

**CITY COUNCIL MEETING AGENDA - VERSION 1**

**REMOTE**

**October 26, 2020**

**Link to join Webinar**

Please click the link below to join the webinar:

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

Or iPhone one-tap :

US: +13017158592,,85360718055# or +13126266799,,85360718055#

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

US: +1 301 715 8592 or +1 312 626 6799 or +1 929 205 6099 or +1 253 215 8782 or +1 346 248 7799 or +1  
669 900 6833

Webinar ID: 853 6071 8055

**7:30 PM**

**Council Meeting**

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

**CONSENT AGENDA**

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

**6. APPROVAL OF MINUTES**

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

**7. COMMUNICATIONS**

- COMM275\_10\_26\_2020 Ltr. Jim McCarthy (PS)
- COMM276\_10\_26\_2020 Ltr. Alex Matthews (PS)
- COMM277\_10\_26\_2020 Climate Resiliency Plan (P&D)

**8. TRANSFERS**

- None

**9. APPOINTMENTS**

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

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

## **Budget & Finance**

- ORDR216\_10\_13\_2020 57 Supplemental Budget Charter Sec. 2-4
- ORDR217\_10\_13\_2020 Election Grant Acceptance

## **Planning & Development**

- APPT187\_08\_31\_2020 Robert Armstrong 35 Louise Ave. Bldg Commissioner 1/1/2023
- ORDR211\_09\_29\_2020 Preservation Restriction 272 High Street (Kemble Widmer II Trust)
- ORDR215\_10\_13\_2020 57 Pres Restriction Central Cong Church

## **Public Safety**

- ODNC059\_06\_29\_2020 Truck Routes
- ODNC062\_09\_29\_2020 Residential Permit Zones seasonal hours extension

## **END OF CONSENT AGENDA REGULAR AGENDA**

### **10. MAYOR'S UPDATE**

### **11. SECOND READING APPOINTMENTS**

- APPT190\_10\_13\_2020 Elizabeth Valeriani 29 Oak St, Nbpt Emma Andrews 10/29/2021
- APPT191\_10\_13\_2020 Elizabeth L. Watson 53 Warren St, Unit 315, Nbpt Emma Andrews 10/29/2021
- APPT192\_10\_13\_2020 Aine G. Ellrott 43 Purchase St, Nbpt Emma Andrews 10/29/2021
- APPT193\_10\_13\_2020 Virginia R. Champi 84 Purchase St, Nbpt Emma Andrews 10/29/2021
- APPT194\_10\_13\_2020 Donna Conway 27 Marlboro St, Nbpt Emma Andrews 10/29/2021

### **12. ORDERS**

- ORDR178\_04\_27\_2020 Acts of 1987 - Resubmittal
- ORDR218\_10\_26\_2020 Supplemental Budget Request FY21

### **13. ORDINANCES**

- ODNC050\_02\_24\_2020 Curb Cuts and Notice of Work Involving Sidewalks (2<sup>nd</sup> Reading)
- ODNC064EP\_10\_26\_2020 Emergency Preamble Parks COVID Extend to April 30, 2021
- ODNC064\_10\_26\_2020 Parks COVID Extend to April 30, 2021

### **14. COMMITTEE ITEMS**

#### **Ad Hoc Committee on Economic Development**

##### *In Committee:*

- COMM262\_08\_31\_2020 Gasbarro Ltr re: Awareness

#### **Ad Hoc Committee on Waterfront and COTW**

##### *In Committee:*

- COMM261\_08\_31\_2020 Proposed Timeline, Waterfront

#### **Budget & Finance**

##### *In Committee:*

- ORDR132\_07\_15\_19 CPC FY2020 Recommended Appropriations (COTW)  
Project No. 9 held in committee.
- ORDR136\_08\_19\_19 Fuller Track Phase II Loan Order  
City Council Agenda October 26, 2020v1

- COMM189\_09\_09\_19 CPC Revised Recommendation for FY2020 Appropriations
- COMM264\_09\_29\_2020 Colleen Turner Letter
- ODNC063\_09\_29\_2020 Bond and Transfer Limit
- ORDR214\_10\_13\_2020 57 Low Street Purchase w/ P&D
- **ORDR216 10 13 2020 57 Supplemental Budget Charter Sec. 2-4**
- **ORDR217 10 13 2020 Election Grant Acceptance**

