway
- **ORDR007_02_13_17** Change the Name of Park Circle to Kelleher Way (**PU**)

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In Committee:

- **COMM020_02_08_16** Memo re: Hiring Process for Building Commissioner
- **COMM076_07_11_16** **LATE FILE** Boyd Drive Petition
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- **COMM018_02_13_17** Chocolate Tour, Central Cong, May 20, 2017

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In Committee:

- **COMM060_05_31_16** Mobilitie, LLC Highway Access Permit
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Motion to receive and file by Councillor Eigerman, seconded by Councillor Giunta. So voted.
- **ORDR006_2_13_17** TW Excavating & Dev, Newbury, Licensed Contractor
- **ORDR007_02_13_17** Change the Name of Park Circle to Kelleher Way (**NCS**)

Rules Committee

In Committee:

16. GOOD OF THE ORDER

Councillor Zeid gave a reminder about the upcoming meeting at PITA Hall on March 2nd at 6:30pm. Councillor Vogel commented about the amount of paper used in the City Council packets and asked that other Councillors consider using a binder to collect their agenda items rather than the same being copied multiple times.

17. EXECUTIVE SESSION

Motion to go in to Executive Session by Councillor Vogel, seconded by Councillor Eigerman for the purpose of discussing strategy with respect to possible litigation. Councillor Connell stated that the Council would not come back into regular session. Roll call vote, 10 yes, 1 absent (O'Brien) Note: Councillor O'Brien left the meeting at this time. Motion passed. 9:25 pm

18. ADJOURNMENT

Motion to adjourn by Councillor Eigerman seconded by Councillor Cronin, roll call vote, 10 Y, 1 A
10:30 pm

TRANSFERS



City of Newburyport

FY 2017

BUDGET TRANSFER REQUEST

Department: Mayor's Office

Submitted by: Donna D. Holaday, Mayor

Date Submitted: 3/6/2017

Transfer From:

Account Name	General Fund - Free Cash	YTD Bal:	\$ 2,352,094.00
Account Number:	01-35910	Trans In:	\$ -
Amount:	\$27,100.00	Trans Out:	\$ (21,908.00)
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	Cherry Hill Soccer Field	YTD Bal:	\$ 3,073.00
Account Number:	3513-49710	Category:	\$ -
Amount:	\$27,100.00	Trans I/O:	\$ -
Why are Funds Required:	<i>The \$27,100 will fund the completion of the Cherry Hill Soccer Field construction project. See attached memorandum for a detailed explanation.</i>		

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

Donna D. Holaday
Melissa Melnick
 Asst. City Auditor

Date: *3/7/17*
 Date: *03.07.17*



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: Lisë Reid, Parks Director

CC: Donna D. Holaday, Mayor
Kimberly Turner, Parks Commission Chair
Ethan Manning, Finance Director
Patricia Moore, Chief Administrative Officer

Date: 6 March 2017

Subject: Cherry Hill Project Funding Request

I am writing to offer supporting information for a free cash transfer request of \$27,100 to fund completion of the Cherry Hill Soccer Field construction project. The City entered construction of the Cherry Hill Field project with no contingency funding available. We encountered unforeseen conditions resulting in the following added costs:

- significant amount of ledge that needed to be removed,
- temporary fencing,
- need to trench across Daniel Lucy Way to power the site (prior site plans had originally shown an electrical connection existed on the soccer field side of the street, but this was not the case in actuality),
- changes to the irrigation plan resulting from lack of electricity.

Newburyport Youth Soccer Association paid for a good portion of these cost overruns, and may be willing to help fund more. We are still discussing that with them. We may also be getting a \$4,000 credit from the general contractor. The amount of \$27,100 represents the greatest amount of funding the city will be responsible for to meet its contract requirements and complete the project.



City of Newburyport

FY 2017

BUDGET TRANSFER REQUEST

Department: Mayor's Office

Submitted by: Donna D. Holaday, Mayor

Date Submitted: 3/6/2017

Transfer From:

Account Name	General Fund - Free Cash	YTD Bal:	\$ 2,352,094.00
Account Number:	01-35910	Trans In:	\$ -
Amount:	\$89,000.00	Trans Out:	\$ (21,908.00)
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	Water Safe Yield Est./Demand Projection Updates	YTD Bal:	\$ -
Account Number:	New Account	Category:	\$ -
Amount:	\$89,000.00	Trans I/O:	\$ -
Why are Funds Required:	<i>See attached memorandum for explanation.</i>		

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

Donna D. Holaday
Melissa J. Desjardis
 Asst. City Auditor

Date: *3/7/17*
 Date: *03.07.17*



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: March 6, 2017
Subject: Request for Transfer to fund

Safe Yield Estimates / Demand Projection Updates for Newburyport DPS - Water Division

I am writing to respectfully request approval of an appropriation from "Free Cash" in the amount of \$89,000 to fund the Safe Yield Estimates / Demand Projection Updates for Newburyport DPS - Water Division.

At the January 30, 2017 City Council meeting, during discussion of the Water division transfer request, the need for updated water demand projections and safe yield estimates was raised. This matter was also discussed at the February 22, 2017 Water and Sewer Commission meeting. The Commission is in full support of this work.

It was recommended that AECOM prepare a Scope of Work that will include a review of water supply and future growth demand evaluation. The review will consist of four (4) tasks. The ideal time to conduct the study is spring before growth occurs.

The Scope of Work consists of:

Tasks	Action Steps
Task 1 - Update Water Demand Projections	Update the September 15, 2008 water demand projection letter report.
Task 2 – Update Safe Yield of the Indian Hill / Artichoke Reservoir System	Re-run 2005 safe yield based on updated hydrologic data & revised bathymetric data.
Task 3 – Review the Approved Yield of Wells 1 and 2	Review the 1999 Zone II report for Wells #1 and #2; review historical pumping test records; obtain groundwater-level information and monthly pumping statistics for past 10 years.
Task 4 – Final Report	Prepare a report summarizing the findings of the Task 1 through Task 3 work, including a comparison of available supply versus projected water demands.

The goals of this project are two-fold: (1) update the September 15, 2008 water demand projection letter report and (2) update the Safe Yield of the Indian Hill/Artichoke Reservoir Systems.

I thank you in advance for your consideration.



Estimate

CR ENVIRONMENTAL, INC.
 639 Boxberry Hill Road
 EAST FALMOUTH, MA 02536

DATE	ESTIMATE NO.
2/20/2017	1707

NAME / ADDRESS
Doug Gove AECOM 250 Apollo Drive Chelmsford, MA

PROJECT
Artichoke Reservoir

DESCRIPTION	QTY	COST	TOTAL
CR Environmental, Inc. 639 Boxberry Hill Rd. East Falmouth, MA 02536			
2017 BATHYMETRIC AND SEDIMENT THICKNESS SURVEYS ARTICHOKE AND INDIAN HILL RESERVOIRS NEWBURYPORT, MA			
LABOR			
Senior Environmental Scientist (Report Review and QA)	8	103.00	824.00
CR Project Manager (Management,data review,QA)	4	96.00	384.00
Senior Hydrographer (Planning)	4	103.00	412.00
Senior Oceanographic Technician (Equipment Mob)	8	75.00	600.00
Senior Hydrographer (Survey)	48	103.00	4,944.00
Senior Oceanographic Technician (Travel/Survey)	60	75.00	4,500.00
Senior Hydrographer (Bathymetric, Sediment Probing, Sub-bottom Data Processing)	32	103.00	3,296.00
Senior Hydrographer (Volume Calculations)	8	103.00	824.00
Senior Hydrographer (Reporting)	8	103.00	824.00
SUBTOTAL			16,608.00
BOAT & EQUIPMENT			
12 FT Aluminum Survey Boat	4	150.00	600.00
Hemisphere RTK GPS	4	300.00	1,200.00
Navigation Software (HYPACK)	4	75.00	300.00
Odom Hydrographics Echotrac CV100 Echosounder	4	100.00	400.00
Sontek Castaway CTD	4	50.00	200.00
Water Level Recorder	4	25.00	100.00
SyQuest Stratabox 10kHz Sub-bottom profiling system	1	150.00	150.00
Sediment Probing System	4	50.00	200.00
GMC Truck Rental	4	100.00	400.00

TOTAL

Phone #	Fax #
508 563-7970	508 563-7970

Web Site
www.crenvironmental.com



Estimate

CR ENVIRONMENTAL, INC.
 639 Boxberry Hill Road
 EAST FALMOUTH, MA 02536

DATE	ESTIMATE NO.
2/20/2017	1707

NAME / ADDRESS
Doug Gove AECOM 250 Apollo Drive Chelmsford, MA

PROJECT
Artichoke Reservoir

DESCRIPTION	QTY	COST	TOTAL
SUBTOTAL			3,550.00
OTHER CHARGES			
Travel Expenses (Food & Lodging)	5	200.00	1,000.00
Travel Expenses (Meals Only)	4	50.00	200.00
Truck/Car Mileage (2)	400	0.535	214.00
Expendable Supplies	1	100.00	100.00
SUBTOTAL			1,514.00
TOTAL SURVEY COSTS WITHOUT OPTIONS			21,672.00
OPTIONAL GIS-Georeferencing old maps and depth difference maps			
Senior Hydrographer	16	103.00	1,648.00
SUBTOTAL			1,648.00
OPTIONAL WEATHER CONTINGENCY DAY			
Senior Hydrographer	2	103.00	206.00
Senior Oceanographic Technician	8	75.00	600.00
Travel Expenses	1	200.00	200.00
SUBTOTAL			1,006.00
		TOTAL	\$24,326.00

Phone #	Fax #
508 563-7970	508 563-7970

Web Site
www.crenvironmental.com

Scope of Work

Safe Yield Estimate / Demand Projection Update for Newburyport DPS – Water Division

Task 1 – Update Water Demand Projections

- Update the September 15, 2008 water demand projection letter report to represent estimated full build out demand projections for Newburyport and the area of Newbury which is served by the City.
- Assumptions:
 - o The City will provide a build out analysis for the City of Newburyport for AECOM to use. No additional build out analysis will be conducted by AECOM.
 - o The Town of Newbury will provide build out information for the section of town served by the City of Newburyport water system. No additional build out analysis will be conducted by AECOM.
 - o The City will provide information on proposed or planned developments.
 - o The City will provide water use data for the past 5 years for Newburyport / Newbury and for water sold to West Newbury. Water use data for Newburyport / Newbury will include a breakdown of residential and non-residential.

Task 2 – Update Safe Yield of the Indian Hill / Artichoke Reservoir System

- Use the safe yield model last updated in 2005 to re-run the safe yield based on updated hydrologic data and revised bathymetric data. The safe yield model is an Excel based hydrologic mass balance spreadsheet.
- Obtain daily streamflow and precipitation data for 2002 to 2016 from the USGS Station on the Parker River at Byfield (USGS 01101000).
- Obtain monthly water system demand data from the City for the last 5 years.
- Subcontract work to CR Environmental to conduct a bathymetric survey of Indian Hill Reservoir, Upper Artichoke Reservoir, and Lower Artichoke Reservoir. Calculate the storage volume of each reservoir and determine the reservoir volume and area versus elevation relationships for each reservoir.
- Run the model to determine the safe yield of the reservoir system for the worst drought of record (1965-1967) and for a less severe drought (early 1980's).
- Assumptions:
 - o The Bartlett Spring Pond yield will not be recalculated.

Task 3 – Review the Approved Yield of Wells 1 and 2

- Review the Zone II report for Wells 1 and 2 prepared by TEEM in 1999 for information on well yield. Review historical pumping test records available from the TEEM report or from the City.
- Obtain groundwater-level information and monthly pumping statistics for Wells 1 and 2 from the City for the past 10 years.

- Obtain precipitation data for the last 10 years to coincide with the groundwater and pumping information provided by the City.
- Tabulate and graph monthly pumping statistics, precipitation and water-level data in a form that will allow for a direct comparison of these variables over the 10 year period of interest.
- Provide an opinion on whether the yield from Well No. 1 and Well No. 2 is less than the yield originally reported by TEEM in 1999.

Task 4 – Final Report

- Prepare a report summarizing the findings of the Task 1 through 3 work, including a comparison of available supply versus projected water demands.

Newburyport DPS - Water Division: Safe Yield Estimate / Demand Projection Update
Estimated Level of Effort

Task Description	Estimated Effort, Hrs									Estimated	Estimated
	Principal in Charge	Project Manager	Project Eng. / Scientist	Engineer / Scientist	Hydrogeologist	Sr. Planner	GIS	Other	Total Hours	Subs	ODCs Costs
Water Demand Projections	2	12							14		\$240
ate Water Demand Data			2	20		2			24		
w Newburyport Build Out Info			16			8	8		32		
w Newbury Build Out info			12			6	8		26		
w Proposed Developments with City			16			8	8		32		
cted Water Demands / Letter Report			32			16			48		
Safe Yield of Artichoke Reservoir System	2								2		
metric Study by CRE		4	20						24	\$24,400	
te Excel Model Spreadsheet		2	6	40					48		
uct Model Runs to Estimate Yield		4	8	20					32		
Approved Groundwater Yield	2								2		\$100
w historic precipitation, pumping, GW levels		2	8		18				28		
k yield versus acquifer performance		2	8		18				28		
Summary Letter Report / Meet w/ City	2	12	32	12	8	4			70		\$200
Total	8	38	160	92	44	44	24	0	410	\$24,400	\$540
Billing Rate 2017	\$251	\$218	\$142	\$104	\$208	\$175	\$142			1.05	
Total Cost	\$2,008	\$8,284	\$22,720	\$9,568	\$9,152	\$7,700	\$3,408	\$0	\$62,840	\$25,620	\$89,000



City of Newburyport

FY 2017

BUDGET TRANSFER REQUEST

2017-7 P 113

Department: Mayor's Office
Submitted by: Donna D. Holaday, Mayor **Date Submitted:** 3/6/2017

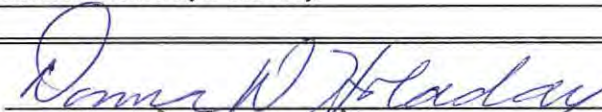
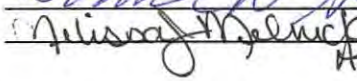
Transfer From:

Account Name	<u>General Fund - Free Cash</u>	YTD Bal:	<u>\$ 2,352,094.00</u>
Account Number:	<u>01-35910</u>	Trans In:	<u>\$ -</u>
Amount:	<u>\$66,342.00</u>	Trans Out:	<u>\$ (21,908.00)</u>
Why are Funds Available:	<u>The Massachusetts Department of Revenue certified Free Cash for</u>		
	<u>FY2017 at \$2,374,002. These funds are available for any legal expenditure with the approval of the</u>		
	<u>Mayor and a vote of the City Council.</u>		

Transfer To:

Account Name	<u>Wastewater Collection System Capacity Analysis</u>	YTD Bal:	<u>\$ -</u>
Account Number:	<u>New Account</u>	Category:	<u>\$ -</u>
Amount:	<u>\$66,342.00</u>	Trans I/O:	<u>\$ -</u>
Why are Funds Required:	<u>A study is required to determine the capacity of the City's</u>		
	<u>sewer system as it relates to additional wastewater flows resulting from future development.</u>		
	<u>See attached explanatory memorandum from Mayor Holaday.</u>		

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


Donna D. Holaday

Ethan R. Manning
 Asst City Auditor

Date: 3/7/17
 Date: 03.07.17



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: March 6, 2017
Subject: Request for Transfer to fund

Wastewater Collection System Capacity Analysis for Newburyport DPS - Sewer Division

I am writing to respectfully request approval of an appropriation from "Free Cash" in the amount of \$66,342 to fund the Wastewater Collection System Capacity Analysis for Newburyport DPS - Sewer Division.

At the January 30, 2017 City Council meeting, during discussion of the Sewer division Graf Road Bond Order, the need for updated sewer system capacity projections was raised. This matter was also discussed at the February 22, 2017 Water and Sewer Commission meeting. The Commission is in full support of this work.

It was recommended that BETA Engineering prepare a Scope of Services that will include a review of the capacity within major wastewater lines and future growth demand evaluation. Approximately 800 pipe segments within the collection system totaling almost 160,000 linear feet that could be subject to increased flows due to future development have been identified. The review will consist of three (3) tasks.

The Scope of Work consists of:

Tasks	Action Steps
Task 1 – Project Kick-Off and Data Collections	Review existing information, establish the portions of the collection system that will be analyzed, and identify specific needs for analysis.
Task 2 – Capacity Analysis	A spreadsheet capacity analysis will be developed for each segment of the collection system to be analyzed.

Task 3 – Report and Mapping	A report outlining the methodology of analysis will be developed and color-coded mapping showing available capacity of each segment will be created. This mapping will allow City personnel to identify areas of the wastewater collection system that may need to be upgraded to provide increase capacity required by future development and expansion.
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The goals of this project are two-fold: (1) update the September 15, 2008 water demand projection letter report and (2) update the Safe Yield of the Indian Hill/Artichoke Reservoir Systems.

I thank you in advance for your consideration.



ENGINEERING SUCCESS TOGETHER

March 3, 2017

Anthony J. Furnari, Director
Department of Public Services
City of Newburyport
16A Perry Way
Newburyport MA 01950

**Reference: Professional Services Agreement
City of Newburyport, Massachusetts
Wastewater Collection System Capacity Analysis**

Dear Mr. Furnari:

This letter and attached Standard Conditions will serve as an Agreement between the City of Newburyport (Owner) and BETA Group, Inc. Inc. (Engineer) for professional services on the above-referenced project.

SCOPE OF SERVICES

Engineer will provide Basic Services as outlined below.

Task 1 – Project Kick-Off and Data Collection

The first task in the Wastewater Collection System Capacity Analysis will be to meet with Owner representatives and review existing information, establish the portions of the collection system that will be analyzed, and identify specific needs for the analysis. We have identified approximately 800 pipe segments within the collection system totaling almost 160,000 linear feet that could be subject to increased flows due to future development. These areas will be reviewed and approved for analysis by the Owner.

Task 2 – Capacity Analysis

A spreadsheet capacity analysis will be developed for each segment of the collection system to be analyzed. Pipe inverts, slopes and lengths will be included in the spreadsheet. Estimated flows will be entered for each pipe segment and pipe capacities for each segment will be calculated. Pipe capacities will be compared with estimated flows to develop available capacity within each pipe segment. Meter data collected under a separate contract will be used to calibrate the spreadsheet, with infiltration and inflow estimates included. Pump station capacities and flow rates calculated during the Pump Station Condition Survey assignment will be included in the Wastewater Collection System Capacity Analysis where the stations discharge to the system.

Task 3 – Report and Mapping

A report outlining the methodology of the analysis will be developed and color-coded mapping showing available capacity of each segment will be created. This mapping will allow City personnel to identify areas

of the wastewater collection system that may need to be upgraded to provide increased capacity required by future development and expansion.

ASSUMPTIONS

It is assumed that no field verification or data collection will be necessary to develop the capacity analysis. All system information such as rim elevation, invert elevation, pipe sizes and locations will be provided in Record Drawings or obtained by City personnel in the field. BETA can provide field data collection for the project via amendment at the rates outlined in the Project Budget.

It is assumed that a flow metering program will be done concurrently and information collected from that effort will be used to calibrate flows and estimate infiltration and inflow and incorporated into the capacity analysis.

DELIVERABLES

The Owner will be provided with two (2) draft copies of the report for review and five (5) copies of the final report.

PAYMENTS TO ENGINEER

Owner agrees to pay Engineer in accordance with the following Fee Schedule.

Services for the project work described herein,
the estimated amount of\$66,342

Where not stated as being included in the fees, project-specific subconsultant, contractor and similar third-party expenses will be charged as incurred with a ten percent (10%) markup.

Unless otherwise noted, the fees in this Agreement do not include any value added, sales, or other taxes that may be applied by Government on fees for services. Such taxes will be added to all invoices, as required.

Where the Services or service conditions change, BETA shall submit to the Owner in a timely manner, documentation of the revisions to Attachment A adjusting the Contract Services Time and Price, as required.

Unless otherwise specified, charges for Services are based on BETA's hourly billing rates shown in Attachment A, attached hereto. The rates are subject to escalation from time to time.

PERIOD OF SERVICE

A Project Kick-off Meeting will be scheduled within one week of authorization by the Owner, said authorization as described hereinafter. Subsequent tasks will proceed as mutually agreed upon by Owner and Engineer.