## Education

### *In Committee:*

- COMM235\_03\_30\_2020 Ltr re: SC Appt. of Brett Murphy to Whittier Vo-Tech Cmte
- COMM240\_04\_27\_2020 Memo re: SOI Submission Info
- COMM273\_10\_13\_2020 Ltr of Non-Support from Mayor on Acts of 1987

## General Government

### *In Committee:*

- COMM241\_05\_11\_2020 Charter Review Final Report
- COMM242\_05\_11\_2020 Confirmatory Legal Opinion from KP Law re: Charter Changes

## License & Permits

### *In Committee:*

- ODNC047\_1\_27\_20 General Ordinance - Short Term Rental Units Rules
- COMM229\_02\_24\_2020 Ltr re: Implementation of Short-Term Rental Ordinance
- COMM230\_03\_09\_2020 Yearly Report, Section 16A of the Liquor Control Act
- APPL014\_06\_08\_2020 Outdoor Seating application from Vera Ristorante LLC
- APPL015\_06\_08\_2020 Ltr with Layout from Ted Epstein re: Outdoor Seating

## Neighborhoods & City Services

### *In Committee:*

- COMM197\_10\_28\_19 Ltr re: Phillips Drive Neighborhood Drainage (COTW)
- COMM233\_03\_09\_2020 Ltr re: MVRTA State Street Bus Stop Shelter
- COMM234\_03\_30\_2020 Ltr from Newburyport Livable Streets March 11, 2020
- COMM252\_07\_30\_2020 Ltr re: Face Masks in public

## Planning & Development

### *In Committee:*

- COMM214\_01\_13\_2020 Ltr from Central Cong Church re: CPA Funding, Historic Pres
- COMM215\_01\_13\_2020 Ltr re: Colby Farm Open Space Beautification
- ODNC046\_1\_27\_20 Zoning Amendment - Short Term Rental Units Definition
- COMM231\_03\_09\_2020 Ltr re: Short-Term Rental Ordinance
- ODNC054\_03\_09\_2020 Enforcement of the State Building Code
- ORDR196\_07\_13\_2020 Open Space and Recreation Plan 2020 (COTW)
- **APPT187 08 31 2020 Robert Armstrong 35 Louise Ave. Bldg Commissioner 1/1/2023**
- **ORDR211 09 29 2020 Preservation Restriction 272 High Street (Kemble Widmer II Trust)**
- ORDR214\_10\_13\_2020 57 Low Street Purchase w/ B&F
- **ORDR215 10 13 2020 57 Pres Restriction Central Cong Church**
- COMM270\_10\_13\_2020 Ltr To DCAM\_ Jeigerman

## **Public Safety**

### ***In Committee:***

- COMM216\_01\_13\_2020 Ltr re: Ban the Use of Glyphosate
- COMM221\_01\_27\_2020 Letter re: Sign at 43 Pine Hill Road
- COMM227\_02\_10\_2020 Update and Request from Waste Stream Task Force
- APPL012\_03\_09\_2020 Invitation Nights - 12/4, 12/11, 12/18 2020
- COMM243\_05\_11\_2020 Ltr from Jane Rascal re: NMMCD
- **ODNC059\_06\_29\_2020 Truck Routes**
- **ODNC062\_09\_29\_2020 Residential Permit Zones seasonal hours extension**
- APPT165\_04\_13\_2020 Dr. Robin Blair 18 Market St Board of Health 4/30/2023
- COMM254\_08\_10\_2020 Moseley Ave Ltr re: Sidewalk Safety and Roadway Speeding
- ORDR200\_07\_30\_2020 List of Crosswalks Amended
- COMM269\_10\_13\_2020 DPS Snow and Ice Plan

## **Public Utilities**

### ***In Committee:***

## **Rules**

### ***In Committee:***

- COMM220\_01\_27\_2020 Proposed City Council Rule 9F
- ORDR170\_02\_24\_2020 Amendment Council Rules 2020 (COTW)
- ORDR171\_02\_24\_2020 Amendment to Rule 17B (COTW)

## **15. GOOD OF THE ORDER**

## **16. ADJOURNMENT**



**CONSENT AGENDA**

**CITY COUNCIL MEETING AGENDA - VERSION 1**  
**REMOTE**

**September 29, 2020**

**Link to join Webinar**

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/84841864777>

Or iPhone one-tap :

US: +19292056099,,84841864777# or +13017158592,,84841864777#

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

US: +1 929 205 6099 or +1 301 715 8592 or +1 312 626 6799 or +1 669 900 6833 or +1 253 215 8782 or +1  
346 248 7799

Webinar ID: 848 4186 4777

International numbers available: <https://us02web.zoom.us/j/84841864777>

**7:30 PM**  
**Council Meeting**

**1. MOMENT OF SILENCE**

**2. CALL TO ORDER**

The City Council President, Jared Eigerman, called the meeting to order at 7:30pm. The City Council President then instructed the City Clerk to call the roll. The following Councillors answered present: McCauley, Connell, Shand, Tontar, Vogel, Wallace, Zeid, Devlin, Khan, Lane and Eigerman. 11 present using Zoom as a platform.

**3. LATE FILE ITEMS**

COMM264\_09\_29\_2020 Colleen Turner Letter

COMM265\_09\_29\_2020 Sean Reardon Letter

COMM266\_09\_29\_2020 School Committee Letter

Motion to waive the rules and allow late files by Councillor Vogel, seconded by Councillor Tontar. So voted.

**4. PUBLIC COMMENT**

1. Jay Iannini, 26 Summit Pl.
2. Bruce Menin, 148 High St.
3. Brian Callahan, 29 Warren St.
4. Josh Mayfeld, 75 High St.
5. Arissa Ibrahim, 85 Prospect St.
6. Lynn Schow, 75 High St.
7. Joan Sheehan, 66 Longfellow Dr.
8. Matthew Kane, 63 Curzon Mill Rd.
9. Renee Ames, 17 Forrester St.
10. Stephanie Niketic, 93 High St.
11. Dylan Peacock, 209 Congress St. Providence, RI
12. Juliet Walker, 13 Eagle St.
13. Jennifer Groskin, 11 Myrtle Ave.
14. Susan Acquaviva, 62 Bromfield St.
15. John Elwell, 266 High St.
16. Jodi Tamayoshi, 52 Forrester St.
17. Paul Acquaviva, 62 Bromfield St.
18. Elizabeth Goullaud, 9 Marquand Ln.
19. Christian Kjaer, 19 Frances Dr.

- 20. Patricia Boatenig, 18 Merrill St.
- 21. David Hochheiser, 2 Forrester St.
- 22. Jane Snow, 9 Coffin St.
- 23. Boyd Hancock, 4 Tilton St.
- 24. Charles Grossman, 2 Cutting Dr.
- 25. Michelle Hastings, 37 Franklin St.
- 26. Beth Platow, 17 Plummer Ave.
- 27. Rick Hastings, 37 Franklin St.
- 28. Shelia Spalding, 10 Fair St.
- 29. Laura Bentley, 121 Prospect St.
- 30. Emily Sheehan, 1 Rawson Hill Rd.

**5. MAYOR'S COMMENT**

**CONSENT AGENDA**

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

**6. APPROVAL OF MINUTES**

- September 14, 2020 (Approve)

**7. COMMUNICATIONS - None**

**8. TRANSFERS**

- TRAN085\_09\_29\_2020 Multiple (attached) \$484K to WWTF Resiliency/CCRT Project \$484K (B&F)  
Removed from Consent Agenda to Regular Agenda

**9. APPOINTMENTS - none**

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

**Budget & Finance**

- ORDR206\_08\_20\_2020 FY 21 Budget Order (Second Submission) & COTW
- ORDR209\_09\_14\_2020 Borrowing Authorization 9/14/20
- COMM260\_08\_31\_2020 FY2020 Year-End Financial Report

**Neighborhoods & City Services**

- ODNC050\_02\_24\_2020 Curb Cuts and Notice of Work Involving Sidewalks

**Planning & Development**

- COMM257\_08\_20\_2020 Ltr re: Harrison Street, J Tymon

**Public Utilities**

- APPT156\_03\_09\_2020 John Tomasz 38 Storeybrooke Dr Water/Sewer Comm 3/31/2023
- APPT166\_04\_13\_2020 Robert A. Cook 19 Everette Dr Water/Sewer Comm 3/1/2023
- APPT166\_04\_13\_2020 Robert A. Cook Resume

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

## **END OF CONSENT AGENDA REGULAR AGENDA**

### **10. MAYOR'S UPDATE**

Motion to receive & file by Councillor Zeid, seconded by Councillor Tontar. So voted.