FURTHER SERVICES AND PAYMENTS

This Agreement may be amended to provide authorization and payment for further phases or Additional Services. Engineer may proceed with such services based upon receipt of a mailed or faxed authorization from Owner which, until a formal amendment is executed, shall constitute a Contract Amendment, with payment for such services on the basis of Engineer's Rate Table, attached hereto.

STANDARD CONDITIONS

Attached hereto is the Standard Conditions to this Agreement consisting of six (6) pages, which the Owner has reviewed and acknowledges as a part of this Agreement.

AUTHORIZATION

The return of one (1) signed copy of this Letter Agreement, together with a copy of a formal resolution of approval, constitutes acceptance of this Agreement and shall be written authorization for Engineer to proceed with the Scope of Services outlined above.

This Agreement and the Exhibits identified above constitute the entire Agreement between Owner and Engineer and supersede all prior written or oral understandings. This Agreement may only be amended, supplemented, modified, or canceled by a duly executed written instrument.

STANDARD CONDITIONS TO ACCOMPANY LETTER FORM OF AGREEMENT
BETWEEN OWNER AND ENGINEER FOR PROFESSIONAL SERVICES

OWNER: CITY OF NEWBURYPORT, 157 WATER STREET, NEWBURYPORT, MA 01950

ENGINEER: BETA GROUP, INC., 315 NORWOOD PARK SOUTH, NORWOOD, MA 02062

ASSIGNMENT: ENGINEERING SERVICES FOR THE WASTEWATER COLLECTION SYSTEM CAPACITY ANALYSIS

OWNER and ENGINEER agree on professional engineering services by ENGINEER and the payment for those services by OWNER as set forth below.

BASIC SERVICES OF ENGINEER

General

ENGINEER shall provide professional services in all phases of the Project to which this Agreement applies pursuant to the Scope of Services in the Letter Agreement to which these Standard Conditions are attached. These services will include serving as OWNER's professional representative, providing professional consultation and advice and furnishing customary services incidental thereto.

Study and Report Phase

ENGINEER shall:

Consult with OWNER to define requirements for the Project and review available data.

Provide analyses of OWNER's needs, studies of prospective solutions, and economic analysis applicable to various alternatives.

Prepare a Report containing schematic layouts, sketches and conceptual design criteria with exhibits to indicate the considerations involved and the alternative solutions available, setting forth ENGINEER's findings and recommendations. This Report will be accompanied by Engineer's opinion of probable costs for the Project.

Furnish five copies of the Study and Report documents.

Design Phase

ENGINEER shall:

On the basis of the accepted documents and the opinion of probable costs, prepare final drawings and specifications to show the general scope, extent and character of the work to be furnished and performed by Contractor(s).

Furnish to OWNER a revised opinion of probable Total Project Costs.

Prepare for review and approval by OWNER, its legal counsel and other advisors contract agreement forms,

general conditions and supplementary conditions, and bid forms, invitations to bid and instructions to bidders.

Furnish five copies of the above documents and of the Drawings and Specifications.

Bidding Phase

ENGINEER shall:

Assist OWNER in advertising for and obtaining bids or negotiating proposals for construction, materials, equipment and services.

Issue addenda as appropriate to interpret, clarify, or expand the Bidding Documents.

Consult with OWNER concerning the acceptability of subcontractors, suppliers and substitute materials and equipment proposed by Contractor(s).

Attend the bid opening, prepare bid tabulation and assist OWNER in evaluating bids or proposals and in assembling and awarding contracts.

Construction Phase

ENGINEER shall consult with and advise OWNER and act as Owner's representative as provided in the Standard General Conditions of the Construction Contract. The extent and limitations of the duties, responsibilities and authority of ENGINEER as assigned in said Standard General Conditions shall not be modified except as ENGINEER may otherwise agree in writing. All of OWNER's instructions to Contractor(s) will be issued through ENGINEER who will have authority to act on behalf of OWNER to the extent provided in said Standard General Conditions.

ENGINEER shall make visits to the site at appropriate intervals as ENGINEER deems necessary in order to observe as an experienced and qualified design professional the progress and quality of the various aspects of Contractor(s)' work.

The Resident Project Representative will be ENGINEER's agent or employee and under Engineer's Resident Project Representative is set for the in Exhibit B, "Duties, Responsibilities and Limitation of Authority of Resident Project Representative" which will be made a part of the Construction Contract Documents.

The purpose of ENGINEER's visits to and representation by the Resident Project Representative at the site will be to enable ENGINEER to better carry out the duties and responsibilities assigned to ENGINEER during the Construction Phase, and, in addition, by exercise of ENGINEER's efforts as an experienced and qualified design professional, to provide for OWNER a greater degree of confidence that the completed work of Contractor(s) will conform generally to the Contract Documents and that the integrity of the design concept has been implemented and preserved by Contractor(s). ENGINEER shall not, during such visits or as a result of such observations of Contractor(s)' work in progress, supervise, direct or have control over Contractor(s)' work nor shall ENGINEER have authority over or responsibility for the means, methods, techniques, sequences or procedures of construction selected by Contractor(s), for safety precautions and programs incident to the work of Contractor(s) or for any failure of Contractor(s) to comply with laws, rules, regulations, ordinances, codes or orders applicable to Contractor(s) furnishing and performing their work. Accordingly, ENGINEER can neither guarantee the performance of the construction contracts by Contractor(s) nor assume responsibility for Contractor(s)' failure to furnish and perform their work in accordance with the Contract Documents.

ENGINEER may reject Contractor(s)' work while it is in progress if ENGINEER believes that such work will not produce a completed Project that conforms generally to the Contract Documents or that it will prejudice the integrity of the design concept of the Project as reflected in the Contract Documents.

ENGINEER shall review and approve (or take other appropriate action) Shop Drawings, samples and other data which Contractor(s) are required to submit, but only for conformance with the design concept of the Project and compliance with the information given in the Contract Documents. Such reviews and approvals or other action shall not extend to means, methods, techniques, sequences or procedures of construction or to safety precautions and programs incident thereto.

ENGINEER shall act as initial interpreter of the requirements of the Contract Documents and judge of the acceptability of the work thereunder and make decisions on all claims of OWNER and Contractor(s) relating to the

supervision. The duties and responsibilities of the acceptability of the work or the interpretation of the requirements of the Contract Documents. ENGINEER shall not be liable for the results of any such interpretations or decisions rendered in good faith.

ENGINEER shall determine the amounts owing to Contractor(s) and recommend payments. Such recommendations will constitute a representation to OWNER that the work has progressed to the point indicated, and that, to the best of ENGINEER's knowledge, information and belief, the quality of such work is generally in accordance with the Contract Documents. By recommending payment, ENGINEER will not represent that exhaustive, continuous or detailed reviews or examinations have been made by ENGINEER to check the quality or quantity of Contractor(s)' work. ENGINEER's review of Contractor(s)' work for the purpose of recommending payments will not impose responsibility on ENGINEER to make any examination to ascertain how or for what purposes any Contractor has used the moneys paid on account of the Contract Price, or to determine that title to any of the work, materials or equipment has passed OWNER free and clear of any lien, claims, security interests or encumbrances.

ENGINEER shall conduct an inspection to determine if the work is substantially complete and a final inspection to determine if the completed work is acceptable so that ENGINEER may recommend final payment to Contractor.

ENGINEER shall not be responsible for the acts or omissions of any Contractor, or of any subcontractor or supplier, or any of the Contractor(s)' or subcontractor's or supplier's agents or employees or any other persons (except ENGINEER's own employees and agents) at the site or otherwise furnishing or performing any of the Contractor(s)' work.

ADDITIONAL SERVICES

Services Requiring Authorization in Advance

If authorized in writing by OWNER, ENGINEER will perform Additional Services related to the Project for additional payment as agreed upon when such services are authorized.

Required Additional Services

During construction, when required by the Contract Documents in circumstances beyond ENGINEER's control, ENGINEER shall furnish Additional Services or obtain such services from others, as circumstances require

and without waiting for specific authorization from OWNER. ENGINEER shall advise OWNER promptly after starting any such Additional Services.

OWNER'S RESPONSIBILITIES

OWNER shall designate and advise ENGINEER of a person to act as OWNER's Representative who has complete authority with respect to the ENGINEER's services for the Project. OWNER shall do the following in a timely manner so as not to delay the services of ENGINEER:

Provide all criteria and full information as to OWNER's requirements for the Project and furnish copies of all design and construction standards, which OWNER will require to be included in the Drawings and Specifications.

Assist ENGINEER by placing at ENGINEER's disposal all available information pertinent to the Project including previous reports.

Furnish to ENGINEER, as required for performance of ENGINEER's services, the following:

- data prepared by or services of others, including borings, probings and subsurface explorations;
- environmental assessment and impact statements;
- property, boundary, easement, right-of-way and topographic surveys;
- property descriptions;
- zoning, deed and other land use restriction;

all of which ENGINEER may use and rely upon in performing services under this Agreement.

Provide engineering surveys to establish reference points for construction.

Arrange for access to and make all provisions for ENGINEER to enter upon public and private property as required for ENGINEER to perform services under this Agreement.

Examine all studies, reports, sketches, Drawings, Specifications, proposals and other documents presented by ENGINEER, obtain advice of an attorney, insurance counselor and other consultants as OWNER deems appropriate.

Furnish approvals and permits from all governmental authorities having jurisdiction over the Project.

Provide accounting, independent cost estimating and insurance counseling services required for the Project,

such legal services as OWNER may require or ENGINEER may reasonable request with regard to legal issues.

Attend the bid opening, construction progress and other job-related meetings and substantial completion inspections and final payment inspections.

Require Contractor to purchase and maintain general liability and other insurance as specified in the Contract Documents and to cause ENGINEER and ENGINEER's Consultants to be listed as additional insureds with respect to such liability and other insurance purchased and maintained by Contractor for the Project.

Give prompt written notice to ENGINEER whenever OWNER observes or otherwise becomes aware of any development that affects the scope or timing of ENGINEER's services, or any defect or nonconformance in the work of any Contractor.

PERIODS OF SERVICE

Compensation for ENGINEER's services has been agreed to in anticipation of the orderly and continuous progress of the Project through completion of the Construction Phase. ENGINEER's obligation to render services will extend for a period which may reasonably be required for the design, award of contracts, construction and initial operation of the Project. If specific periods of time for rendering services are set forth or specific dates by which services are to be completed are provided and if such dates are exceeded through no fault of ENGINEER, all rates, measures and amounts of compensation shall be subject to equitable adjustment.

If OWNER has requested significant modifications in the general scope, extent or character of the Project, the time of performance of ENGINEER's services shall be adjusted equitably.

If OWNER fails to give prompt written authorization to proceed with any phase of services after completion of the immediately preceding phase, or if the Construction Phase has not commenced within 365 calendar days after completion of the Final Design Phase, ENGINEER may, after giving seven days' written notice to OWNER, suspend services under this Agreement.

If ENGINEER's services are delayed or suspended in whole or in part by OWNER for more than three months for reasons beyond ENGINEER's control, ENGINEER shall be paid as provided under provisions for termination. If such delay or suspension extends for more than one year for reasons beyond ENGINEER's control, or if ENGINEER for any reason is required to render

Construction Phase services more than one year after Substantial Completion is achieved under that contract, the various rates of compensation provided for elsewhere in this Agreement shall be subject to equitable adjustment.

PAYMENTS TO THE ENGINEER

Methods of Payment for Services and Expenses of ENGINEER

OWNER shall pay ENGINEER for services rendered as provided in the Letter Agreement.

Times of Payments

ENGINEER shall submit monthly statements for services and Reimbursable Expenses. The statements will be based upon ENGINEER's estimate of the proportion of the total services actually completed or for the hours and rates of personnel who have provided services. OWNER shall make prompt payments in response to ENGINEER's monthly statements.

Other Provisions Concerning Payments

If OWNER fails to make any payment due ENGINEER for services and expenses within thirty days after receipt of ENGINEER's statement therefore, the amounts due ENGINEER will be increased at the rate of 1% per month from said thirtieth day, and in addition, ENGINEER may, after giving seven days' written notice to OWNER, suspend services under this Agreement until ENGINEER has been paid in full all amounts due for services, expense, and charges.

~~In the event of termination by OWNER, ENGINEER will be paid for services rendered on the basis of ENGINEER's Salary Costs times a factor of 2.5 for services rendered to date of termination. ENGINEER also will be reimbursed for the charges of independent professional associates and consultants employed by ENGINEER and paid for all unpaid Additional Services and unpaid Reimbursable Expenses, plus all termination expenses.~~

~~Whenever a factor is applied to Salary Costs in determining compensation payable to ENGINEER that factor will be adjusted periodically and equitably to reflect changes in the various elements that comprise such factor.~~

Definitions

The Salary Costs used as a basis for payment mean salaries and wages (basic and incentive) paid to all

ENGINEER's personnel engaged directly on the Project, plus the cost of customary and statutory benefits including but not limited to, social security contributions, unemployment, excise and payroll taxes, worker's compensation, health and retirement benefits, sick leave, vacation and holiday pay and other group benefits.

The amount of customary and statutory benefits all of other personnel of ENGINEER will be considered equal to 42.5% of salaries and wages, subject to equitable adjustment to reflect changes in ENGINEER's overall compensation procedures and practices.

Reimbursable Expenses mean the actual expenses incurred by ENGINEER, directly or indirectly in connection with the Project, such as expenses for transportation and subsistence; CADD and telecommunications charges; reproduction of reports, Drawings, Specifications, Bidding Documents, and similar Project-related items; and, if authorized in advance by OWNER, overtime work requiring higher than regular rates.

OPINIONS OF COST

Since ENGINEER has no control over the cost of labor, materials, equipment or services furnished by others, or over the Contractor(s)' methods of determining prices, or over competitive bidding or market conditions, ENGINEER's opinions of probable Total Project Costs and Construction Cost provided for herein are to be made on the basis of ENGINEER's best judgment as an experienced and qualified professional engineer. ENGINEER cannot and does not guarantee that proposals, bids or actual Total Project or Construction Costs will not vary from opinions of probable cost prepared by ENGINEER. If OWNER wishes greater assurance as to Total Project or Construction Costs, OWNER shall employ an independent cost estimator.

GENERAL CONSIDERATIONS

Termination

The obligation to provide further services under this Agreement may be terminated by either party upon thirty days' written notice in the event of substantial failure by the other party to perform in accordance with the terms hereof through no fault of the terminating party. The OWNER may terminate this Agreement for convenience upon thirty days' written notice.

Reuse of Documents

~~All documents including Drawings and Specifications prepared or furnished by ENGINEER are instruments of~~

service in respect of the Project and ENGINEER shall retain an ownership and property interest therein whether or not the Project is completed. Any reuse without written verification or adaptation by ENGINEER for the specific purpose intended will be at OWNER's sole risk and without liability or legal exposure to ENGINEER, and OWNER shall indemnify and hold harmless ENGINEER from all claims, damages, losses and expenses including attorneys' fees arising out of or resulting therefrom.

Standard of Care

In accepting this Agreement for professional services by ENGINEER, OWNER acknowledges that ENGINEER's services often require decisions that are based upon judgmental considerations. In performing ENGINEER's professional services, ENGINEER will use that degree of care and skill ordinarily exercised under similar circumstances by members of the profession. The standard of care shall exclusively be judged as of the time the services are rendered and not according to later standards.

Insurance

ENGINEER shall procure and maintain insurance for protection from claims under workers' compensation acts, claims for damages because of bodily injury including personal injury, sickness or disease or death of any and all employees or of any person other than such employees, and from claims or damages because of injury to or destruction of property including loss of use resulting therefrom.

Indemnification

ENGINEER agrees, to the fullest extent permitted by law, to indemnify and hold the OWNER harmless from any damage, liability or cost (including reasonable attorneys' fees and costs of defense) to the extent caused by the ENGINEER's negligent acts, errors or omissions in the performance of professional services under this Agreement and those of his or her subconsultants or anyone for whom the ENGINEER is legally liable.

The OWNER agrees, to the fullest extent permitted by law, to indemnify and hold the ENGINEER harmless from any damages, liability or cost (including reasonable attorneys' fees and costs of defense) to the extent caused by the OWNER's negligent acts, errors or omissions and those of his or her contractors subconsultants or consultants or anyone for whom the OWNER is legally liable, and arising from the project that is the subject of this Agreement.

The ENGINEER is not obligated to indemnify the OWNER in any manner whatsoever for the OWNER's own negligence.

Limitation of Liability

Either Parties liability with respect to any claims arising out of this Agreement shall be absolutely limited to direct damages arising out of the Services and neither Party shall bear liability whatsoever for any consequential loss, injury, or damage incurred by each Party, including, but not limited to, claims for loss of use, loss of profits, and loss of markets.

Controlling Law

This Agreement is to be governed by the law of the principal place of business of ENGINEER OWNER.

Successors and Assigns

OWNER and ENGINEER each is hereby bound and the partners, successors, executors, administrators and legal representatives of OWNER and ENGINEER are hereby bound to the other party to this Agreement and to the partners, successors, executors, administrators and legal representatives of such other party.

Neither OWNER nor ENGINEER shall assign, sublet or transfer any rights under or interest in this Agreement without the written consent of the other. Nothing contained in this paragraph shall prevent ENGINEER from employing such independent professional associates and consultants as ENGINEER may deem appropriate to assist in the performance of services hereunder.

Nothing under this Agreement shall be construed to give any rights or benefits in this Agreement to anyone other than OWNER and ENGINEER, and all duties and responsibilities undertaken pursuant to this Agreement will be for the sole and exclusive benefit of OWNER and ENGINEER and not for the benefit of any other party.

Dispute Resolution

OWNER and ENGINEER agree to submit to the jurisdiction of any of its appropriate courts for the adjudication of disputes arising out of this Agreement.

If the parties fail to resolve a dispute through negotiation or mediation, then either or both parties may exercise their rights under law.

Electronic Media

OWNER recognizes that data, plans, specifications, reports, documents, or other information recorded on or transmitted as electronic media are subject to undetectable alteration, either intentional or unintentional.

Accordingly, documents provided to OWNER in electronic media are for informational purposes only and are not an end product. ~~OWNER agrees to defend, indemnify, and hold ENGINEER harmless from any claims, liabilities, losses or damages arising out of the reuse or alteration of electronic media. ENGINEER makes no warranties, either expressed or implied, regarding the fitness or suitability of the electronic media.~~

Waste Materials

Waste materials (including soil and water samples, drilling cuttings, oil samples, water, and other materials) produced during the performance of these services are the property of OWNER. ENGINEER shall retain soil and water samples for no longer than forty-five (45) days after sampling, unless other arrangements are agreed upon in writing. It is OWNER's responsibility to select and arrange for lawful transportation, treatment, and disposal of the samples with appropriate licensed parties.

Mold/Biological Pollutants

~~OWNER agrees that ENGINEER shall have no liability for any claim, direct or indirect, for bodily injury or property damage, including loss of use, arising from alleged to arise from, or caused by the presence of, or exposure to, any Mold or other Biological Pollutants in or around any structure designed, modified, or affected by ENGINEER as part of this Agreement. In addition, OWNER shall defend, indemnify, and hold harmless ENGINEER from third-party claims for damages arising from, alleged to arise from, or caused by the presence of or exposure to, any Mold or other Biological Pollutants in or around any structure designed, modified, or affected by ENGINEER as part of this Agreement, except for damages arising from or caused by ENGINEER's sole negligence.~~

~~The term "Mold and other Biological Pollutants" includes, but is not limited to, molds, fungi, spores, bacteria, and viruses, and the by-products of biological organisms.~~

Disclosure of Hazards (Right-to-Know)

ENGINEER shall take reasonable precautions for the health and safety of ENGINEER's employees while at the work site. OWNER shall furnish ENGINEER, at the time that OWNER authorizes ENGINEER to proceed, all reasonably available information concerning oil, hazardous toxic, or radioactive or asbestos material in, on, or near the site. If a hazardous material or condition is discovered that had not been disclosed to ENGINEER, then, upon notification, OWNER and ENGINEER shall seek to determine an equitable adjustment to be made to this AGREEMENT. ENGINEER shall not be deemed an owner, operator, or generator with respect to hazardous materials discovered at the work site, except to the extent that actions of the ENGINEER cause or contribute to conditions at the work site.

Disclosure

OWNER may be required by federal, state, or local regulation or statute to report the results of services performed by ENGINEER under this Agreement or information uncovered by ENGINEER under this Agreement. It is agreed that OWNER shall be responsible for all such reporting. ENGINEER shall, however, immediately disclose to OWNER any document or information that ENGINEER has reason to believe to be subject to a reporting obligation.

Confidentiality

ENGINEER agrees to keep confidential and not disclose to any person or entity, other than ENGINEER's employees and subcontractors, without the prior written consent of OWNER, which consent shall not be unreasonably withheld, delayed, or conditioned, all data and information not previously known to and generated by ENGINEER, or furnished to ENGINEER and marked "CONFIDENTIAL" by OWNER in the course of ENGINEER's performance of the services contemplated hereunder; provided, however, that this provision shall not apply to data or information which is in the public domain or which was previously known to ENGINEER, or which was acquired by ENGINEER independently from third parties not under any obligation to OWNER to keep such data and information confidential. These provisions shall not be interpreted to restrict ENGINEER from complying with any applicable law, rule, regulation, ordinance, code standard, or court order.

**ATTACHMENT A - PROJECT BUDGET
PROFESSIONAL SERVICES RELATED TO SEWER CAPACITY ANALYSIS
CITY OF NEWBURYPORT, MASSACHUSETTS**

March 3, 2017

	BETA Hours			Sub Total
	Project Manager	Project Engineer	Engineer	
Meetings/Data Collection	12	12	16	40
Capacity Analysis	8	16	400	424
Report, Map and QA/QC	8	16	120	144
Totals	28	44	536	608

DIRECT LABOR COSTS

Project Manager	28	@	\$53.00	=	\$1,484
Project Engineer	44	@	\$40.00	=	\$1,760
Staff Engineer	536	@	\$35.00	=	\$18,760

Total Direct Labor Costs **\$22,004**

SALARY COST \$22,004 1.15 \$25,305

SALARY COST X 2.6 \$25,305 2.6 \$ 65,792

TOTAL LABOR COST \$65,792

DIRECT COSTS (printing, mileage, equip, etc.)

Mileage, miscellaneous \$500

TOTAL EXPENSES w/ 10% MULTIPLIER \$550

TOTAL COST \$66,342

COMMUNICATIONS



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: March 7, 2016

RE: Newburyport's Master Plan – Final Document

On October 31, 2016, the City Council received a copy of the draft Master Plan update from the Mayor and Office of Planning & Development. On December 7, 2016 I provided to the Council a copy of the "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.

During the past few months we have worked with our consultant, Community Opportunities Group (COG) to revise the draft Master Plan based upon input received from elected and appointed officials as well as the general public. The final Master Plan document is available for viewing and download here:

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

Attached is a list of the substantive changes made to the draft Master Plan during finalization. We respectfully request that the Council approve the Master Plan in its final format so that our office, and others, may begin working on related projects and initiatives, including but not limited to zoning changes for the purpose of implementing plan priorities such as standards for the compatibility of new and infill development within Newburyport's historic neighborhoods. While State law does not require Council approval of the Master Plan (only Planning Board adoption is mandatory) it is important that the Council adopt the Master Plan as evidence to state agencies regarding the City's priorities when applying for grant programs during the next ten (10) years.

We intend to use the "Work Plan" appendix 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 will make ourselves available to address any questions the Council or Planning & Development (P&D) Committee may have. Please do not hesitate to contact me if you have any questions regarding the Master Plan or any other planning initiative. Thank you.

Substantive Changes to the Draft Master Plan

Introduction Chapters

1. Beefed up language regarding lack of rental opportunities in the various sections within chapters 1-3 that discussed Newburyport's housing situation.
2. Added information regarding water usage and capacity to page 1-12 "Water Supply Systems".

Land Use Chapter

1. 'Generalized Future Land Use Map' Changes:
 - o Removed the "Residential Infill Potential" category and recoded these areas as "Stable Residential".
 - o Added language to the narrative describing the map about creating standards for two- and multi-family residential development regarding massing and compatibility with the surrounding neighborhood.
2. Added language relative to the need for architectural design review and standards to ensure neighborhood compatibility and appropriate massing of two- and multi-family residential structures.
3. Goal LU-7: Related the redevelopment of the Storey Avenue to that of the smart growth district – walkable, affordable housing, commercial development in an integrated neighborhood.
4. Goal LU-9: Added in language that stresses the need to create connections between the rail and bus facilities themselves and also between these facilities and the downtown.

Economic Development

1. Section B: Formative Issues, Housing: included a definition for Workforce Housing.
"Workforce housing can refer to any form of housing, including ownership or rental, which is affordable for households with earned income that is insufficient to secure quality housing in reasonable proximity to the workplace."
2. Goal ED-7: Added the following text:
"Strengthening the City's relationship with the Merrimack Valley Workforce Investment Board and its programs and career center will provide additional resources for the community's employers as they seek out skilled workers."

Transportation and Circulation

1. Critical Traffic Areas:
 - o Added language regarding safety of Route 1/Parker Street
 - o Added the following as another 'critical traffic area' and updated the accompanying map to include it:
"Western End of Merrimac Street. This is a heavily-traveled portion of Merrimac Street that connects the western end of the City to the downtown area. An area of particular concern along this stretch of road is near the baseball fields at Lower Atkinson Park, known as Pioneer Fields. Narrow sidewalks, excessive vehicular speed, poorly located and

demarcated crosswalks, and unclear entry and exit points to the parking area. Potential improvements to increase safety for both vehicles and pedestrians include: improved signage for crosswalks and speed limits, sidewalk reconstruction, additional road striping to demarcate the travel lane versus the pedestrian area, and reconfiguring the field's parking area so that there is more off-street parking. This roadway is a City-owned street, which means local funds and the DPS could make these improvements."

Natural Resources, Recreation and Open Space Chapter

1. Table NR-6: removed the Brown School Playground from the list and added it to Table NR-5.

Municipal Facilities and Services Chapter

1. Section B: Public Safety: Added in a section on Newburyport Emergency Management Agency written by Fire Chief LeClaire.
2. Goal MFS-3: added in language regarding the review and implementation of the recommendations of the City's Source Water Assessment Program (SWAP) report.

Implementation Plan & Monitoring

1. Introductory language on page IP-3 edited from "Require concurrence with the Plan: The City shall require concurrence with the Master Plan in rezoning or development approvals" to "**Concurrence with the Plan:** The City, through appropriate public processes, shall endeavor for concurrence with the Master Plan in rezoning or development approvals."
2. Added language regarding the Planning Board annually dedicating a meeting (or portion thereof) to the progress made on the Master Plan and a discussion of where to focus energies in the coming year.
3. Added a sample form for all Department Heads to fill out and include with their budget submittal to the Mayor and City Council that lists the Plan's actions that have been completed in the previous fiscal year and actions that will be accomplished in the coming fiscal year.
4. Goal 1, Objective 1, Strategy 2: Added 5th Action, which reads:
"Encourage redevelopment of the 'Waterfront West' area that is compatible with surrounding downtown architecture and uses. Support permitting for new mixed-use (residential and commercial) and hotel development that would support the vibrancy of the existing downtown while adding new tax revenue, public access along the waterfront, affordable residential units, and other public benefits."
5. Goal 1, Objective 2, Strategy 2: Added 4th Action, which reads:
"Work with state and local officials and authorities to create a safe environment for both pedestrians and vehicles with an emphasis on traffic calming measures."
6. Goal 1, Objective 4, Strategy 1, Action 1: Added language regarding the use of the SWAP report for guidance as to how to protect the natural areas around the city's water supply.
7. Goal 2, Objective 2, Strategy 1: Added 5th Action, which reads:
"Support the development of Workforce Housing to provide quality, affordable housing options for the community's service-based employees."

Work Plan

1. Created an action item in the Land Use section related to considering the use of Floor Area Ratio (FAR) in residential zoning districts.
2. Action LU-4.1:3: Edited to read as follows: *“Review and revise the Zoning Ordinance governing the in-law apartments to allow new accessory rental apartments in existing accessory structures as well as in additions to existing primary structures by Special Permit.”*
3. Action H-1.2:1: Edited to read as follows: *“Examine current Accessory Apartment ordinance and determine appropriateness in relaxing the regulations applying to non-family related occupants, as well as allowing units within existing accessory structures.”*
4. Action H-2.2:1: Edited to read as follows *“Modify the Zoning Ordinance to allow developer incentives to create deed-restricted affordable units including strategies to house individuals and families below 80% AMI.”*
5. Added: Action T-1.4:3: *“Explore feasibility of adding a sidewalk and/or dedicated bicycle lane along Hale Street that will serve as a safe connection from the West End to the other neighborhoods in the City.”*
6. Added Action T-1.5:6, which reads: *“Improve the vehicular and pedestrian safety of the western end of Merrimac Street, especially the area near Pioneer Fields, through sidewalk reconstruction, travel lane striping, demarcation of crosswalks and crossing signals, clear entry and exit points from Merrimac Street into the Pioneer Field parking area, and additional speed limit signage.”*
The responsible party is listed as the DPS, the priority is listed as ‘High’ and the potential funding source is the General Fund.
7. Added new objective to MFS Goal 1, which reads: *“Create dedicated Zoning Enforcement Officer position in either the Building Department or Planning Office. The accompanying action reads, Create and Fund a staff-level position to address resident concerns and review projects for permit compliance. Responsible parties include the Mayor’s Office and the City Council with a suggested funding source of building permit fees.”*
8. Added: Action MFS-3.2:4: *“Annually review the recommendations presented in the City’s Source Water Assessment Program (SWAP) report and implement as appropriate and economically feasible.”*

COMM025_03_13_17



Merrimack Valley
Planning Commission
*plan * develop * promote*

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA
2017 FEB 27 A 11: 36

February 16, 2017

Board of Assessors
City of Newburyport
Pleasant Street
Newburyport, MA 01950

Dear Assessors:

In accordance with Chapter 40B of the General Statutes and Chapter 849 of the Acts of 1969, I hereby certify that the Merrimack Valley Planning Commission has determined the proportion of its expenses for Fiscal Year 2018 to be paid by the City of Newburyport to be \$6,353.59. This figure is based on the following computations:

Community	2010 Population	Per Capita Rate	Assessment Amount
Amesbury	16,283	\$0.36481	\$5,940.25
Andover	33,201	\$0.36481	\$12,112.16
Boxford	7,965	\$0.36481	\$2,905.74
Georgetown	8,183	\$0.36481	\$2,985.27
Groveland	6,459	\$0.36481	\$2,356.33
Haverhill	60,879	\$0.36481	\$22,209.46
Lawrence	76,377	\$0.36481	\$27,863.33
Merrimac	6,338	\$0.36481	\$2,312.19
Methuen	47,255	\$0.36481	\$17,239.25
Newbury	6,666	\$0.36481	\$2,431.84
Newburyport	17,416	\$0.36481	\$6,353.59
North Andover	28,352	\$0.36481	\$10,343.18
Rowley	5,856	\$0.36481	\$2,136.35
Salisbury	8,283	\$0.36481	\$3,021.75
West Newbury	4,235	\$0.36481	\$1,544.98

Please, therefore, include the amount of \$6,353.59 in the Fiscal Year 2018 tax levy of the City of Newburyport as required under Chapter 40B and Chapter 849.

Very Truly Yours,

Robert Snow
Treasurer

cc: **City Council**
Finance Committee

160 Main Street, Haverhill, MA 01830

phone - 978.374.0519 • fax - 978.372.4890

Serving the communities of:

Amesbury Andover Boxford Georgetown Groveland Haverhill Lawrence Merrimac Methuen
Newbury Newburyport North Andover Rowley Salisbury West Newbury



Merrimack Valley
Planning Commission
*plan * develop * promote*

February 16, 2017

Julie Languirand, Treasurer
City of Newburyport
Pleasant Street
Newburyport, MA 01950

Dear Ms. Languirand:

In accordance with Chapter 40B of the General Statutes and Chapter 849 of the Acts of 1969, the Merrimack Valley Planning Commission has determined the City of Newburyport's share of its Fiscal Year 2018 financial requirements to be \$6,353.59.

This amount is required by law to be paid, under the provisions of Chapter 40B and Chapter 849, on July 1, 2017 or as soon as possible thereafter.

Please send your payment to: Merrimack Valley Planning Commission
160 Main Street
Haverhill, Massachusetts 01830

Very Truly Yours,

Robert Snow
Treasurer

Enclosure

cc: Board of Assessors
City Council

Serving the communities of:

Amesbury Andover Boxford Georgetown Groveland Haverhill Lawrence Merrimac Methuen
Newbury Newburyport North Andover Rowley Salisbury West Newbury



NEW FILING _____
RENEW

City of Newburyport

Application

Food Establishment Outdoor Seating on Public Property

Date: 2/28/17

Name of Business Owner: Tom Andruskevich

Name of Property Owner: New England Developer

Business Name: The Purple Onion

Business Address: 42-44 Inn St Business Phone: 978-465-9600

Number of Tables Requested: 5 Dimensions: 28x28x28 Material: metal

Number of Chairs Requested: 15 Dimensions: 16x18x31 Material: metal

Applicant requests approval of outdoor seating for the sole purpose of food consumption.

Applicant requests approval of outdoor seating for food *and* alcohol consumption.

Please note propane is not allowed unless approved by the Fire Department

Application Requirements

Please submit the following documents with the completed application to:

**City Clerk's Office
Newburyport City Hall
PO Box 550
60 Pleasant Street
Newburyport, MA 01950**

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2017 MAR -1 A 11:39

- 1) Applicants must provide evidence of liability insurance to the City Clerk with minimum coverage in the amount of one million dollars, naming the City of Newburyport as co-insured. This insurance coverage must be in force for the duration of the approved period.

Application - Food Establishment Outdoor Seating on Public Property

- 2) 8 1/2 x 11 sketch of outdoor seating detailing: a) measurements of tables and chairs; b) total width of sidewalk; and c) distance between proposed seating and sidewalk
- 3) Obstacles such as streetlights, signs, trees, benches, and garbage barrels.
- 4) Applicants seeking approval of outdoor seating for food and alcohol consumption must also submit:
- 5) Written and dated approval of the Newburyport License Commission for the outdoor service of alcohol, including the information and sketch used for the basis of the License Commission approval.
- 6) 8 1/2 x 11 sketch of outdoor seating cited above must also include a depiction and information on the placement, dimensions, and materials used to create a demarcated area for the service of alcohol.

RELEASE AND INDEMNITY AGREEMENT TO ENCUMBER A PUBLIC WAY

I, the undersigned Applicant or Duly Authorized Agent, hereby agree to RELEASE, DISCHARGE, and HOLD HARMLESS, the City of Newburyport, a municipal corporation of the Commonwealth of Massachusetts, and its officers, employees, agents, and servants from all actions, causes of action, claims, demands, damages, costs, loss of services, expenses and compensation associated with the undersigned's use of the public way as described herein.



Signature of Business Owner

2/28/17
DATE



Signature of ADA Coordinator
(Building Department)

3-1-17
DATE



City of Newburyport

Guidelines

Food Establishment Outdoor Seating on Public Property

- 1) A minimum of 5-feet of pedestrian clearance must be maintained on the sidewalk. Tables, chairs, and all enclosure materials used to create a demarcated area may not infringe upon this pedestrian clearance. Tables, chairs and enclosure materials must maintain a minimum of 5-feet of pedestrian clearance from streetlights, signs, trees, benches, garbage barrels, or other sidewalk obstacles.
- 2) Tables, chairs, and enclosure materials used to create a demarcated area cannot interfere with curb ramps, driveways, fire escape and/or doorway access.
- 3) Care, custody, and control of tables and chairs are the sole responsibility of the applicant.
- 4) All approved tables and chairs which are chained, roped, or otherwise tethered together at the end of business hours must be untethered during business hours.
- 5) Placement of tables and chairs on the public way must conform to all federal, state, and local laws and regulations.
- 6) Permission for outdoor seating on public property is revocable at the discretion of the City of Newburyport.
- 7) Applications are subject to review and approval of the City Council. If approved, permission is in effect until the end of the approval year. Applications for outdoor seating must be renewed on an annual basis.



CERTIFICATE OF LIABILITY INSURANCE

PURPL-4 OP ID: AC

DATE (MM/DD/YYYY)
02/27/2017

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

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

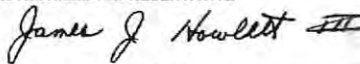
PRODUCER Chase & Lunt LLC 65 Parker Street Newburyport, MA 01950 Select Business Unit	CONTACT NAME: Select Business Unit	
	PHONE (A/C, No, Ext): 978-462-4434	FAX (A/C, No): 978-465-6204
E-MAIL ADDRESS:		
INSURER(S) AFFORDING COVERAGE		NAIC #
INSURED Purple Onion Newburyport, LLC Tom Andruskevich 2 Whitehall Road South Hampton, NH 03827	INSURER A: Guard Insurance Group	
	INSURER B:	
	INSURER C:	
	INSURER D:	
	INSURER E:	
	INSURER F:	

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

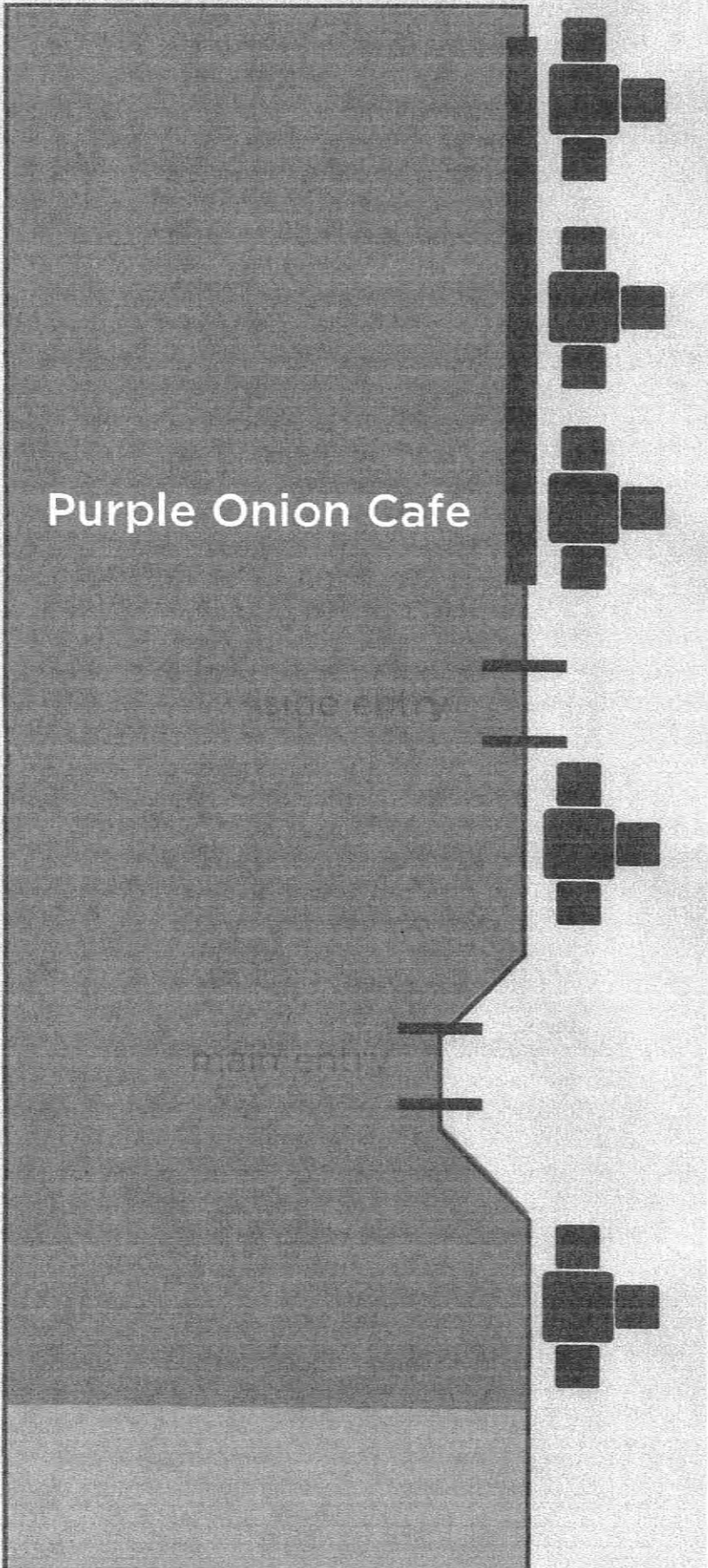
THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE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

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> GENERAL LIABILITY	X		PUBP700017	03/05/2017	03/05/2018	EACH OCCURRENCE \$ 1,000,000
	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY						DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 250,000
	<input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR						MED EXP (Any one person) \$ 5,000
	<input checked="" type="checkbox"/> Business Owners						PERSONAL & ADV INJURY \$ 1,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER:						GENERAL AGGREGATE \$ 2,000,000
	<input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input type="checkbox"/> LOC						PRODUCTS - COMP/OP AGG \$ 2,000,000
	AUTOMOBILE LIABILITY						COMBINED SINGLE LIMIT (Ea accident) \$
	<input type="checkbox"/> ANY AUTO						BODILY INJURY (Per person) \$
	<input type="checkbox"/> ALL OWNED AUTOS	<input type="checkbox"/> SCHEDULED AUTOS					BODILY INJURY (Per accident) \$
	<input type="checkbox"/> HIRED AUTOS	<input type="checkbox"/> NON-OWNED AUTOS					PROPERTY DAMAGE (PER ACCIDENT) \$
							\$
	UMBRELLA LIAB						EACH OCCURRENCE \$
	<input type="checkbox"/> EXCESS LIAB	<input type="checkbox"/> OCCUR					AGGREGATE \$
	<input type="checkbox"/> DED	<input type="checkbox"/> CLAIMS-MADE					\$
	<input type="checkbox"/> RETENTION \$						\$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY						WC STATUTORY LIMITS
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N					OTHER
	If yes, describe under DESCRIPTION OF OPERATIONS below		N/A				E.L. EACH ACCIDENT \$
							E.L. DISEASE - EA EMPLOYEE \$
							E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)
Certificate Holder is recognized as Additional Insured for General Liability

CERTIFICATE HOLDER City of Newburyport 60 Pleasant Street Newburyport, MA 01950	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE 
---	--


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Inn Street

**Purple Onion
Seating Plan - 2014**

Key

 Table and chairs

By 3/7

COMM027_03_13_17



RECEIVED
NEW FILING
RENEW

City of Newburyport

Application

Food Establishment Outdoor Seating on Public Property

Date: 3/4/17

Name of Business Owner: Atemic coffee co. LLC

Name of Property Owner: Eastern Yacht Sales + charters

Business Name: Atemic Cafe

Business Address: 56 state st. Business Phone: 978 358 7539

Number of Tables Requested: 6 Dimensions: 24x24 Material: Iron

Number of Chairs Requested: 12 Dimensions: 18x24 Material: Aluminum

Applicant requests approval of outdoor seating for the sole purpose of food consumption.