### **11. SECOND READING APPOINTMENTS**

- APPT189\_08\_31\_2020 Karen Sakaniwa 71 Middle St. Comm. on Disabilities 9/30/2023 CONTINUED FROM SEPTEMBER 14, 2020 on a motion by Councillor Tontar, seconded by Councillor Khan. So voted.

Motion to approve by Councillor Zeid, seconded by Councillor Khan. Roll call vote. 11 yes. Motion passes.

### **12. COMMUNICATIONS**

- COMM263\_08\_31\_2020 Budget Revision – Vocational School Assessments  
Motion to receive and file by Councillor Zeid, seconded by Councillor Tontar. So voted.
- COMM264\_09\_29\_2020 Colleen Turner Letter  
Councilor Eigerman left meeting. Councillor Connell became President pro tempore.  
Motion to refer to Budget & Finance by Councillor Zeid, seconded by Councillor Tontar. So voted.
- COMM265\_09\_29\_2020 Sean Reardon Letter  
Motion to receive and file by Councillor Zeid, seconded by Councillor Khan. So voted.
- COMM266\_09\_29\_2020 School Committee Letter  
Motion to receive & file by Councillor Khan, seconded by Councillor Tontar. 10 yes, 1 no (McCauley)  
Motion passes.

### **13. TRANSFERS**

TRAN085\_09\_29\_2020 Multiple (attached) \$484K to WWTF Resiliency/CCRT Project \$484K  
Motion to refer to Public Utilities by Councillor Zeid, seconded by Councillor Tontar. So voted.

### **14. ORDERS**

- ORDR211\_09\_29\_2020 Preservation Restriction 272 High Street (Kemble Widmer II Trust)  
Motion to waive the rules, sponsor not present by Councillor Zeid, seconded by Councillor Khan. So voted.  
Motion to refer to Planning & Development Councillor Shand, seconded by Councillor Khan. So voted.
- ORDR212\_09\_29\_2020 Prior Fiscal Year Bills  
Council President Eigerman returned to the meeting.  
Motion to refer to Budget & Finance by Councillor Tontar, seconded by Councillor Khan. So voted.
- ORDR213\_09\_29\_2020 Resiliency Project Grant Acceptance  
Motion to Public Utilities by Councillor Zeid, seconded by Councillor Tontar. So voted.

### **15. ORDINANCES -**

- ODNC062\_09\_29\_2020 Residential Permit Zones seasonal hours extension  
Motion to refer to Public Safety by Councillor Eigerman, seconded by Councillor Zeid. So Voted.
- ODNC063\_09\_29\_2020 Bond and Transfer Limit  
Motion to Budget & Finance by Councillor Zeid, seconded by Councillor Tontar. So voted.

## 16. COMMITTEE ITEMS

### Ad Hoc Committee on Economic Development

#### *In Committee:*

- COMM262\_08\_31\_2020 Gasbarro Ltr re: Awareness

### Ad Hoc Committee on Waterfront and COTW

#### *In Committee:*

- COMM261\_08\_31\_2020 Proposed Timeline, Waterfront

### Budget & Finance

#### *In Committee:*

- ORDR132\_07\_15\_19 CPC FY2020 Recommended Appropriations (COTW)  
Project No. 9 held in committee.
- ORDR136\_08\_19\_19 Fuller Track Phase II Loan Order
- COMM189\_09\_09\_19 CPC Revised Recommendation for FY2020 Appropriations
- **COMM260 08 31 2020 FY2020 Year-End Financial Report**  
Motion to receive and file by Councillor Tontar, seconded by Councillor Khan. So voted.
- **ORDR206 08 20 2020 FY 21 Budget Order (Second Submission) & COTW**