Applicant requests approval of outdoor seating for food *and* alcohol consumption.

Please note propane is not allowed unless approved by the Fire Department

Application Requirements

Please submit the following documents with the completed application to:

**City Clerk's Office
 Newburyport City Hall
 PO Box 550
 60 Pleasant Street
 Newburyport, MA 01950**

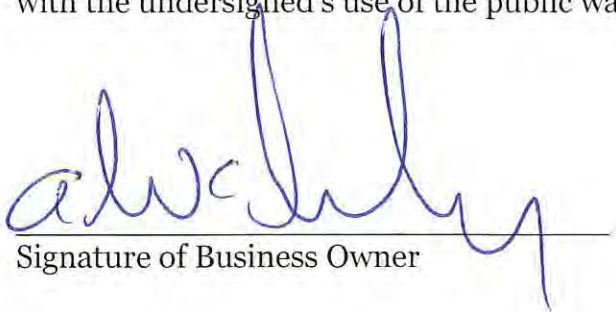
- 1) Applicants must provide evidence of liability insurance to the City Clerk with minimum coverage in the amount of one million dollars, naming the City of Newburyport as co-insured. This insurance coverage must be in force for the duration of the approved period.

Application - Food Establishment Outdoor Seating on Public Property

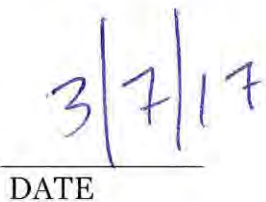
- 2) 8 1/2 x 11 sketch of outdoor seating detailing: a) measurements of tables and chairs; b) total width of sidewalk; and c) distance between proposed seating and sidewalk
- 3) Obstacles such as streetlights, signs, trees, benches, and garbage barrels.
- 4) Applicants seeking approval of outdoor seating for food and alcohol consumption must also submit:
- 5) Written and dated approval of the Newburyport License Commission for the outdoor service of alcohol, including the information and sketch used for the basis of the License Commission approval.
- 6) 8 1/2 x 11 sketch of outdoor seating cited above must also include a depiction and information on the placement, dimensions, and materials used to create a demarcated area for the service of alcohol.

RELEASE AND INDEMNITY AGREEMENT TO ENCUMBER A PUBLIC WAY

I, the undersigned Applicant or Duly Authorized Agent, hereby agree to RELEASE, DISCHARGE, and HOLD HARMLESS, the City of Newburyport, a municipal corporation of the Commonwealth of Massachusetts, and its officers, employees, agents, and servants from all actions, causes of action, claims, demands, damages, costs, loss of services, expenses and compensation associated with the undersigned's use of the public way as described herein.



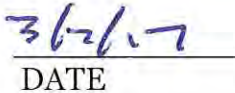
Signature of Business Owner



DATE



Signature of ADA Coordinator
(Building Department)



DATE

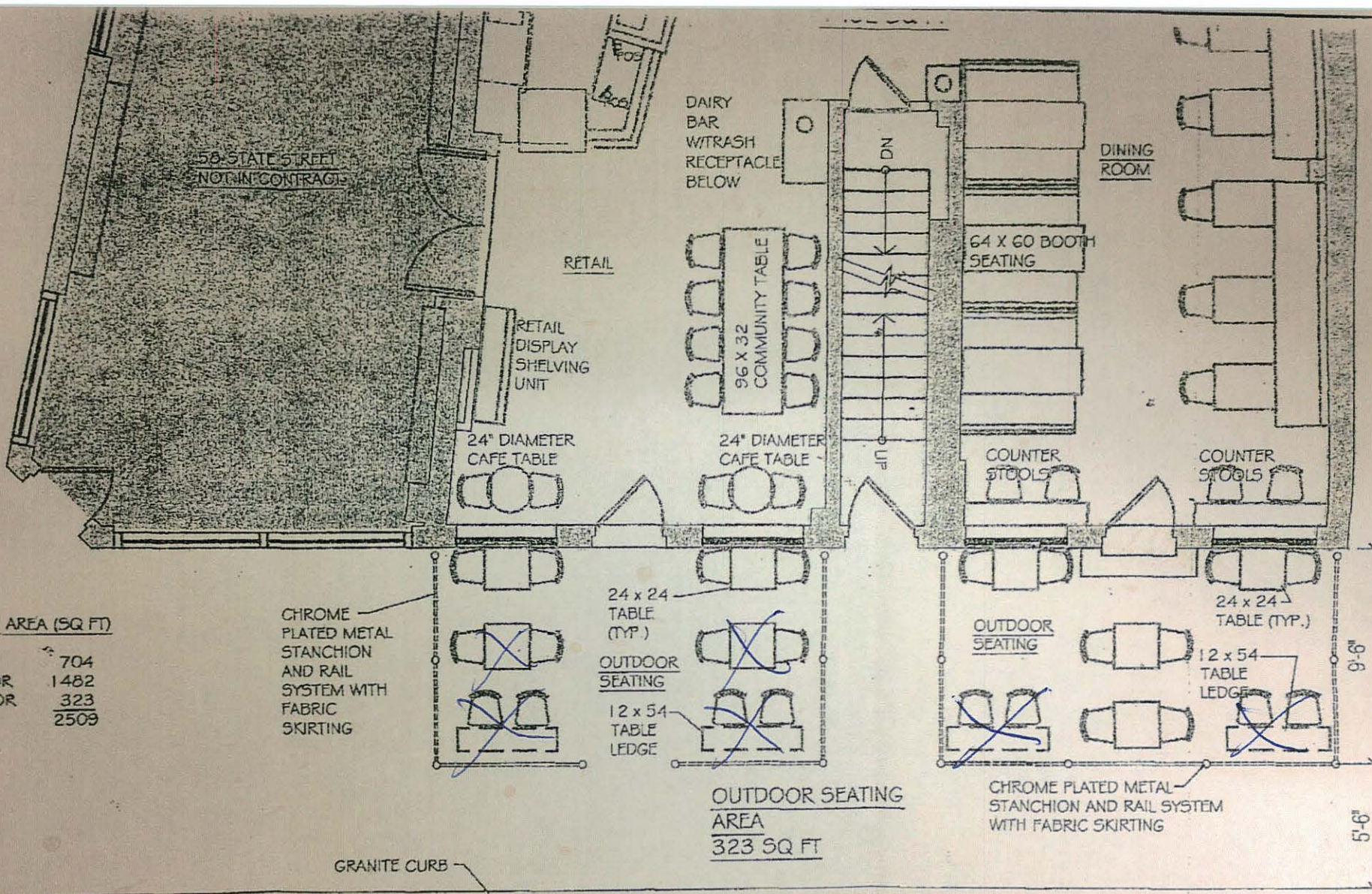


City of Newburyport

Guidelines

Food Establishment Outdoor Seating on Public Property

- 1) A minimum of 5-feet of pedestrian clearance must be maintained on the sidewalk. Tables, chairs, and all enclosure materials used to create a demarcated area may not infringe upon this pedestrian clearance. Tables, chairs and enclosure materials must maintain a minimum of 5-feet of pedestrian clearance from streetlights, signs, trees, benches, garbage barrels, or other sidewalk obstacles.
- 2) Tables, chairs, and enclosure materials used to create a demarcated area cannot interfere with curb ramps, driveways, fire escape and/or doorway access.
- 3) Care, custody, and control of tables and chairs are the sole responsibility of the applicant.
- 4) All approved tables and chairs which are chained, roped, or otherwise tethered together at the end of business hours must be untethered during business hours.
- 5) Placement of tables and chairs on the public way must conform to all federal, state, and local laws and regulations.
- 6) Permission for outdoor seating on public property is revocable at the discretion of the City of Newburyport.
- 7) Applications are subject to review and approval of the City Council. If approved, permission is in effect until the end of the approval year. Applications for outdoor seating must be renewed on an annual basis.



AREA (SQ FT)	
INTERIOR	704
EXTERIOR	1482
TOTAL	323
	2509

42
24
66

ATOMIC COFFEE

STATE STREET

First Floor Plan

Free Company
Report, LLC

Scale	1/8" = 1'-0"
Date	JULY 30, 2013

Drawing Name

Proposed 1st Floor &
Basement Plans



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

11/22/2016

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

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

PRODUCER Archer Insurance 271 CABOT ST BEVERLY MA 01915	CONTACT NAME: Louis Levesque	PHONE (A/C, No, Ext): (978) 922-4600	FAX (A/C, No): (978) 922-9276
	E-MAIL ADDRESS:		
INSURED Atomic Coffee Company Of Newburyport, LLC 45 Mason St., Salem MA 01970	INSURER(S) AFFORDING COVERAGE		NAIC #
	INSURER A: MAPFRE Insurance Co		23876
	INSURER B:		
	INSURER C:		
	INSURER D:		
	INSURER E:		
INSURER F:			

COVERAGES

CERTIFICATE NUMBER: CL16112202306

REVISION NUMBER:

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

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR			8008030000331	9/3/2016	9/3/2017	EACH OCCURRENCE	\$ 2,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input type="checkbox"/> LOC OTHER:							DAMAGE TO RENTED PREMISES (Ea occurrence)
							MED EXP (Any one person)	\$ 10,000
							PERSONAL & ADV INJURY	\$ 2,000,000
							GENERAL AGGREGATE	\$ 4,000,000
							PRODUCTS - COMP/OP AGG	\$ 4,000,000
							Liquor Liability	\$ 1,000,000
	AUTOMOBILE LIABILITY						COMBINED SINGLE LIMIT (Ea accident)	\$
	<input type="checkbox"/> ANY AUTO						BODILY INJURY (Per person)	\$
	<input type="checkbox"/> ALL OWNED AUTOS	<input type="checkbox"/> SCHEDULED AUTOS					BODILY INJURY (Per accident)	\$
	<input type="checkbox"/> HIRED AUTOS	<input type="checkbox"/> NON-OWNED AUTOS					PROPERTY DAMAGE (Per accident)	\$
								\$
	UMBRELLA LIAB	<input type="checkbox"/> OCCUR					EACH OCCURRENCE	\$
	EXCESS LIAB	<input type="checkbox"/> CLAIMS-MADE					AGGREGATE	\$
	DED	RETENTION \$						\$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY						PER STATUTE	OTH-ER
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)	<input type="checkbox"/> Y <input type="checkbox"/> N					E.L. EACH ACCIDENT	\$
	If yes, describe under DESCRIPTION OF OPERATIONS below	<input type="checkbox"/> N/A					E.L. DISEASE - EA EMPLOYEE	\$
							E.L. DISEASE - POLICY LIMIT	\$

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

Policy includes Liquor Liability of 1,000,000.

Policy includes the City of Newburyport as an additional insured.

Coverage in accordance with policy terms & conditions.

CERTIFICATE HOLDER

CANCELLATION

City of Newburyport 60 Pleasant St Newburyport, MA 01950	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE Neal Hutchins/ALEXA

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**APPOINTMENTS
FIRST READING**



CITY OF NEWBURYPORT

OFFICE OF THE MAYOR

DONNA D. HOLADAY, MAYOR

RECEIVED
CLERK'S OFFICE
NEWBURYPORT, MA

60 PLEASANT STREET - P.O. BOX 108 - 2 A 10:38
NEWBURYPORT, MA 01950

978-465-4413 PHONE

978-465-4402 FAX

To: President and Members of the City Council

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

Date: March 2, 2017 *Donna*

Subject: Appointment

I hereby appoint, subject to your approval, the following named individual as an Alternate Member of the Harbor Commission. This term will expire on April 1, 2019.

Adam Armstrong
5 Buck Street
Newburyport, MA 01950

ADAM P. ARMSTRONG, PMP

617.852.1864 ▪ 5 Buck Street ▪ Newburyport, MA 01950 ▪ aparmstrong@yahoo.com ▪ [LinkedIn](#)

PROFILE

- Information technology and financial services professional offering leadership, management, and vision.
- Proven ability to communicate effectively with clients, team members, and management.
- Experienced project manager working with demanding clients in large scale systems implementations.
- Proficiency in visualizing organizational direction and providing structure to policy and goal setting.
- Excellent analysis, troubleshooting, research, and reporting skills.
- Skillful manager who has supervised professional, technical, and support staff.

PROFESSIONAL EXPERIENCE

LIBERTY MUTUAL, US Consumer Markets

Portsmouth, NH 2011 – present

Manager, Operations and Systems Integration

Manager of the Billing and Payment Systems team within Financial Systems.

- Ensure effective execution of the Systems Development Process. Successful project deliveries include; Make a Payment (PL and Safeco), Billing Transaction History, SMS Bill Notifications, WFS Remittance Processing (Check 21), Pay Without Login, EFT for Claims, RDP Retirement (Credit Card and Bank Account Tokenization), and Agent Reinstatement, Account Level Billing, and Real Time Payment Recognition.
- Developed multi-year billing road map that was presented to Senior Management. Successful execution led to Liberty Mutual receiving a multi-year “A” rating for Billing and Payments by Corporate Insight Market Research Company.
- Led team that delivered PL’s first-ever text messaging capability.
- Worked with PMO to develop processes for all Systems team to integrate and utilize Clarity for resource and budget planning purposes.
- Work with business owners to meet corporate strategy goals and improve processes.
- Pursue industry trends to ensure competitive advantage and product innovation.
- Develop scope, funding requests, and resource plans for multi-year planning.
- Develop metrics to assess value and effectiveness of project and test execution.
- Oversee all continuous development for Choice Billing System and Payment Services.
- Responsible for hiring, training, and coaching a twenty nine multi located analysts and contractors.
- USCM Top 10% (2014) and Presidential Award (2014) winner.

OLMSTEAD ASSOCIATES, INC

Boston, MA 2004 - 2011

Senior Project Manager, Executive Board Member

Client Assignments for this global securities industry consulting firm include:

Bank of New York Mellon - Fixed Income & Cash Management, Boston MA (2008 – 2011)

Project Manager for a vendor product search and multi-currency accounting systems implementation.

Fidelity Investments – Personal Wealth Investment Technology, Boston MA (2006 – 2008)
Systems Project Manager for an online personal rate of return solution.

Western Asset Management Company, Pasadena CA (2005 – 2006)
Project Lead for historical data conversion project from Citigroup Asset Management.

Atlantic Trust Private Wealth Management, Boston MA (2005 – 2005)
Lead Analyst for corporate consolidation project.

Wells Fargo Advisors – Client Strategy Group, Richmond, VA (2004 - 2005)
Team Lead for the implementation and testing of a daily performance measurement system.

STATE STREET CORPORATION Boston, MA 1998 - 2004

Senior Project Analyst – Business Project Services

Managed project deliverables by developing strategy, resolving issues, and prioritizing actions.

- Uncovered vendor and infrastructure duplication representing \$8 million in savings.
- Created and implemented model for Data Management and Market Data Organizations.
- Oversaw on time hardware installation and connectivity of a large equity data provider.
- Designed Fair Value Pricing product offering for mutual fund pricing.
- Defined fixed income and equity data requirements for corporate security master project.

THOMSON REUTERS Boston, MA 1995 - 1998

Implementation Consultant

- Coordinated installation and conversion of new clients, on-site trials, and pre-sale demonstrations.

Performance Analyst

- Provided monthly production of portfolio and composite performance results for clients.

EDUCATION and PROFESSIONAL DEVELOPMENT

Bentley University, Waltham, MA. Master of Science in Computer Information Systems.

Loyola University Maryland, Baltimore, MD. Bachelor of Business Administration, Finance.

Merrimack College, North Andover, MA. Project Management Certificate.

CERTIFICATIONS AND PROFESSIONAL AFFILIATIONS

- Certified Project Management Professional
- Member, Mass Bay Chapter – Project Management Institute
- Member, National Eagle Scout Association



CITY OF NEWBURYPORT

OFFICE OF THE MAYOR

DONNA D. HOLADAY, MAYOR

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

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

978-465-4413 PHONE

978-465-4402 FAX

2017 MAR -2 A 10:39

To: President and Members of the City Council
From: Donna D. Holaday, Mayor
Date: March 1, 2017
Subject: Appointment

I hereby appoint, subject to your approval, the following named individual as an Alternate Member of the Harbor Commission. This term will expire on April 1, 2019.

Walter Lesynski
364 Merrimac Street
Newburyport, MA 01950

Walter J. Lesynski, III
364 Merrimac Street
Newburyport, MA 01950

January 10, 2017

Andrew Casson
Newburyport Harbor Commission
City of Newburyport
Newburyport, MA 01950

REF: Professional Resume

Dear Mr. Casson:

Per your request, I am writing you this letter in lieu of a formal resume.

My name is Jay Lesynski and I am the 3rd generation of a family owned and operated marina called Merri-Mar Yacht Basin here in Newburyport. We are celebrating our 61st year in business and plan on continuing to carry on the legacy my grandparents have created.

I was born and raised here in Newburyport and with that, have spent countless hours of my life here working beside my grandfather and still to today with my father. Not only has it been a great opportunity but an awesome experience as well. At a very young age I was learning to operate heavy equipment such as travel lifts, cranes and any other piece of equipment that crossed my path. I have been thrown at the helm of any boat that had to be moved, both large and small. I could not think of a better place or way to be raised.

These experiences exposed me to the boaters of this community at a young age. From the simple tasks of just oil changes, repairs, glass work, to repowers and major refits for both local and New England boaters. In this evolution, we now have both recreational and commercial vessels seek our expertise 12 months of the year. We have been servicing the No Wake buoys in the Merrimack River for many years, even when the buoys were salvaged from the Coast Guards "removed from service pile" dropped off to us for a fresh coat of paint, the proper decals, chained up to a sinker and installed. When you navigate the Merrimack River now a No Wake buoy is in your sight at all times where necessary.

The funny thing is I could ramble on for pages or maybe even days about the things I have done and accomplished professionally here at the marina, but that is not my style. It is this time and experience that I believe would be an asset to the Newburyport Harbor Commission.

For years my grandfather (Wally one of the founders of the Newburyport Harbor Commission) asked me "so when are you going to join the Harbor Commission?" Those words have stuck in my head since 1989 when to the best to my knowledge, was the very first proposed harbor management plan. He was very proud of this, and so am I.

In closing, having spent my life in the city of Newburyport and on the Merrimack river, it is my hope to give back to the community and the central waterfront. My passion is our waters and our water is in my blood, with this said I do think I would be a good fit and addition to the Newburyport Harbor Commission.

I apologize for the lack of a formal resume, I do hope you consider me for the position. If you have any questions please feel free to call me.

Thank you



W. Jay Lesynski III
978-265-5999



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

To: President and Members of the City Council
From: Donna D. Holaday, Mayor
Date: February 23, 2017
Subject: Re-Appointment

A handwritten signature in blue ink, reading "Donna D. Holaday", written diagonally across the right side of the page.

I hereby reappoint, subject to your approval, the following named individual as a member of the Board of Health. This term will expire on March 31, 2020.

Dr. Robin Blair
18 Market Street
Newburyport, MA 01950



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

RECEIVED
CITY CLERK
FEB 23 2017

To: President and Members of the City Council
From: Donna D. Holaday, Mayor
Date: February 23, 2017
Subject: Re-Appointment

A handwritten signature in blue ink, reading 'Donna D. Holaday', written diagonally across the right side of the letter.

I hereby re-appoint, subject to your approval, the following named individual as a member of the Disabilities Commission. This term will expire on March 1, 2020.

Christopher Carey
25 Temple Street
Newburyport, MA 01950



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

To: President and Members of the City Council
From: Donna D. Holaday, Mayor
Date: February 23, 2017
Subject: Re-Appointment

A handwritten signature in blue ink, appearing to read "Donna D. Holaday", written diagonally across the right side of the document.

I hereby re-appoint, subject to your approval, the following named individual as member of the Harbor Commission. This term will expire on March 31, 2020.

Andrew Casson
240 Merrimac Street
Newburyport, MA 01950



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

To: President and Members of the City Council
From: Donna D. Holaday, Mayor
Date: February 23, 2017
Subject: Re-Appointment

A handwritten signature in blue ink, appearing to read 'Donna D. Holaday', written over the 'From:' line of the header.

I hereby re-appoint, subject to your approval, the following named individual as a full time member of the Harbor Commission. This term will expire on May 1, 2020.

Robert Dow
185 Storey Avenue
Newburyport, MA 01950



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

To: President and Members of the City Council
From: Donna D. Holaday, Mayor
Date: February 23, 2017
Subject: Re-Appointment

A handwritten signature in blue ink, appearing to read "Donna D. Holaday", written over the "From:" and "Date:" lines.

I hereby re-appoint, subject to your approval, the following named individual as a member of the Disabilities Commission. This term will expire on February 1, 2020.

Kristen M. Farrell
28 Spofford Street
Newburyport, MA 01950



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

To: President and Members of the City Council
From: Donna D. Holaday, Mayor
Date: February 23, 2017
Subject: Re-Appointment

A handwritten signature in blue ink, appearing to read "Donna D. Holaday", written over the "From:" field.

I hereby re-appoint, subject to your approval, the following named individual as a full time member of the Harbor Commission. This term will expire on May 1, 2020.

James Knapp
24 Cutting Drive
Newburyport, MA 01950



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

To: President and Members of the City Council
From: Donna D. Holaday, Mayor
Date: February 23, 2017
Subject: Re-Appointment

A handwritten signature in blue ink, reading "Donna D. Holaday", written diagonally across the right side of the document.

I hereby re-appoint, subject to your approval, the following named individual as a member of the Disabilities Commission. This term will expire on April 30, 2020.

Arthur M. Levine
43 B Kent Street
Newburyport, MA 01950



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

To: President and Members of the City Council
From: Donna D. Holaday, Mayor
Date: February 23, 2017
Subject: Re-Appointment

A handwritten signature in blue ink, reading 'Donna D. Holaday', written vertically on the right side of the document.

I hereby re-appoint, subject to your approval, the following named individual as a member of Planning Board. This term will expire on May 31, 2022.

Leah McGavern
21 Marlboro Street
Newburyport, MA 01950



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

To: President and Members of the City Council
From: Donna D. Holaday, Mayor
Subject: Re-Appointment
Date: February 23, 2017

A handwritten signature in blue ink, reading "Donna D. Holaday".

I hereby re-appoint, subject to your confirmation, the following named individual as a member of the Human Rights Commission. This term will expire on February 1, 2020.

Katherine D. Preftes
6 H Street
Newburyport, MA 01950



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

To: President and Members of the City Council
From: Donna D. Holaday, Mayor
Date: February 23, 2017
Re: Re-Appointment

A handwritten signature in blue ink, appearing to read "Donna D. Holaday", written diagonally across the right side of the letter.

I hereby reappoint, subject to your approval, the following named individual as a member of the Planning Board. This term will expire on May 31, 2022.

Bonnie Sontag
10 Upland Road
Newburyport, MA 01950



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

To: President and Members of the
City Council

From: Donna D. Holaday, Mayor

Date: February 23, 2017

Subject: Re-Appointment

I hereby re-appoint, subject to your approval, the following
named individual as a member of the Cultural Council. This
term will expire on April 30, 2020.

Ronald S. Ziemba
58 Lime Street Unit 1
Newburyport, MA 01950

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

**APPOINTMENTS
SECOND READING**

SECOND READING APPOINTMENTS

Re-Appointments

- APPT014_02_27_17 Susanne F. Gallagher 3 Garnet St Brd of Registrars 3/31/2020
- APPT015_02_27_17 Richard Goulet 19 Kent St ZBA 3/30/2022

Motion to approve the Consent Agenda as amended by Councillor Zeid, seconded by Councillor Vogel. So voted.

COMMITTEE ITEMS

BUDGET & FINANCE COMMITTEE ITEMS

1. **ORDR094_12_12_16** – Resolution on Funding Capital from Operating Budget.
2. **COMM013_01_30_17** – FY2017 Mid-Year Budget Report.
3. **TRANS002_2_13_17** – Mayor’s Office – Free Cash, 10K to Maint. Trees.
4. **TRANS003_2_13_17** – Clerk’s Office, 5K to Elections & Reg.
5. **TRAN004_02_27_17** – K9 Unit Grant 14K, Rsv. Appr. Sale Municipal Property 2K, POL Fuel/Oil Vehicles 23.5K, POL Purchase Cruisers 5.5K to Utility Vehicle Purchase 45K.
6. **TRAN005_02_27_17** – Free Cash 25K to Dog Park Project 25K.
7. **ORDR009_02_27_17** - Revolving Fund Spending Limits.
8. **ORDR010_02_27_17** – Dog Park Grant Acceptance.

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

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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



CITY OF NEWBURYPORT
 FINANCE DEPARTMENT
 60 PLEASANT STREET • P.O. BOX 550
 NEWBURYPORT, MA 01950
 (978) 465-4404 • (978) 462-3257 (FAX)
 WWW.CITYOFNEWBURYPORT.COM

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2017 JAN 24 P 3:51

DONNA D. HOLADAY
 MAYOR

ETHAN R. MANNING
 FINANCE DIRECTOR/CITY AUDITOR

To: Mayor Donna D. Holaday
 President and Members of the Newburyport City Council

From: Ethan R. Manning, Finance Director/City Auditor

Date: January 24, 2017

Subject: FY2017 Mid-Year Budget Report

Attached is the FY2017 Mid-Year Budget Report that includes a summary of budget expenditures for the period of July 1, 2016 through December 31, 2016. The report covers expenditures within the General Fund and the Water, Sewer, and Harbormaster Enterprise Funds. Also included is an update on the City's revenue collections.

The City budget is approved by the City Council in budget categories. These categories include: Personnel Services, Purchase of Services, Supplies, Other Charges and Expenses, Capital Outlay and Debt Service. This format is recommended by the Massachusetts Department of Revenue and is in accordance with the best practices recognized by the Government Finance Officers Association (GFOA). Once the annual budget is approved by the City Council, spending, in each budget category, cannot exceed the total appropriation for that category unless additional funding is provided through a budget transfer or supplemental budget appropriation.

FY2017 Mid-Year Expenditures

Mid-year expenditures within the General Fund and Enterprise Funds were made within the budgetary appropriations approved by the City Council and are on target for this point in the fiscal year. Typically, however, expenditure levels are not exactly 50% at mid-year as major expenditures occur during various times of the year depending on the department or cost center.

On the following page is a summary of the mid-year expenditures by fund, which is broken out in greater detail in the reports that follow.

	REVISED BUDGET	YTD EXPENDED	REMAINING BUDGET	% OF BUDGET
001 GENERAL FUND	61,758,385	34,193,647	27,534,030	55.4%
060 WATER ENTERPRISE FUND	5,143,412	3,256,846	1,884,201	63.3%
061 SEWER ENTERPRISE FUND	6,384,591	3,648,090	2,734,134	57.1%
6520 HARBORMASTER ENTERPRISE FUND	430,714	243,133	187,581	56.4%
TOTAL BUDGETARY FUNDS	73,717,102	41,341,716	32,339,945	56.1%

While most department/cost centers show expenses below or near 50% of appropriations, those that were higher than 60% included:

- **General Administration (69.0%):** A large component of this cost center is municipal insurance premiums, which are paid at the start of the fiscal year.
- **Assessor's Department (68.6%):** The completion of the City's triennial revaluation increased costs in the first half of the fiscal year, prior to the establishment of the FY2017 tax rate.
- **Information Technology (73.0%):** Licenses, including the license for the City's MUNIS financial software, are paid in July, resulting in higher expenditures in the first half.
- **Board of Registrar's (88.3%):** Elections work during the first half of the fiscal year largely expended this cost center.
- **Conservation Commission (75.0%):** Funding for minute takers is drawn first from the General Fund budget and then from the Wetlands Protection Fund.
- **Planning Board (66.7%):** Funding for minute takers is drawn first from the General Fund budget and then from the revolving fund.
- **Zoning Board (75.0%):** Funding for minute takers is drawn first from the General Fund budget and then from the revolving fund.
- **Whittier Tech Assessment (85.0%):** The assessment for the Whittier Technical Regional Vocational High School is paid throughout the year, with the majority of the assessment paid during the fiscal half.
- **Excluded Debt Service (85.9%), Ordinary Debt Service (88.0%):** Annual debt service payments typically include two interest payments and one principal payment. The principal payment is typically due in July or October, resulting in higher expenditures during the first half of the fiscal year.
- **Retirement Board (100.0%):** The City's appropriation to the Newburyport Retirement System is paid on July 1st.
- **Water Enterprise Fund (63.3%):** Due to fall water main replacement projects, as well as, debt service payments made during the first half of the fiscal year.

Additional funding may be required in some accounts, such as snow and ice and overtime, due to the unpredictability of those line items. In accordance with state law, the City is allowed to exceed the budgetary appropriation for snow and ice removal as it is a matter of public safety. However, any deficit must be removed prior to year-end through the use of reserves or other available funds. If the deficit is not removed prior to year-end, then the

shortage must be made-up in the next fiscal year's tax rate. In past years, Free Cash has been the primary source of funding to cover snow and ice deficits.

FY2017 Mid-Year Revenue

Total revenue for the budgetary funds is currently on target at 53% of estimates. The General Fund shows 51% of revenue collected, while all three enterprise funds are currently exceeding 50% of their revenue estimates for FY2017. On the following page is a summary of the mid-year revenue by fund, which is broken out in greater detail in the reports that follow.

	ESTIMATE	ACTUAL	REMAINING	% COLL.
001 GENERAL FUND	62,090,497	31,758,914	30,331,583	51.1%
060 WATER ENTERPRISE FUND	5,143,412	3,281,228	1,862,184	63.8%
061 SEWER ENTERPRISE FUND	6,384,591	3,989,813	2,394,777	62.5%
6520 HARBORMASTER ENTERPRISE FUND	430,714	247,885	182,829	57.6%
TOTAL BUDGETARY FUNDS	<u>74,049,214</u>	<u>39,277,840</u>	<u>34,771,374</u>	<u>53.0%</u>

A full copy of this report is available under the Financial Reports Center, located at:
<http://www.cityofnewburyport.com/finance-department/pages/financial-reports-center>

Please feel free to contact me if you have any questions.



**City of Newburyport
FY2017 Mid-Year Expenditure Summary**

	ORIGINAL APPROP.	TRANSFERS/ ADJSMTS	REVISED BUDGET	YTD EXPENDED	REMAINING BUDGET	% OF BUDGET
001 GENERAL FUND						
111 CITY COUNCIL	67,363	0	67,363	34,383	32,981	51.0%
121 MAYOR'S DEPARTMENT	282,168	0	282,168	153,028	129,140	54.2%
129 GENERAL ADMINISTRATION	407,032	-70,946	336,086	231,886	104,199	69.0%
135 AUDITOR'S DEPARTMENT	314,082	3,460	317,542	182,328	122,947	57.4%
141 ASSESSORS DEPARTMENT	276,517	26,280	302,798	207,665	95,132	68.6%
145 TREASURER'S DEPARTMENT	285,307	6,886	292,194	153,821	138,182	52.6%
151 INFO TECHNOLOGY DEPT	305,895	0	305,895	223,343	82,553	73.0%
152 HUMAN RESOURCES	271,813	1,950	273,763	158,560	115,203	57.9%
161 CITY CLERK'S DEPARTMENT	240,195	4,009	244,204	128,594	115,609	52.7%
163 BOARD OF REGISTRARS	44,131	0	44,131	38,966	5,164	88.3%
165 LICENSE COMMISSION	6,840	0	6,840	3,516	3,324	51.4%
171 CONSERVATION COMMISSION	1,800	0	1,800	1,350	450	75.0%
175 PLANNING BOARD	1,800	0	1,800	1,200	600	66.7%
176 ZONING BOARD	1,800	0	1,800	1,350	450	75.0%
182 PLANNING & DEVELOPMENT	311,333	3,324	314,657	162,313	152,343	51.6%
191 LEGAL DEPARTMENT	70,000	0	70,000	36,801	33,199	52.6%
210 POLICE DEPARTMENT	3,555,908	0	3,555,908	1,914,430	1,641,478	53.8%
220 FIRE DEPARTMENT	3,537,462	38,920	3,576,382	1,954,829	1,621,554	54.7%
241 BUILDING DEPARTMENT	168,448	0	168,448	92,117	76,331	54.7%
291 EMERGENCY MANAGEMENT	28,150	0	28,150	10,938	17,212	38.9%
292 ANIMAL CONTROL	59,440	4,651	64,091	28,860	35,231	45.0%
293 PARKING CLERK DEPARTMENT	46,482	918	47,400	25,527	21,872	53.9%
300 SCHOOL DEPARTMENT	27,402,232	0	27,402,232	12,087,653	15,314,579	44.1%
398 ESSEX NORTH SHORE TECH SCHOOL	55,000	0	55,000	18,250	18,500	33.2%
399 WHITTIER VO TECH SCHOOL	427,368	0	427,368	363,263	64,105	85.0%
421 PUBLIC SERVICES DEPARTMENT	2,682,390	5,684	2,688,074	1,438,257	1,249,817	53.5%
423 SNOW & ICE	200,000	0	200,000	99,832	100,168	49.9%
510 HEALTH DEPARTMENT	215,795	818	216,613	104,665	111,949	48.3%
519 SUSTAINABILITY	1,216,016	40,204	1,256,220	543,634	712,586	43.3%
541 COUNCIL ON AGING	287,204	793	287,996	157,277	130,719	54.6%
542 YOUTH SERVICES	292,051	0	292,051	163,841	128,210	56.1%
543 VETERANS' DEPARTMENT	304,651	0	304,651	166,933	137,718	54.8%
610 LIBRARY DEPARTMENT	1,314,372	0	1,314,372	725,100	589,272	55.2%
630 PARKS COMMISSION	195,708	0	195,708	111,057	84,651	56.7%
691 HISTORICAL COMMISSION	1,800	0	1,800	975	825	54.2%
710 DEBT EXCLUSION	3,237,248	0	3,237,248	2,781,206	456,043	85.9%
720 ORDINARY DEBT SERVICE	871,592	0	871,592	767,183	104,409	88.0%
911 RETIREMENT BOARD	3,752,884	0	3,752,884	3,752,345	539	100.0%
914 INSURANCE GROUP	8,950,403	-1,950	8,948,453	5,164,966	3,783,487	57.7%
921 COMMISSION ON DISABILITY	2,703	0	2,703	1,405	1,298	52.0%
001 GENERAL FUND Total	61,693,385	65,000	61,758,385	34,193,647	27,534,030	55.4%
060 WATER ENTERPRISE FUND						
060 WATER ENTERPRISE FUND Total	5,143,412	0	5,143,412	3,256,846	1,884,201	63.3%
061 SEWER ENTERPRISE FUND						
061 SEWER ENTERPRISE FUND Total	6,384,591	0	6,384,591	3,648,090	2,734,134	57.1%
6520 HARBORMASTER ENTERPRISE FUND						
6520 HARBORMASTER ENTERPRISE FUND Total	430,714	0	430,714	243,133	187,581	56.4%
TOTAL BUDGETARY FUNDS	\$73,652,102	\$65,000	\$73,717,102	\$41,341,716	\$32,339,945	56.1%



City of Newburyport
FY2017 Mid-Year Expenditures by Budget Category

ORIGINAL APPROP.	TRANSFERS/ ADJSMTS	REVISED BUDGET	YTD EXPENDED	REMAINING BUDGET	% OF BUDGET
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001 GENERAL FUND

111 CITY COUNCIL

001 PERSONNEL SERVICES	60,863	0	60,863	30,531	30,333	50.2%
002 PURCHASE OF SERVICES	6,500	0	6,500	3,852	2,648	59.3%
111 CITY COUNCIL Total	67,363	0	67,363	34,383	32,981	51.0%

121 MAYOR'S DEPARTMENT

001 PERSONNEL SERVICES	228,018	0	228,018	122,762	105,256	53.8%
002 PURCHASE OF SERVICES	39,150	0	39,150	21,150	18,000	54.0%
007 OTHER CHARGES & EXPENSES	15,000	0	15,000	9,116	5,884	60.8%
121 MAYOR'S DEPARTMENT Total	282,168	0	282,168	153,028	129,140	54.2%

129 GENERAL ADMINISTRATION

001 PERSONNEL SERVICES	13,538	0	13,538	4,961	8,577	36.6%
002 PURCHASE OF SERVICES	147,500	0	147,500	66,199	81,301	44.9%
004 SUPPLIES	9,000	0	9,000	2,702	6,298	30.0%
007 OTHER CHARGES & EXPENSES	236,993	-70,946	166,047	158,024	8,023	95.2%
129 GENERAL ADMINISTRATION Total	407,032	-70,946	336,086	231,886	104,199	69.0%

135 AUDITOR'S DEPARTMENT

001 PERSONNEL SERVICES	260,292	3,460	263,752	144,113	119,639	54.6%
002 PURCHASE OF SERVICES	52,000	0	52,000	36,800	2,933	70.8%
004 SUPPLIES	1,500	0	1,500	1,125	375	75.0%
007 OTHER CHARGES & EXPENSES	290	0	290	290	0	100.0%
135 AUDITOR'S DEPARTMENT Total	314,082	3,460	317,542	182,328	122,947	57.4%

141 ASSESSORS DEPARTMENT

001 PERSONNEL SERVICES	207,692	1,280	208,973	141,619	67,353	67.8%
002 PURCHASE OF SERVICES	65,500	25,000	90,500	64,038	26,462	70.8%
004 SUPPLIES	3,325	0	3,325	2,008	1,317	60.4%
141 ASSESSORS DEPARTMENT Total	276,517	26,280	302,798	207,665	95,132	68.6%

145 TREASURER'S DEPARTMENT

001 PERSONNEL SERVICES	240,157	6,886	247,044	135,042	112,002	54.7%
002 PURCHASE OF SERVICES	39,500	0	39,500	15,207	24,293	38.5%
004 SUPPLIES	3,800	0	3,800	1,923	1,686	50.6%
007 OTHER CHARGES & EXPENSES	1,850	0	1,850	1,650	200	89.2%
145 TREASURER'S DEPARTMENT Total	285,307	6,886	292,194	153,821	138,182	52.6%