Motion to Remove by Councillor Zeid, seconded by Councillor Tontar

Motion to Approve by Councillor Tontar, seconded by Councillor Khan

City Council

Motion to Cut 42,000 Line 51101 SZ/JD 7Y, 4 N(BC,HS,CT,BV) Motion Passes

Motion to Cut 73 Line 51160 SZ/JD 7Y, 4 N(BC,HS,CT,BV) Motion Passes

Motion to Cut 32 Line 51162 SZ/JD 2Y (SZ,CW), 9N Motion Fails

City Clerk

Motion to Cut 1,995 Line 51101 SZ/JD Withdrawn

Parking Clerk

Motion to Cut 6,220 Line 51134 SZ/JD Withdrawn

Motion to Cut 3,000 Line 51168 SZ/JD 8Y 3N (BC,CT,BV) Motion Passes

Motion to Cut 4,000 Line 51901 AK/SZ 7Y 4N (BC,HS, CT,BV) Motion Passes

Motion to Cut 16,000 Line 53000 SZ/JD 1Y(SZ) 10N Motion Fails

Motion to Cut 500 Line 54200 SZ/JD 7Y 4N(CT,BV,AK,BL) Motion Passes

Motion to Cut 3,000 Line 55801 SZ/JD 8Y 4N(CT,BV,AK,BL) Motion Passes

Mayor's Office

Motion to Cut 5,000 Line 57801 SZ/JD 6Y 5N(CT,BV,AK,HS,BC) Motion Passes

General Administration

Motion to Cut 8,000 Line 52101 SZ/JD 8Y 3N(CT,BV,HS) Motion Passes

Motion to Cut 10,000 Line 53004 SZ/JD 2Y(SZ,JD) 9N Motion Fails

Motion to Cut 10,000 Line 53400 SZ/JD 10Y 1N(BV) Motion Passes

Motion to Cut 2,500 Line 54200 SZ/JD 9Y 2N(CT,BV) Motion Passes

Auditors

Motion to Cut 500 Line 55800 SZ/JD 8Y 3N(BC,CT,BV) Motion Passes

Treasurer

Motion to Cut 500 Line 54200 SZ/JD 9Y 2N(CT,BV) Motion Passes

Emergency Management

Motion to Cut 500 Line 54200 SZ/JD 6Y 5N(JM,HS,CT,BV,CW) Motion Passes

Motion to Cut 500 Line 57409 SZ/JD 7Y 4N(CT,BV,AK,BL) Motion Passes



## Animal Control

Motion to Cut 1,000 Line 51301 SZ/JD 8Y 3N(BC,CT,BV) Motion Passes

## Planning and Development

Motion to Cut 500 Line 54200 SZ/JD 7Y 4N(BC,CT,BV,JE) Motion Passes

Motion to Cut 500 Line 55800 SZ/JD 7Y 4N(BC,CT,BV,JE) Motion Passes

## Parks

Motion to Cut 6,100 Line 51162 SZ/JD 5Y(JM,CW,SZ,JD,BL) 6N Motion Fails

Motion to Cut 3,900 Line 51404 SZ/JD 5Y(JM,CW,SZ,JD,BL) 6N Motion Fails

## Youth Services

Motion to Cut 5,000 Line 51166 SZ/JD 2Y(JM,SZ) 9N Motion Fails

Motion to Cut 15,667 Line 51163 SZ/JD 1Y(SZ) 10N Motion Fails

Motion to Waive the Rules to Continue beyond 11:00 pm SZ/JD So voted.

## Veterans

Motion to Cut 11049 Line 51102 HS/AK 7Y 4N(BC,CT,BV,JE) Motion Passes

Motion to Cut 500 Line 55800 SZ/JD 7Y 5N(BC,CT,BV,CW) Motion Passes

## Human Resources

Motion to Cut 37913 Line 51166 SZ/JD 3Y(SZ, JD, JE) 8N Motion Fails

## Insurance Group

Motion to Cut 75,000 Line 51700 SZ/JD 3Y(JM,SZ, JD) 7N 1 Abstain (JE) Motion Fails

Motion to Cut 20,000 Line 51700 SZ/JD 5Y(CT, BC,BV,AK,JE) 6N Motion Fails

## School

Motion to Cut 5,000,000 Line 53201 JM/BL 4Y(JM, SZ, JD, BL) 7N Motion Fails

## Whittier

Motion to Cut 22,306 Line 53201 CT/BV So voted. Motion Passes

•

- 5 min recess called by the President during which the Finance Director and the Chair of Budget and Finance consulted. The Clerk read into the minutes the completed Budget Order with amounts entered.