151 INFO TECHNOLOGY DEPT

001 PERSONNEL SERVICES	91,508	0	91,508	49,302	42,206	53.9%
002 PURCHASE OF SERVICES	212,787	0	212,787	173,339	39,448	81.5%
004 SUPPLIES	1,600	0	1,600	701	899	43.8%
151 INFO TECHNOLOGY DEPT Total	305,895	0	305,895	223,343	82,553	73.0%

	ORIGINAL APPROP.	TRANSFERS/ ADJSMTS	REVISED BUDGET	YTD EXPENDED	REMAINING BUDGET	% OF BUDGET
152 HUMAN RESOURCES						
001 PERSONNEL SERVICES	133,593	0	133,593	72,248	61,345	54.1%
002 PURCHASE OF SERVICES	134,620	1,950	136,570	85,952	50,618	62.9%
004 SUPPLIES	3,000	0	3,000	360	2,640	12.0%
007 OTHER CHARGES & EXPENSES	600	0	600	0	600	0.0%
152 HUMAN RESOURCES Total	271,813	1,950	273,763	158,560	115,203	57.9%
161 CITY CLERK'S DEPARTMENT						
001 PERSONNEL SERVICES	228,095	4,009	232,104	121,691	110,413	52.4%
002 PURCHASE OF SERVICES	12,100	0	12,100	6,904	5,196	57.1%
161 CITY CLERK'S DEPARTMENT Total	240,195	4,009	244,204	128,594	115,609	52.7%
163 BOARD OF REGISTRARS						
001 PERSONNEL SERVICES	4,131	0	4,131	2,062	2,069	49.9%
007 OTHER CHARGES & EXPENSES	40,000	0	40,000	36,905	3,095	92.3%
163 BOARD OF REGISTRARS Total	44,131	0	44,131	38,966	5,164	88.3%
165 LICENSE COMMISSION						
001 PERSONNEL SERVICES	5,340	0	5,340	3,115	2,225	58.3%
007 OTHER CHARGES & EXPENSES	1,500	0	1,500	401	1,099	26.7%
165 LICENSE COMMISSION Total	6,840	0	6,840	3,516	3,324	51.4%
171 CONSERVATION COMMISSION						
001 PERSONNEL SERVICES	1,800	0	1,800	1,350	450	75.0%
171 CONSERVATION COMMISSION Total	1,800	0	1,800	1,350	450	75.0%
175 PLANNING BOARD						
001 PERSONNEL SERVICES	1,800	0	1,800	1,200	600	66.7%
175 PLANNING BOARD Total	1,800	0	1,800	1,200	600	66.7%
176 ZONING BOARD						
001 PERSONNEL SERVICES	1,800	0	1,800	1,350	450	75.0%
176 ZONING BOARD Total	1,800	0	1,800	1,350	450	75.0%
182 PLANNING & DEVELOPMENT						
001 PERSONNEL SERVICES	294,783	3,324	298,107	161,370	136,737	54.1%
002 PURCHASE OF SERVICES	12,000	0	12,000	0	12,000	0.0%
004 SUPPLIES	4,550	0	4,550	943	3,607	20.7%
182 PLANNING & DEVELOPMENT Total	311,333	3,324	314,657	162,313	152,343	51.6%
191 LEGAL DEPARTMENT						
002 PURCHASE OF SERVICES	70,000	0	70,000	36,801	33,199	52.6%
191 LEGAL DEPARTMENT Total	70,000	0	70,000	36,801	33,199	52.6%
210 POLICE DEPARTMENT						
001 PERSONNEL SERVICES	3,222,729	0	3,222,729	1,759,191	1,463,538	54.6%
002 PURCHASE OF SERVICES	157,329	0	157,329	89,449	67,880	56.9%
004 SUPPLIES	110,100	0	110,100	26,796	83,304	24.3%
007 OTHER CHARGES & EXPENSES	14,750	0	14,750	3,523	11,227	23.9%
008 CAPITAL OUTLAY	51,000	0	51,000	35,472	15,528	69.6%
210 POLICE DEPARTMENT Total	3,555,908	0	3,555,908	1,914,430	1,641,478	53.8%

	ORIGINAL APPROP.	TRANSFERS/ ADJSMTS	REVISED BUDGET	YTD EXPENDED	REMAINING BUDGET	% OF BUDGET
220 FIRE DEPARTMENT						
001 PERSONNEL SERVICES	3,264,012	38,920	3,302,932	1,797,305	1,505,627	54.4%
002 PURCHASE OF SERVICES	183,000	0	183,000	124,036	58,964	67.8%
004 SUPPLIES	85,000	0	85,000	30,549	54,451	35.9%
007 OTHER CHARGES & EXPENSES	5,450	0	5,450	2,939	2,511	53.9%
220 FIRE DEPARTMENT Total	3,537,462	38,920	3,576,382	1,954,829	1,621,554	54.7%
241 BUILDING DEPARTMENT						
001 PERSONNEL SERVICES	168,448	0	168,448	92,117	76,331	54.7%
241 BUILDING DEPARTMENT Total	168,448	0	168,448	92,117	76,331	54.7%
291 EMERGENCY MANAGEMENT						
001 PERSONNEL SERVICES	13,050	0	13,050	8,423	4,627	64.5%
002 PURCHASE OF SERVICES	12,000	0	12,000	2,515	9,485	21.0%
004 SUPPLIES	1,100	0	1,100	0	1,100	0.0%
007 OTHER CHARGES & EXPENSES	2,000	0	2,000	0	2,000	0.0%
291 EMERGENCY MANAGEMENT Total	28,150	0	28,150	10,938	17,212	38.9%
292 ANIMAL CONTROL						
001 PERSONNEL SERVICES	49,010	4,651	53,661	27,038	26,623	50.4%
002 PURCHASE OF SERVICES	7,840	0	7,840	976	6,864	12.4%
004 SUPPLIES	2,290	0	2,290	547	1,743	23.9%
007 OTHER CHARGES & EXPENSES	300	0	300	300	0	100.0%
292 ANIMAL CONTROL Total	59,440	4,651	64,091	28,860	35,231	45.0%
293 PARKING CLERK DEPARTMENT						
001 PERSONNEL SERVICES	46,482	918	47,400	25,527	21,872	53.9%
293 PARKING CLERK DEPARTMENT Total	46,482	918	47,400	25,527	21,872	53.9%
300 SCHOOL DEPARTMENT						
002 PURCHASE OF SERVICES	27,402,232	0	27,402,232	12,087,653	15,314,579	44.1%
300 SCHOOL DEPARTMENT Total	27,402,232	0	27,402,232	12,087,653	15,314,579	44.1%
398 ESSEX NORTH SHORE TECH SCHOOL						
002 PURCHASE OF SERVICES	55,000	0	55,000	18,250	18,500	33.2%
398 ESSEX NORTH SHORE TECH SCHOOL Total	55,000	0	55,000	18,250	18,500	33.2%
399 WHITTIER VO TECH SCHOOL						
002 PURCHASE OF SERVICES	427,368	0	427,368	363,263	64,105	85.0%
399 WHITTIER VO TECH SCHOOL Total	427,368	0	427,368	363,263	64,105	85.0%
421 PUBLIC SERVICES DEPARTMENT						
001 PERSONNEL SERVICES	1,688,198	5,684	1,693,882	886,456	807,426	52.3%
002 PURCHASE OF SERVICES	465,587	0	465,587	251,113	214,474	53.9%
004 SUPPLIES	247,865	0	247,865	107,501	140,364	43.4%
008 CAPITAL OUTLAY	280,740	0	280,740	193,186	87,554	68.8%
421 PUBLIC SERVICES DEPARTMENT Total	2,682,390	5,684	2,688,074	1,438,257	1,249,817	53.5%
423 SNOW & ICE						
001 PERSONNEL SERVICES	100,000	0	100,000	20,252	79,748	20.3%
002 PURCHASE OF SERVICES	100,000	0	100,000	79,580	20,420	79.6%
423 SNOW & ICE Total	200,000	0	200,000	99,832	100,168	49.9%

	ORIGINAL APPROP.	TRANSFERS/ ADJSMTS	REVISED BUDGET	YTD EXPENDED	REMAINING BUDGET	% OF BUDGET
510 HEALTH DEPARTMENT						
001 PERSONNEL SERVICES	170,432	818	171,249	92,191	79,059	53.8%
002 PURCHASE OF SERVICES	38,364	0	38,364	9,433	28,930	24.6%
004 SUPPLIES	5,000	0	5,000	2,406	2,594	48.1%
007 OTHER CHARGES & EXPENSES	2,000	0	2,000	635	1,365	31.8%
510 HEALTH DEPARTMENT Total	215,795	818	216,613	104,665	111,949	48.3%
519 SUSTAINABILITY						
001 PERSONNEL SERVICES	89,766	204	89,970	54,013	35,957	60.0%
002 PURCHASE OF SERVICES	1,125,350	40,000	1,165,350	489,254	676,096	42.0%
004 SUPPLIES	900	0	900	366	534	40.7%
519 SUSTAINABILITY Total	1,216,016	40,204	1,256,220	543,634	712,586	43.3%
541 COUNCIL ON AGING						
001 PERSONNEL SERVICES	244,704	793	245,496	136,970	108,526	55.8%
002 PURCHASE OF SERVICES	29,500	0	29,500	13,178	16,322	44.7%
004 SUPPLIES	13,000	0	13,000	7,129	5,871	54.8%
541 COUNCIL ON AGING Total	287,204	793	287,996	157,277	130,719	54.6%
542 YOUTH SERVICES						
001 PERSONNEL SERVICES	184,721	0	184,721	91,429	93,292	49.5%
002 PURCHASE OF SERVICES	22,800	0	22,800	19,875	2,925	87.2%
007 OTHER CHARGES & EXPENSES	84,530	0	84,530	52,538	31,992	62.2%
542 YOUTH SERVICES Total	292,051	0	292,051	163,841	128,210	56.1%
543 VETERANS' DEPARTMENT						
001 PERSONNEL SERVICES	125,511	0	125,511	68,018	57,493	54.2%
002 PURCHASE OF SERVICES	5,720	0	5,720	1,841	3,879	32.2%
007 OTHER CHARGES & EXPENSES	173,420	0	173,420	97,073	76,347	56.0%
543 VETERANS' DEPARTMENT Total	304,651	0	304,651	166,933	137,718	54.8%
610 LIBRARY DEPARTMENT						
001 PERSONNEL SERVICES	1,012,482	0	1,012,482	533,434	479,049	52.7%
002 PURCHASE OF SERVICES	301,890	0	301,890	191,666	110,224	63.5%
610 LIBRARY DEPARTMENT Total	1,314,372	0	1,314,372	725,100	589,272	55.2%
630 PARKS COMMISSION						
001 PERSONNEL SERVICES	147,708	10,000	157,708	83,186	74,522	52.7%
002 PURCHASE OF SERVICES	43,000	-10,000	33,000	22,910	10,090	69.4%
004 SUPPLIES	5,000	0	5,000	4,961	39	99.2%
630 PARKS COMMISSION Total	195,708	0	195,708	111,057	84,651	56.7%
691 HISTORICAL COMMISSION						
001 PERSONNEL SERVICES	1,800	0	1,800	975	825	54.2%
691 HISTORICAL COMMISSION Total	1,800	0	1,800	975	825	54.2%
710 DEBT EXCLUSION						
009 DEBT SERVICE	3,237,248	0	3,237,248	2,781,206	456,043	85.9%
710 DEBT EXCLUSION Total	3,237,248	0	3,237,248	2,781,206	456,043	85.9%
720 ORDINARY DEBT SERVICE						
009 DEBT SERVICE	871,592	0	871,592	767,183	104,409	88.0%
720 ORDINARY DEBT SERVICE Total	871,592	0	871,592	767,183	104,409	88.0%

	ORIGINAL APPROP.	TRANSFERS/ ADJSMTS	REVISED BUDGET	YTD EXPENDED	REMAINING BUDGET	% OF BUDGET
911 RETIREMENT BOARD						
001 PERSONNEL SERVICES	3,752,884	0	3,752,884	3,752,345	539	100.0%
911 RETIREMENT BOARD Total	3,752,884	0	3,752,884	3,752,345	539	100.0%
914 INSURANCE GROUP						
001 PERSONNEL SERVICES	8,950,403	-1,950	8,948,453	5,164,966	3,783,487	57.7%
914 INSURANCE GROUP Total	8,950,403	-1,950	8,948,453	5,164,966	3,783,487	57.7%
921 COMMISSION ON DISABILITY						
001 PERSONNEL SERVICES	2,703	0	2,703	1,405	1,298	52.0%
921 COMMISSION ON DISABILITY Total	2,703	0	2,703	1,405	1,298	52.0%
001 GENERAL FUND Total	61,693,385	65,000	61,758,385	34,193,647	27,534,030	55.4%
<u>060 WATER ENTERPRISE FUND</u>						
450 WATER DEPARTMENT						
001 PERSONNEL SERVICES	2,050,968	0	2,050,968	1,196,640	854,328	58.3%
002 PURCHASE OF SERVICES	786,601	0	786,601	422,196	362,039	53.7%
004 SUPPLIES	212,747	0	212,747	82,234	130,513	38.7%
007 OTHER CHARGES & EXPENSES	88,220	0	88,220	67,339	20,881	76.3%
008 CAPITAL OUTLAY	150,000	0	150,000	21,269	128,731	14.2%
009 DEBT SERVICE	1,854,876	0	1,854,876	1,467,167	387,709	79.1%
450 WATER DEPARTMENT Total	5,143,412	0	5,143,412	3,256,846	1,884,201	63.3%
060 WATER ENTERPRISE FUND Total	5,143,412	0	5,143,412	3,256,846	1,884,201	63.3%
<u>061 SEWER ENTERPRISE FUND</u>						
440 SEWER DEPARTMENT						
001 PERSONNEL SERVICES	2,206,831	0	2,206,831	1,268,219	938,611	57.5%
002 PURCHASE OF SERVICES	1,304,717	0	1,304,717	510,298	792,052	39.1%
004 SUPPLIES	302,868	0	302,868	69,249	233,619	22.9%
007 OTHER CHARGES & EXPENSES	73,900	0	73,900	57,754	16,147	78.2%
008 CAPITAL OUTLAY	266,000	0	266,000	62,966	203,034	23.7%
009 DEBT SERVICE	2,230,275	0	2,230,275	1,679,604	550,671	75.3%
440 SEWER DEPARTMENT Total	6,384,591	0	6,384,591	3,648,090	2,734,134	57.1%
061 SEWER ENTERPRISE FUND Total	6,384,591	0	6,384,591	3,648,090	2,734,134	57.1%
<u>6520 HARBORMASTER ENTERPRISE FUND</u>						
295 HARBORMASTER DEPARTMENT						
001 PERSONNEL SERVICES	249,164	0	249,164	157,946	91,218	63.4%
002 PURCHASE OF SERVICES	42,900	0	42,900	11,648	31,252	27.2%
004 SUPPLIES	18,200	0	18,200	7,721	10,479	42.4%
007 OTHER CHARGES & EXPENSES	6,075	0	6,075	6,075	0	100.0%
008 CAPITAL OUTLAY	50,000	0	50,000	7,013	42,987	14.0%
009 DEBT SERVICE	64,375	0	64,375	52,731	11,644	81.9%
295 HARBORMASTER DEPARTMENT Total	430,714	0	430,714	243,133	187,581	56.4%
6520 HARBORMASTER ENTERPRISE FUND Total	430,714	0	430,714	243,133	187,581	56.4%
TOTAL BUDGETARY FUNDS	\$73,652,102	\$65,000	\$73,717,102	\$41,341,716	\$32,339,945	56.1%



City of Newburyport
FY2017 Mid-Year Revenue Summary

CATEGORY	FY 2016 Mid-Year Revenue				FY 2017 Mid-Year Revenue				FY16 vs. FY17 +/-		
	ESTIMATE	6MO ACTUAL	REMAINING	% COLL	ESTIMATE	6MO ACTUAL	REMAINING	% COLL	\$	%	
Tax Revenue											
Real Estate Tax	49,765,436	24,244,188	25,521,248	48.7%	52,342,090	26,522,344	25,819,746	50.7%	2,278,156	9.4%	↑
Personal Property Tax	649,661	305,121	344,539	47.0%	682,417	316,593	365,824	46.4%	11,472	3.8%	↑
Total Tax Revenue	50,415,097	24,549,310	25,865,787	48.7%	53,024,507	26,838,938	26,185,569	50.6%	2,289,628	9.3%	↑
Local Receipts											
Motor Vehicle Excise	(1) 2,340,000	370,466	1,969,534	15.8%	2,350,000	390,122	1,959,878	16.6%	19,655	5.3%	↑
Room Occupancy Excise	91,000	84,635	49,884	93.0%	115,000	156,354	(41,354)	136.0%	71,720	84.7%	↑
Meals Excise	485,000	338,309	312,320	69.8%	485,000	333,065	151,935	68.7%	(5,244)	-1.6%	↓
Other Excise	(2) 95,000	0	0	0.0%	100,000	0	100,000	0.0%	0	0.0%	↔
Pen & Int on Tax & Exc	335,000	160,749	174,251	48.0%	320,000	154,406	165,594	48.3%	(6,343)	-3.9%	↓
Payments in Lieu of Taxes	(3) 60,000	0	60,000	0.0%	60,000	13,851	46,149	23.1%	13,851	N/A	↑
Fees	(4) 385,000	297,698	87,302	77.3%	370,000	208,894	161,106	56.5%	(88,804)	-29.8%	↓
Other Dept. Revenue	(5) 55,000	30,258	24,742	55.0%	55,000	36,267	18,733	65.9%	6,009	19.9%	↑
Licenses and Permits	650,000	547,423	102,577	84.2%	690,000	687,587	2,413	99.7%	140,164	25.6%	↑
Fines & Forfeits	10,000	6,146	3,854	61.5%	10,000	7,013	2,988	70.1%	867	14.1%	↑
Investment Income	45,000	20,627	24,373	45.8%	45,000	19,003	25,997	42.2%	(1,624)	-7.9%	↓
Medicaid Reimbursement	85,000	17,883	67,117	21.0%	85,000	33,014	51,986	38.8%	15,130	84.6%	↑
Miscellaneous Recurring	(6) 128,000	77,127	50,873	60.3%	138,000	74,052	63,948	53.7%	(3,075)	-4.0%	↓
Miscellaneous Non-Recurring	0	3,503	(3,503)	100.0%	0	10,562	(10,562)	100.0%	7,060	201.5%	↑
Total Local Receipts	4,764,000	1,954,825	2,923,323	41.0%	4,823,000	2,124,190	2,698,810	44.0%	169,366	8.7%	↑
<i>Local Receipts Excluding MV Excise</i>	<i>2,424,000</i>	<i>1,584,358</i>	<i>953,790</i>	<i>65.4%</i>	<i>2,473,000</i>	<i>1,734,069</i>	<i>738,931</i>	<i>70.1%</i>	<i>149,710</i>	<i>9.4%</i>	<i>↑</i>
Net State Aid	4,084,560	2,551,294	1,533,266	62.5%	4,242,990	2,795,786	1,447,204	65.9%	244,492	9.6%	
Total General Fund Revenue	59,263,657	29,055,428	30,322,376	49.0%	62,090,497	31,758,914	30,331,583	51.1%	2,703,486	9.3%	↑
Enterprise Funds											
Water Fund Revenue	5,125,208	2,916,327	2,208,881	56.9%	5,143,412	3,281,228	1,862,184	63.8%	364,901	12.5%	↑
Sewer Fund Revenue	6,415,623	3,498,068	2,917,555	54.5%	6,384,591	3,989,813	2,394,777	62.5%	491,745	14.1%	↑
Harbormaster Fund Revenue	366,794	228,193	138,601	62.2%	430,714	247,885	182,829	57.6%	19,692	8.6%	↑
Total Budgetary Funds	71,171,282	35,698,016	35,587,414	50.2%	74,049,214	39,277,840	34,771,374	53.0%	3,579,824	10.0%	↑

- (1) Motor vehicle excise tax bills mailed out by end of February.
- (2) Urban redevelopment excise tax (MGL Ch. 121A); distributed by state at year-end.
- (3) Payments in lieu of taxes paid in March; category includes any roll back taxes as well.
- (4) Municipal liens, off duty fees, registry fees, tax title, fire alarm box fees.
- (5) Copies/recordings, zoning/ordinances, business certificates.
- (6) Police incident/accident, cell tower lease payments, Animal Control (\$20K), Veterans' Services (\$83K), FWS refuge revenue sharing.