•

- Motion to Approve Order 206 As Amended, CT/AK Roll Call 10Y 1 N (SZ)

- **ORDR209 09 14 2020 Borrowing Authorization 9/14/20**

Motion to approve by Councillor Tontar, seconded by Councillor Khan. Roll call vote. 11 yes. Motion passes.

## Education

### *In Committee:*

- COMM235\_03\_30\_2020 Ltr re: SC Appt. of Brett Murphy to Whittier Vo-Tech Cmte
- COMM240\_04\_27\_2020 Memo re: SOI Submission Info
- ORDR178\_04\_27\_2020 Acts of 1987 (w/ B&F)

## General Government

### *In Committee:*

- COMM241\_05\_11\_2020 Charter Review Final Report
- COMM242\_05\_11\_2020 Confirmatory Legal Opinion from KP Law re: Charter Changes

## License & Permits

### *In Committee:*

- ODNC047\_1\_27\_20 General Ordinance - Short Term Rental Units Rules
- COMM229\_02\_24\_2020 Ltr re: Implementation of Short-Term Rental Ordinance
- COMM230\_03\_09\_2020 Yearly Report, Section 16A of the Liquor Control Act

- APPL015\_06\_08\_2020 Ltr with Layout from Ted Epstein re: Outdoor Seating

## Neighborhoods & City Services

### *In Committee:*

- COMM197\_10\_28\_19 Ltr re: Phillips Drive Neighborhood Drainage (COTW)
- **ODNC050\_02\_24\_2020 Curb Cuts and Notice of Work Involving Sidewalks**  
Held in Committee
- COMM233\_03\_09\_2020 Ltr re: MVRTA State Street Bus Stop Shelter
- COMM234\_03\_30\_2020 Ltr from Newburyport Livable Streets March 11, 2020
- COMM252\_07\_30\_2020 Ltr re: Face Masks in public
- ODNC061\_07\_30\_2020 Amendment to Ch. 11 Parks and Recreation for Covid-19

## Planning & Development

### *In Committee:*

- COMM214\_01\_13\_2020 Ltr from Central Cong Church re: CPA Funding, Historic Pres
- COMM215\_01\_13\_2020 Ltr re: Colby Farm Open Space Beautification
- ODNC046\_1\_27\_20 Zoning Amendment - Short Term Rental Units Definition
- COMM231\_03\_09\_2020 Ltr re: Short-Term Rental Ordinance
- ODNC054\_03\_09\_2020 Enforcement of the State Building Code
- ORDR196\_07\_13\_2020 Open Space and Recreation Plan 2020 (COTW)
- **COMM257\_08\_20\_2020 Ltr re: Harrison Street, J Tymon**  
Held in Committee
- APPT187\_08\_31\_2020 Robert Armstrong 35 Louise Ave. Bldg Commissioner 1/1/2023

## Public Safety

### *In Committee:*

- COMM216\_01\_13\_2020 Ltr re: Ban the Use of Glyphosate
- COMM221\_01\_27\_2020 Letter re: Sign at 43 Pine Hill Road
- COMM227\_02\_10\_2020 Update and Request from Waste Stream Task Force
- APPL010\_03\_09\_2020 Witches' Night Out - 10/23/2020
- APPL011\_03\_09\_2020 Downtown Trick or Treat - 10/30/2020
- APPL012\_03\_09\_2020 Invitation Nights - 12/4, 12/11, 12/18 2020
- COMM243\_05\_11\_2020 Ltr from Jane Rascal re: NMMCD
- ODNC059\_06\_29\_2020 Truck Routes
- APPT165\_04\_13\_2020 Dr. Robin Blair 18 Market St Board of Health 4/30/2023
- COMM254\_08\_10\_2020 Moseley Ave Ltr re: Sidewalk Safety and Roadway Speeding
- ORDR200\_07\_30\_2020 List of Crosswalks Amended

## Public Utilities

### *In Committee:*

- **APPT156\_03\_09\_2020 John Tomasz 38 Storeybrooke Water/Sewer 3/31/2023**  
**Dr Comm**
- **APPT166\_04\_13\_2020 Robert A. Cook 19 Everette Dr Water/Sewer 3/1/2023**  
**Comm**
- **APPT166\_04\_13\_2020 Resume of Robert Cook, Water/Sewer Commission**

Motion to approve by Councillor Zeid , seconded by Councillor McCauley. Roll call vote. 11 yes. Motion passes.