City of Newburyport

FY 2017

BUDGET TRANSFER REQUEST

2017 FEB -7 P 2:55

Department: Mayor's Office
Submitted by: Donna D. Holaday, Mayor **Date Submitted:** 2/13/2017

Transfer From:

Account Name	General Fund - Free Cash	YTD Bal:	\$ 2,352,094.00
Account Number:	01-35910	Trans In:	\$ -
Amount:	\$10,000.00	Trans Out:	\$ (21,908.00)
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	HWY Maint-Trees	YTD Bal:	\$ 16,442.57
Account Number:	01421002-52404	Trans In:	\$ -
Amount:	\$10,000.00	Trans Out:	\$ -
Why are Funds Required:	<i>See attached memorandum from the Tree Commission and Tree Warden. Funding will allow the City to purchase, plant and maintain twenty trees in Spring 2017, to help offset the removal of 157 trees in 2016.</i>		

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

Donna D. Holaday
Ethan R. Manning

Date: 2/7/17
 Date: 2/7/17



CITY OF NEWBURYPORT
DEPARTMENT OF PUBLIC SERVICES

16A PERRY WAY
NEWBURYPORT, MA 01950
TEL: 978-465-4463 EXT. 1701

ANTHONY J. FURNARI, DIRECTOR
WAYNE S. AMARAL, DEPUTY DIRECTOR/DIRECTOR OF OPERATIONS

MEMORANDUM

TO: Donna D. Holaday, Mayor
CC: Ethan Manning, Finance Director
Cris Miller, Tree Commission Chair
Anthony Furnari, DPS Director
FROM: Wayne S. Amaral, DPS Deputy Director / Tree Warden
DATE: January 25, 2017
SUBJECT: Tree Commission – 2017 Free Cash Request

A handwritten signature in black ink, appearing to read "WSA", is written over the "FROM" line of the memorandum.

Newburyport is fortunate and blessed to have such a great abundance and variety of trees throughout our city. Many of our most beautiful trees are not in parks, but located at the edge of a roadway.

Street trees experience much greater stress than non-street trees and have a much shorter life span. The lack of preventive maintenance over the past 20-30 years has caused many of these trees to fail much prematurely. As a result, we need to plant more and more trees each year to keep up with the removals. I would estimate for every one tree we plant – we remove two trees due to failing health.

During 2016, The Department of Public Services had removed 157 high hazard trees around the city. I would estimate another 75 being removed in 2017. In efforts to achieve our “Remove a Tree – Plant a Tree” policy, we must plant and water more trees.

As the Tree Warden, I respectfully submit and fully support the attached request from the Tree Commission for \$10,000 to plant and maintain 20 new trees. The Tree Commission members have welcomed and worked endlessly on planting more and more trees throughout our great city and I know they have the resources, skills and dedication to plant additional trees with very little assistance from the Tree Warden.

FY 2017 Free Cash Proposal R1

January 19, 2017

Overview:

The following proposal is for \$10,000 to purchase and plant 20 trees in the Spring 2017. (See spreadsheet below for details.) This request builds upon the Tree Commission's success and experience in planting nearly 750 trees since 2004. Planting and caring for trees is the Commission's highest priority. **These funds will help to counter the removal of 157 City trees in the 2016 calendar year.**

In considering this request, please note that the scope is for the purchase, planting, and care of the 20 trees. Tree care for these trees will be assumed by the Tree Commission for the second year. Tree care is a distinct, but an inseparable element of tree planting. The Tree Commission's experience has been that providing care for a tree ensures that the investment in the purchase and planting of the tree will allow it to thrive.

On behalf of the entire tree commission, thank you very much for your consideration.

Kind regards,

Crispin Miller

Chair Tree Commission

978-771-2871

**FREE CASH FUNDING
REQUEST**

Submitted by: **Newburyport Tree Commission**

Project: Spring 2017 Tree Planting Project r1

Free Cash Request: \$10,000.00

Project Cost Summary:

Purchase of 20 trees	\$5,000.00
Planting of 20 trees	\$3,000.00
Tree care of 20 trees	<u>\$2,000.00</u>
Total	\$10,000.00

Identified Potential

Locations:

Sullivan Building/Fair Street	1
32 Temple Street	1
39 Temple Street	1
41 Temple Street	1
8 Kent Street	1
9 Roosevelt Place	1
62 Washington/Olive	1
25 Oak Street	1
47 Ashland Street	1
8 Forrester Street	1
28B Merrill Street	1
8 Carter Street	1
23 Oak Street	2
30 Oak Street	2
58 High Street	2
56 Kent Street	1
1 Pheasant Run Drive	1

Total Number of Trees 20

Note: Trees species and exact location are to be determined.



City of Newburyport

FY 2017

BUDGET TRANSFER REQUEST

2/17 FEB -7 P 2:54

Department: City Clerk

Submitted by: Richard B. Jones, City Clerk **Date Submitted:** 2/13/2017

Transfer From:

Account Name	<u>General Fund - Free Cash</u>	YTD Bal:	<u>\$ 2,352,094.00</u>
Account Number:	<u>01-35910</u>	Trans In:	<u>\$ -</u>
Amount:	<u>\$5,000.00</u>	Trans Out:	<u>\$ (21,908.00)</u>
Why are Funds Available:	<u>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.</u>		

Transfer To:

Account Name	<u>BDR Elections & Registrations</u>	YTD Bal:	<u>\$ 3,095.29</u>
Account Number:	<u>01163007-57808</u>	Category:	<u>\$ 3,095.29</u>
Amount:	<u>\$5,000.00</u>	Trans I/O:	<u>\$ -</u>
Why are Funds Required:	<u>To cover remaining election and census expenses through the remainder of the fiscal year.</u>		

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

Donna D. Holaday
Ethan R. Manning

Date: 2/17/17
 Date: 2/17/17



City of Newburyport

FY 2017

BUDGET TRANSFER REQUEST

2017 FEB 21 PM 3:54

Department: Police Department
Submitted by: Mark Murray, Marshal **Date Submitted:** 2/27/2017

Transfer From:

Account Name	<u>K9 Unit Grant</u>	YTD Bal:	<u>\$ 14,000.00</u>
Account Number:	<u>20030003-59630</u>	Trans In:	<u>\$ -</u>
Amount:	<u>\$14,000.00</u>	Trans Out:	<u>\$ -</u>
Why are Funds Available:	<u>The City received an award from the Stanton Foundation in the amount of \$14,000 to reimburse the City for expenses incurred during FY2016 for K9 patrol training. These funds are available for any legal expenditure with the approval of the Mayor and a vote of the City Council.</u>		

Transfer From:

Account Name	<u>Rsv. Appr. Sale of Municipal Property</u>	YTD Bal:	<u>\$ 2,000.00</u>
Account Number:	<u>2760-59630</u>	Trans In:	<u>\$ -</u>
Amount:	<u>\$2,000.00</u>	Trans Out:	<u>\$ -</u>
Why are Funds Available:	<u>From the sale of the K9 vehicle to another municipality.</u>		

Transfer From:

Account Name	<u>POL Fuel/Oil Vehicles</u>	YTD Bal:	<u>\$ 47,672.16</u>
Account Number:	<u>01210004-54801</u>	Trans In:	<u>\$ -</u>
Amount:	<u>\$23,500.00</u>	Trans Out:	<u>\$ -</u>
Why are Funds Available:	<u>A surplus is anticipated in this account at year-end due to lower than expected fuel prices.</u>		

Transfer From:

Account Name	<u>POL Purchase of Cruisers</u>	YTD Bal:	<u>\$ 11,100.91</u>
Account Number:	<u>01210008-58502</u>	Trans In:	<u>\$ -</u>
Amount:	<u>\$5,500.00</u>	Trans Out:	<u>\$ -</u>
Why are Funds Available:	<u>A surplus is anticipated in this account at year-end due to older leases that have been paid off.</u>		

Transfer To:

Account Name	<u>Utility Vehicle Purchase</u>	YTD Bal:	<u>\$ -</u>
Account Number:	<u>New Account</u>	Category:	<u>\$ -</u>
Amount:	<u>\$45,000.00</u>	Trans I/O:	<u>\$ -</u>
Why are Funds Required:	<u>See attached explanatory memorandum from Marshal Mark Murray.</u>		

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

Date: 2/21/17
 Date: 2/21/17



CITY OF NEWBURYPORT

2017 FEB 21 P 3:55

POLICE DEPARTMENT

December 16, 2016

MARY R. MURRAY
CITY MARSHAL

To: Mayor Holaday
From: City Marshal Mark Murray
Re: Utility Vehicle

The purpose of this letter is to outline the need to purchase a utility vehicle for the police department. This vehicle would serve as a multi-use vehicle. The police department had 2 vehicles which were used as utility vehicles, an old van and old ambulance that were set up as utility vehicles used for crime scene, dive team and special events. These vehicles were also used to transport barricades and cones, during storms and road closures due to public safety. The ambulance also gave us capabilities at long duration events to get out of the weather. These two vehicles are no longer available to the department because of age and ongoing repairs, and did not pass inspection. Both these vehicles have been out of service since 2015 and have been sent to salvage.

The police department currently trains 2 weeks a year in firearms. This training is held at an outdoor range in Seabrook NH. Lt Matt Simons, Sgt Charles Eaton and Officer Rob Vatcher are the department instructors and armorers. These officers have been using their own vehicles to transport all the equipment, weapons and ammo necessary to conduct the training.

The police department has a dive team consisting of 5 officers. The dive team trains at least once a month and is called out to service to assist in search and recovery. The training and calls for service require a large amount of equipment along with the personnel to be transported. The dive team also needs somewhere to get out of the weather to change their gear. This vehicle will have an enclosed back which would be large enough to allow for the officers to do so.

The police department has several barricades and cones which are used throughout the year for events and public safety. These barricades and cones are very large and we would use the van in years past for this type of operation. We also have an ATV and 2 trailers that we need to tow, which this vehicle would be used for.



CITY OF NEWBURYPORT

POLICE DEPARTMENT

MARK R. MURRAY
City Marshal

1000 Essex
Newburyport, MA

TEL: 978-389-1111
FAX: 978-389-1111

The police department crime scene and hazard materials equipment was stored in the old ambulance which was converted to our crime scene vehicle. This equipment is now stored in a storage closet and needs to be transported when needed.

This new all-purpose utility vehicle is necessary for the police department and will be used consistently throughout the year. The vehicle will have the capability to act as a command center with radio and computers on board as well as a heater air-conditioner and generator. If purchased I estimate this vehicle will have a 10-12 year life span if not longer. Please see attached specs and photos along with the cost to purchase.

Thank You

City Marshal Mark Murray

Author: The Police Department

BFF



City of Newburyport

FY 2017

BUDGET TRANSFER REQUEST

2017 FEB 21 P 3:53

Department: Mayor's Office
Submitted by: Donna D. Holaday, Mayor **Date Submitted:** 2/27/2017

Transfer From:

Account Name	<u>General Fund - Free Cash</u>	YTD Bal:	<u>\$ 2,352,094.00</u>
Account Number:	<u>01-35910</u>	Trans In:	<u>\$ -</u>
Amount:	<u>\$25,000.00</u>	Trans Out:	<u>\$ (21,908.00)</u>
Why are Funds Available:	<u>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.</u>		

Transfer To:

Account Name	<u>Dog Park Project</u>	YTD Bal:	<u>\$ -</u>
Account Number:	<u>New Account</u>	Category:	<u>\$ -</u>
Amount:	<u>\$25,000.00</u>	Trans I/O:	<u>\$ -</u>
Why are Funds Required:	<u>The \$250,000 grant from The Stanton Foundation to build a dog park requires a 10% match from the City of Newburyport. See attached explanatory memorandum from the Parks Director.</u>		

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

Donna D. Holaday
Ethan R. Manning

Date: 2/21/17
 Date: 2/21/17



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
FEB 21 P 3:58

To: President and Members of the City Council
From: Lisë Reid, Parks Director
CC: Donna D. Holaday, Mayor
Kimberly Turner, Parks Commission Chair
Ethan Manning, Finance Director
Patricia Moore, Chief Administrative Officer
Date: 17 February 2017
Subject: Acceptance of Donation from Stanton Foundation

I am writing to explain the transfer request of \$25,000 from free cash to a dog park construction project fund.

Residents have been asking the Parks Commission to build a fenced in dog park for at least 10 years. A recent survey, tabulated below, reveals that the majority of surveyed residents want a fenced in dog park in Newburyport.

Results of Dog Park Survey as of 2/17/2017

Total respondents: 306

Need fenced in Dog park	Survey Count	Percent of Total respondents
Strongly Agree	216	71%
Somewhat Agree	44	14%
Indifferent	7	2%
Disagree	38	12%

As part of its mission of encouraging positive dog/human relationships, the Stanton Foundation provides grants to support the creation of enclosed dog parks in cities and towns in Massachusetts. In

accordance with that mission, the Stanton Foundation has awarded Newburyport a grant of up to \$250,000 toward construction of a dog park.

The dog park grant process provides three phases of funding: design, construction, and capital improvement. During the design phase, the Foundation will provide funding for 100% of the design costs. The City has already received a check for \$24,990 to cover those costs.

During the construction phase, the Foundation will fund 90% of the hard construction costs, which is defined as labor and materials and does not include contingencies, insurance, permits, bonds, or other miscellaneous expenses. Construction grants typically range from \$100,000 to \$225,000. **The City is expected to pay 10% of construction costs or up to \$25,000.**

Finally, once the park is open, the Foundation will award three separate grants equal to 5% of the hard construction costs to make capital improvements to the park no earlier than 12, 18, and 24 months after the park opens.

I have attached a preliminary budget. Because we have not yet contracted with a project architect, the project budget is a rough estimate that was put together for grant-writing purposes.

It should be noted that all three grants are included in the program. The grant program is designed to take a community from start to finish on a dog recreational space while subsidizing the early costs of design and construction. **By applying for a grant**, towns are committing to the entire process with the Foundation as a partner.

**PROJECTED BUDGET FOR
COLBY FARM NEWBURYPORT DOG PARK PROJECT**

CONSTRUCTION PHASE				
Enclosed Off Leash Area	Qty	Unit	Amount/unit	Total
Survey	1	flat	\$ 4,900.00	\$ 4,900.00
Mobilization	1	flat	\$ 5,000.00	\$ 5,000.00
Erosion Control	1	flat	\$ 5,000.00	\$ 5,000.00
Site clearing	1	flat	\$ 20,000.00	\$ 20,000.00
Stormwater drainage	1	flat	\$ 40,000.00	\$ 40,000.00
Fencing, installed, includes gates #1 grade Northern white cedar S4S materials for a 4 ft tall fencing, three 5/4" x 6" ranch rail, bevel topped 5x5 cedar posts, green 2x4 welded, 14 gauge wire mesh, 4 double entry gates	2,262	lf	\$ 18.12	\$ 40,980.65
Walkways & Plazas, permeable pavers installed*	1,400	sf	\$ 15.00	\$ 21,000.00
Parking, off-street lot, 25 spaces	1	flat	\$ 20,000.00	\$ 20,000.00
Exterior lighting, lampposts, installed	4	each	\$ 4,500.00	\$ 18,000.00
Dog bag waste stations, 2 *	2	each	\$ 200.00	\$ 400.00
Trash barrels*				\$ -
Barrel	1	each	\$ 896.00	\$ 896.00
Recycling bin	1	each	\$ 992.00	\$ 992.00
Play elements, use found & reclaimed objects*				\$ -
Seating*				\$ -
Wooden, manufactured benches (incl. shipping, funded by donations)	4	each	\$ -	\$ -
Reclaimed granite blocks	12	each	\$ -	\$ -
Shade systems, artificial	3	each	\$ 3,000.00	\$ 9,000.00
Shade system installation	1	flat	\$ 5,000.00	\$ 5,000.00
Signage	2	each	\$ 150.00	\$ 300.00
High-low water bubbler with spigot, including installation *	3	each	\$ 2,500.00	\$ 7,500.00
Electrical (To be paid by City)				\$ -
Connection to site	1	lump	\$ 10,000.00	\$ 10,000.00
Water connection (To be paid by City)				\$ -
Street crossing	1	each	\$ 10,000.00	\$ 8,000.00
Meter pit, meter w/shutoff	1	each	\$ 4,000.00	\$ 2,000.00
2-inch backflow	1	each	\$ 1,500.00	\$ 1,500.00
Cage & pad	1	each	\$ 2,000.00	\$ 2,000.00
Yard hydrant	1	each	\$ 2,000.00	
Sewer connection	1	lump	\$ 2,000.00	\$ 1,000.00
Irrigation System (in ground heads & snap connect)*	1	flat	\$ 8,000.00	\$ 8,000.00
Planting Plan *				\$ -
Trees	18	ea	\$ 300.00	\$ 5,400.00
Entry and building landscaping	1	lump	\$ 250.00	\$ 250.00
Shed, 8'x12' to house hand tools, pet waste supplies, mowing equipment	1	ea	\$ 4,158.00	\$ 4,158.00
Interior electrical *	1	lump	\$ 3,500.00	\$ 3,500.00
Shed installation, concrete pad	1	ea	\$ 5,000.00	\$ 5,000.00
10% of grant funded construction costs (to be paid by city)				\$ -
Subtotal Construction Costs				\$ 249,776.65

bat

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

February 27, 2017

THAT, the City Council of the City of Newburyport authorizes an increase to the spending limit for the following funds for fiscal year 2017 in accordance with MGL, Chapter 44 Section 53E1/2:

<u>Account Name</u>	<u>Spending Limit</u>
Engineering Services	\$90,000
Council on Aging	\$35,000
Electrical Inspector	\$95,000
Plumbing Inspector	\$65,000
Gas Inspector	\$40,000
Downtown Paid Parking	\$750,000
Senior Community Center Maintenance	\$15,000

Councillor Charles F. Tontar
Chair, Budget & Finance Committee



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

2017 FEB 21 P 3:54

To: President and Members of the City Council

From: Donna D. Holaday, Mayor

Date: February 21, 2017

Subject: Revolving Fund Spending Limits

I respectfully request your approval of the enclosed order increasing the spending limits for seven departmental revolving funds, established under MGL Ch. 44, Sec 53E ½. In reviewing the year-to-date expenditures, I feel that these revised spending limits should be sufficient to get our departments through the end of the fiscal year.

Below are the proposed revisions. As you can see, all but two funds are still below the limits approved in FY2016:

Fund	FY16 Spending Limit	FY17 Spending Limit	FY17 Revised Spending Limit
Engineering Services	\$100,000	\$60,000	\$90,000
Council on Aging	\$50,000	\$30,000	\$35,000
Electrical Inspector	\$105,000	\$65,000	\$95,000
Plumbing Inspector	\$60,000	\$60,000	\$65,000
Gas Inspector	\$50,000	\$35,000	\$40,000
Downtown Paid Parking	\$481,000	\$504,000	\$750,000
Senior Community Center Maint.	\$50,000	\$5,000	\$15,000

The Plumbing Inspector Revolving Fund has expanded due to increased permit volume in the Building Department. Additionally, the Downtown Paid Parking Revolving Fund has expanded due to the increase in the hourly parking rate, which in turn has increased the amount of funds that are disbursed to the Waterfront Trust and Newburyport Redevelopment Authority based on the existing revenue sharing agreements in place. The prior spending limits of \$481,000 and \$504,000 were based on the cap of 1% of the tax levy, which was removed from state law effective November 7, 2016 as part of the Municipal Modernization Act.

Thank you for your consideration.

**CITY OF NEWBURYPORT
REVOLVING FUNDS**

FY2017 YEAR-TO-DATE ACTIVITY
(AS OF FEBRUARY 8, 2017)

2017 FEB 21 P 3:54

<u>Account Name</u>	<u>Fund Code</u>	<u>Beginning Balance</u>	<u>YTD Revenue</u>	<u>YTD Expended</u>	<u>Current Balance</u>	<u>Spending Limit</u>
Engineering Services	2801	68,298.16	30,016.50	55,321.56	42,993.10	60,000.00
Council on Aging	2802	39,045.74	23,872.65	18,914.50	44,003.89	30,000.00
Recreational Services	2803	264,910.95	76,440.48	239,717.80	101,633.63	370,000.00
Historical Commission	2804	10,022.08	200.00	300.00	9,922.08	2,500.00
Electrical Inspector	2806	180,582.64	69,773.00	58,324.77	192,030.87	65,000.00
Plumbing Inspector	2807	25,409.65	29,940.00	31,598.29	23,751.36	60,000.00
Gas Inspector	2808	16,107.68	17,185.00	15,441.66	17,851.02	35,000.00
Disabilities Commission	2809	7,683.29	2,545.00	261.00	9,967.29	3,000.00
Emma Andrews Library	2810	18,781.71	10,500.00	2,328.16	26,953.55	30,000.00
M-School Drop-in Center	2811	36,425.98	39,460.13	14,189.64	61,696.47	45,000.00
Transient Vendors	2812	43,817.37	13,165.00	3,725.00	53,257.37	20,000.00
Planning & Zoning	2813	21,622.91	39,560.00	25,767.61	35,415.30	70,000.00
Animal Control	2817	12,455.98	1,185.00	1,997.25	11,643.73	6,000.00
Tree Commission	2818	7,083.11	3,590.00	4,617.88	6,055.23	10,000.00
Medicare/Medicaid	2835	28,054.71	(2,360.69)	15,115.05	10,578.97	25,000.00
Veterans Services	2836	2,408.83	20.00	0.00	2,428.83	2,000.00
Downtown Paid Parking	2839	602,439.88	627,154.70	368,502.81	861,091.77	504,000.00
City Hall Maintenance	2840	3,441.37	1,042.50	1,481.83	3,002.04	5,000.00
Senior Comm. Ctr. Maint.	2841	1,722.26	9,503.03	4,550.60	6,674.69	5,000.00
Parks Maint.	2842	0.00	229.08	127.45	101.63	50,000.00

Total Revolving Funds		<u>\$1,390,314.30</u>	<u>\$993,021.38</u>	<u>\$862,282.86</u>	<u>\$1,521,052.82</u>	<u>\$1,397,500.00</u>
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CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

February 27, 2017

THAT, The CITY COUNCIL of the City of Newburyport accepts with gratitude a grant from The Stanton Foundation in the amount of \$250,000 for the purpose of designing and constructing a dog park in accordance with M.G.L. Chapter 44, Section 53A, subject to the approval of a Free Cash appropriation of \$25,000, resulting in a total project cost of \$275,000.

Councillor Charles F. Tontar
Chair, Budget & Finance Committee

LICENSE & PERMIT COMMITTEE ITEMS

ODNC013_07_11_16 Amend Outdoor Seating (Two Year Renewals)

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

March 7th, 2017

**AN ODINANCE AMENDING FOOD SEVICE ESTABLISHMENT APPLICATION
PROCESS FOR USE OF PUBLIC WAY FOR OUTDOOR EATING:**

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

Chapter 12 Streets, Sidewalks and Other Public Places
Article I In General
Section 12 – 1 Obstructing Streets, Sidewalks Generally

Amend Section 12-1(b)(1) regarding outdoor seating, with deletions ~~double-stricken through~~, and additions double-underlined:

Sec. 12-1(b)(1)- Food Service Establishments on Public Rights-of-Way.

The above shall not apply to any restaurant or food service establishment located on a public way which includes a sidewalk and which is restricted to pedestrian traffic only and which has a sidewalk of no less than five (5) feet in width. Any such restaurant or food service establishment seeking to place such tables on a public way shall apply for a permit from the City Council ~~on a~~ yearly basis.

Initial Permit:

May be issued for a period of one (1) year subject to City Council approval by majority vote.

Renewal Permits:

No Material Changes – may be issued for a period of two (2) years subject to administrative approval by the City Clerk

Material Changes – may be issued for a period of one (1) year subject to City Council approval by a majority vote

Said permit shall be seasonal in nature and shall be issued valid from March 1 through October 31 during any calendar year for which a valid permit has been issued. The City Clerk shall notify in writing any business with an expiring permit of such expiration no later than 60 days prior to the expiration date.

Any condition of approval and submitted plan shall be in force for the entire duration of any validly issued permit. Any validly issued permit can be revoked at any time by supermajority vote of the City Council.

Councillor Bruce L. Vogel

Councillor Sharif Zeid

Councillor Robert J. Cronin

Councilor Vogel:

You asked for an opinion as to whether the provisions of Charter Section 2-9(b) would require the Council, if it adopted an amendment to Section 12-1(b) of the City Ordinances in the form attached (the "Amendment"), to approve by separate ordinance each individual permit renewal made possible by the Amendment. Specifically, Section 12-1(b) authorizes the Council to issue sidewalk seating permits for restaurants on a yearly basis (the "Permits"), and the Amendment seeks to authorize the City Clerk and the Chair of the License and Permit Committee, or their designees, to renew these Permits without further Council approval. Councilor Eigerman has raised a concern that the language of Charter Section 2-9(b) providing that: "[n]o measure making a grant, renewal or extension, whatever its kind or nature . . . except as provided by the laws of the commonwealth . . . shall be made otherwise than by ordinance", could be interpreted to require Council adoption of a separate ordinance for each Permit renewal.

In my opinion, the provisions of Charter Section 2-9(b) are most reasonably interpreted not to require the Council to adopt a separate ordinance each time a Permit is renewed pursuant to the Amendment (or granted pursuant to Section 12-1(b)). The purpose of Charter Section 2-9(b), in my opinion, is to provide that a "grant, renewal or extension" may only be made pursuant to authority of, and in accordance with, the laws of the commonwealth or a City ordinance. The Amendment, like Section 12-1(b) in its present form, is a City ordinance expressly authorizing the making of a certain "grant, renewal, or extension," and thus action taken under the authority of such ordinances would constitute, in my opinion, a "grant, renewal or extension" made "by ordinance," and thus be compliant with the terms of Charter Section 2-9(b). To interpret the language of Charter Section 2-9(b) otherwise would require the Council to adopt an "ordinance", or "law", every time it sought to act under the authority of an existing ordinance providing for such action, thereby rendering the initial ordinance essentially without effect, contrary to principles of statutory interpretation. Said another way, the Council would have to pass a "law" every time it sought to issue an individual "permit," an interpretation contrary to the accepted meaning of those terms. In sum, to use Councilor Eigerman's words, in my opinion Charter Section 2-9(b) allows the Council to pass a single ordinance to set up a system of renewals for the City Clerk to handle for the Council every year.

Please do not hesitate to contact me if you have any questions or need further assistance concerning the above.

Sincerely,

Jonathan D. Eichman, Esq.

KP | LAW

101 Arch Street, 12th Floor

Boston, MA 02110

O: (617) 654 1727

F: (617) 654 1735

jeichman@k-plaw.com

www.k-plaw.com

PUBLIC SAFETY COMMITTEE ITEMS

- **COMM015_02_13_17** Ltr from Charter School re: Flasher Beacons, Low Street
- **COMM016_02_13_17** Ltr from Chamber re: Use of Downtown Streets
- **COMM018_02_13_17** Chocolate Tour, Central Cong, May 20, 2017



RIVER VALLEY CHARTER SCHOOL

montessori made public

Mr. Robert Cronin
Ward Three Councilor
Newburyport City Council
60 Pleasant Street
Newburyport, MA 01950

February 2, 2017

Dear Councilor Cronin,

I am writing to seek the Newburyport City Council's support to upgrade the safety of the Low Street crosswalk site at the River Valley Charter School. The high traffic volume and 35mph speed limit on Low Street have created numerous close calls and dangerous situations for our staff and students. In order to reduce the risk to pedestrians, I am proposing the installation of two Rapid Flasher Beacons (RFB) at this crosswalk. This is the same type of device that is in use at the Mersen plant on Merrimac Street.

I have spoken with Wayne Amaral at length about this upgrade, and on January 12th I brought this proposal before the Newburyport Traffic Safety Advisory Committee. The members of the Committee were in support of this proposal.

I am proposing that River Valley Charter School would purchase the RFB devices, as well as the footings required for installation. I am requesting that the City provide the labor to assemble and install the two RFB units, and that the City assume the maintenance of the units after installation and inspection. It is my understanding that the City maintains the Mersen RFBs. Since these are solar powered devices, there would be no wiring requirements beyond the units themselves.

Thank you for your consideration of this proposal. My intention is to be proactive regarding pedestrian safety, and I believe this effort will achieve that goal.

Please feel free to contact me should you have any questions or require further information.

Sincerely,

A handwritten signature in black ink, appearing to read 'AW', written over a horizontal line.

Andy Willemsen
Director

2 Perry Way, Newburyport, MA 01950
Phone 978-465-0065 Fax 978-465-0119
rvc@rivervalleycharter.org

SIGNAL SERVICE, INC.

860-289-8033 /FAX 8035
43 FRANKLIN ST

Quote

Date	Quote #
2/1/2017	404

Name / Address
RIVER VALLEY CHARTER 2 PERRY WAY NEWBURYPORT, MA 01950

Rep	Project

Description	Qty	Cost	Total
Traffic Signal Ped. Base	2	272.00	544.00
CPI-AP-16-40 16' ALUMINUM POLE, SCH 40, SPUN & TOE	2	365.00	730.00
Concrete Pre-cast pedestal foundation	2	325.00	650.00
SYSTEM: A	1	9,669.00	9,669.00T
(1) RELAY,12V TIMER CROUZET 888673			
(1) TRANSCEIVER, MINI, BANNER RADIO			
(1) SLIM LINE BACK PANEL ASSEMBLY, WITH PROSTAR 15 CONTROLLER			
(1) CABINET, SLIMLINE 100, POLICE LOCK, 4.5" POLE MOUNT			
(1) ASSY, RRFB 4 LED w/ 1 PED VERIFICATION LED, YELLOW			
(1) KIT, SOLAR PANEL 65 WATTS, POST TOP MOUNTING			
(1) KIT, SIGN PED CROSSING, W11-2 (FYG) (36 X36), W16-7 (30 X 18), 2 OF EACH FOR BACK-TO-BACK MNTG, MNTG HARDWARE			
(1) BATTERY, UB121000, 100 AMPERE HOUR			
SYSTEM: B			
(1) RELAY,12V TIMER CROUZET 888673			
(1) TRANSCEIVER, NODE, BANNER RADIO			
(1) SLIM LINE BACK PANEL ASSEMBLY, WITH PROSTAR 15 CONTROLLER			
(1) CABINET, SLIMLINE 100, POLICE LOCK, 4.5" POLE MOUNT			
(1) KIT, SIGN PED CROSSING, W11-2 (FYG) (36 X36), W16-7 (30 X 18), 2 OF EACH FOR BACK-TO-BACK MNTG, MNTG HARDWARE			
(1) ASSY, RRFB 4 LED w/ 1 PED VERIFICATION LED, YELLOW			
(1) KIT, SOLAR PANEL 65 WATTS, POST TOP MOUNTING			
(1) BATTERY, UB121000, 100 AMPERE HOUR			
SYSTEM: C			
(2) KIT, PUSH BUTTON, FRAME & SIGN R10-25, (9"X12") YELLOW			
		Total	

SIGNAL SERVICE, INC.

860-289-8033 /FAX 8035
43 FRANKLIN ST

Quote

Date	Quote #
2/1/2017	404

Name / Address
RIVER VALLEY CHARTER 2 PERRY WAY NEWBURYPORT, MA 01950

Rep	Project

Description	Qty	Cost	Total
ASSEMBLE THE RRFB ON THE POLE WITH SOLAR PANELS AND SIGNS. TEST AND PREPARE POLE FOR TRANSPORTATION TO NEWBURYPORT MASS. THE CEMENT BASES WILL BE DELIVERED AND TOWN WILL INSTALL THE BASES WHILE SIGNAL SERVICE COMPLETES ASSEMBLY ON SITE. THE LABOR QUOTE IS FOR ASSEMBLY AT SIGNAL SERVICE AND DELIVERY TO JOB LOCATION. THE POLES WILL BE ERECTED BY THE TOWN. SIGNAL SERVICE WILL TEST AND VERIFY OPERATION ONSITE. . TRAFFIC MANAGEMENT WILL BE PROVIDED BY THE TOWN IF REQUIRED. DELIVERY AND INSTALL WILL HAPPEN ON THE SAME DAY.	1	1,950.00	1,950.00
CALL BEFORE YOU DID WILL BE THE RESPONSIBILITY OF THE TOWN. Sales Tax		6.00%	580.14
		Total	\$14,123.14



RECEIVED
CITY'S OFFICE
NEWBURYPORT, MA

2017 JAN 31 A 9:41

January 19, 2017

Newburyport City Council
60 Pleasant Street
Newburyport, MA 01950

Dear Council President O'Brien and Members of the Newburyport City Council:

The Greater Newburyport Chamber of Commerce & Industry kindly requests the use of downtown streets for the following Chamber of Commerce sponsored festivals/events:

- Newburyport Spring Fest, Sunday and Monday, May 28 & 29, 2017
- Cruisin the 50's, Thursday, August 17, 2017 (rain date August 24)
- Riverfront Music Festival, Saturday, September 2, 2017
- Fall Harvest Festival, Sunday and Monday, October 8 & 9, 2017
- Pumpkin Lighting , Saturday, October 14, 2017
- Witches Night Out, Friday, October 20, 2017
- Downtown Trick or Treat, Friday, October 27, 2017
- Santa Parade and Tree Lighting, Sunday, November 26, 2017
- Invitation Nights, Fridays, December 1, 8 and 15, 2017
- Santa's Workshop, Saturdays and Sundays, December 2, 3, 9, 10, 16, 17, 2017

The Chamber, along with our partners and members, feel strongly that Newburyport is the true gem of the North Shore. We make every effort, in conjunction with the Mayor, the City and the Office of Arts, Tourism and Cultural Affairs, to promote the City of Newburyport and the greater Newburyport region as a dynamic, exciting, historic and relevant destination in which to live, work and play. Two goals stated in the draft of the City's Master Plan 2016 indicate the imperative need to continue our work in partnership with the Mayor, The City Council and the City to promote Newburyport.

Goal ED-2: Build upon the cultural heritage and assets of Newburyport to brand and market the desirability of the city. When surveyed, 60 percent of business owners stated they needed help with advertising and marketing their businesses. Branding efforts to position and market the City would address an existing concern of the business community while expanding future opportunities to attract new businesses, visitors, and residents.

Goal CR-2: Increase awareness of Newburyport as a destination for arts, tourism and cultural affairs. Marketing Newburyport as a cultural destination is critical to support and sustain the City's economic future. Tourist dollars will contribute to the necessary maintenance of its historic infrastructure, the viability of downtown businesses and the conservation of its beaches, parks and waterways. In order to achieve the goal of becoming a local, national and even international cultural destination, it is incumbent upon the Office of Arts, Tourism and Cultural Affairs to work closely with City departments

and the community's arts and heritage organizations to create lasting and meaningful partnerships focused on Newburyport's cultural assets.

The Chamber stands ready to engage in the effort to address and meet these goals by coordinating the following community events:

Newburyport Spring Fest - Held annually by the Chamber on Memorial Day Weekend. The goal of this event is to stimulate economic development and foot traffic in the downtown area. We will utilize the bullnose, parking spaces for crafters and non-profit member booths. We are working with a local art gallery owner and our cultural members to add three "cultural art stops" throughout downtown which will highlight the arts and culture offered here in Newburyport and in the Cultural District. These members will be highlighted throughout the weekend and in advance through our marketing campaign to promote Newburyport and this event. This event is free and open to the public.

Cruisin the 50's – This event sponsored by WBNP in conjunction with the Chamber is in its 6th year. A favorite for locals and car enthusiasts from around New England takes place in downtown Newburyport. The rain date is Thursday, August 24th. We will work again with the public safety committee and Police department to close streets in the downtown district. This event is free and open to the public.

Riverfront Music Festival – This music festival which for many years has been the busiest of weekends for our retail and restaurant members will be held again on Saturday of Labor Day weekend. We have many partners in the production of this festival and include WXRV 92.5 The River, Waterfront Trust, Newburyport Redevelopment Authority and the City of Newburyport. We will be working closely again with all of our partners to insure a safe and pleasant experience for all attendees, downtown members and residents.

Fall Harvest Festival – Held annually by the Chamber. This fall event kicks off the holiday shopping season for our downtown members. The goal of this event is to stimulate economic development and foot traffic in the downtown area. We will utilize the bullnose, parking spaces for crafters and non-profit member booths. We are working with a local art gallery owner and our cultural members to add three "cultural art stops" throughout downtown which will highlight the arts and culture offered here in Newburyport and in the Cultural District. These members will be highlighted throughout the weekend and in advance through our marketing campaign to promote Newburyport and this event. This event is free and open to the public.

Pumpkin Lighting – The chamber's retail committee is pleased to present this annual, family friendly event at which families are encouraged to carve a pumpkin and place it at one of many pumpkin patches throughout the downtown. The goal of this event is to stimulate economic development and foot traffic in the downtown area. The draw for this event is primarily a local resident and family friendly event. This event is free and open to the public.

Witches Night Out - The chamber's retail committee is pleased to present this annual, adult friendly event which mimics holiday invitation nights but with a Halloween flavor. The goal of this event is to stimulate economic development and foot traffic in the downtown area. Attendees are encouraged to wear Halloween, witch type costumes/hats and stroll throughout the downtown businesses. The draw for this event is primarily local residents. This event is free and open to the public.

Downtown Trick or Treat – The chamber’s retail committee has been coordinating a downtown trick or treat event for our smallest residents. On the Friday before Halloween from 4 – 5 PM local residents and families are encouraged to come downtown and have a special downtown trick or treat offered by our downtown members. This event is free and open to the public.

Holiday Activities – The holidays kick off in Newburyport in grand style on the Sunday after Thanksgiving with the annual parade and tree lighting coordinated by the Chamber and the Rotary Club of Newburyport. Invitation Nights are the first three Friday’s of the month and this is a time that downtown members stay open late and offer merchant hospitality and shopping specials and incentives to kick off the shopping season. For the children in our community the Chamber coordinates Santa’s Workshop for the first three weekends of December on upper Inn Street. Santa makes a visit on all three weekends and all children receive a picture with Santa and free refreshments. Also, as we have done for the past thirty plus years we are asking for permission with the City and DPS to erect a Christmas tree donated by a local area resident/business. We are also asking to continue to adorn the lampposts with garland and gift tags which are made possible through donations by residents, businesses and members. These events are free and open to the public.

As we continue our planning into 2017, to demonstrate our desire and willingness to be partnered in the effort needed to promote our community, we will be meeting over the next few weeks with the City departments of Police, Fire and DPS.

In closing, I would like to share a quote from the 2012 book “Destination Branding for Small Cities” by Bill Baker, a well-known brand expert for over 30 years. He states “Successful place branding takes a concerted effort to attain a vision where the reality experienced by its customers matches the positive expectation or promise being conveyed by the city and its partners.” I hope that the Newburyport City Council will partner with us to help promote our wonderfully amazing city by the sea!

Sincerely,



Ann Ormond
President

Cc: Mayor Donna D. Holaday

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2017 FEB -1 P 1:12

January 30, 2017

Thomas F. O'Brien
City Council
City of Newburyport
60 Pleasant Street
Newburyport, MA 01950

Dear Mr. O'Brien:

On behalf of the Central Congregational Church of Newburyport, we would like to request permits relating to our upcoming Annual Newburyport Chocolate Tour to be held Saturday, May 20, 2017 from 1:00 to 5:00 pm.

We would like permission to place a table and tent in front of the Unitarian Church Hall on Pleasant Street from 10:00 am to 5:00 pm, where we will be greeting registrants of the fundraiser. In addition we would like to place a small table in Market Square to sell additional tickets. In the past we have also found having three sandwich board signs advertising the event have been helpful. If granted this permission, we would place the signs as before, one in Market Square, one at the Tannery, and one at Inn Street Common.

At the conclusion of the Tour, all tables, tent and signs will be quickly removed, no later than 5:30 pm.

Thanks for your support of this event. Please feel free to call me with any questions at 978-463-4995. You can either notify me by the above phone number or debaldrich39@msn.com.

Sincerely,



Deborah E. Aldrich
Newburyport Chocolate Tour