## **Rules**

### ***In Committee:***

- COMM220\_01\_27\_2020 Proposed City Council Rule 9F
- ORDR170\_02\_24\_2020 Amendment Council Rules 2020 (COTW)
- ORDR171\_02\_24\_2020 Amendment to Rule 17B (COTW)

## **17. GOOD OF THE ORDER**

Motion to adjourn at 1:36am by Councillor Tontar, seconded by Councillor Vogel. So voted.

## **18. ADJOURNMENT**

**CITY COUNCIL MEETING AGENDA - VERSION 1**  
**REMOTE**

**October 13, 2020**

**Link to join Webinar**

<https://us02web.zoom.us/j/86454283302>

Or iPhone one-tap :

US: +13017158592,,86454283302# or +13126266799,,86454283302#

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

US: +1 301 715 8592 or +1 312 626 6799 or +1 929 205 6099 or +1 253 215 8782 or +1 346 248 7799 or +1  
669 900 6833

Webinar ID: 864 5428 3302

**7:30 PM**

**Council Meeting**

**1. MOMENT OF SILENCE:** Remembering Rev. Bertrand H. Steeves, Josiah Hale Welch

**2. CALL TO ORDER**

The City Council President, Jared Eigerman, called the meeting to order at 7:30pm. The City Council President then instructed the City Clerk to call the roll. The following Councillors answered present: Connell, Shand, Tontar, Vogel, Wallace, Zeid, Devlin, Khan, Lane, McCauley and Eigerman. 11 present using Zoom as a platform.

**3. LATE FILE ITEMS** ORDR215\_09\_29\_2020 57 Pres Restriction Central Cong Church  
COMM274\_10\_13\_20 Ltr from Storm Surge  
ORDR217\_10\_13\_2020 Election Grant Acceptance

Motion to accept the Late Files and take up in the Regular Agenda by Councillor  
Connell, seconded by Councillor Tontar. 10 yes, 1 no (Zeid). Motion passes.

**4. PUBLIC COMMENT**

None

**5. MAYOR'S COMMENT**

**CONSENT AGENDA**

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

**6. APPROVAL OF MINUTES**

- September 29, 2020

(Approve)

Removed until next meeting at the request of Council President Eigerman

**7. COMMUNICATIONS**

- COMM268\_10\_13\_2020 Ltr from Rita Mihalek (R&F)
- COMM269\_10\_13\_2020 DPS Snow and Ice Plan (PS)
- COMM271\_10\_13\_2020 Coastal Trails Coalition (R&F)
- COMM272\_10\_13\_2020 Whittier Voc Tech Nbpt Assessment – revised (R&F)

**8. TRANSFERS**

- None

## 9. APPOINTMENTS

### First Reading

- APPT190\_10\_13\_2020 Elizabeth Valeriani 29 Oak St, Nbpt Emma Andrews 10/29/2021
- APPT191\_10\_13\_2020 Elizabeth L. Watson 53 Warren St, Unit 315, Nbpt Emma Andrews 10/29/2021
- APPT192\_10\_13\_2020 Aine G. Ellrott 43 Purchase St, Nbpt Emma Andrews 10/29/2021
- APPT193\_10\_13\_2020 Virginia R. Champi 84 Purchase St, Nbpt Emma Andrews 10/29/2021
- APPT194\_10\_13\_2020 Donna Conway 27 Marlboro St, Nbpt Emma Andrews 10/29/2021

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

### Budget & Finance

- ORDR212\_09\_29\_2020 Prior Fiscal Year Bills
- COMM263\_08\_31\_2020 Budget Revision -Vocational School Assessments

### Neighborhoods & City Services

- ODNC050\_02\_24\_2020 Curb Cuts and Notice of Work Involving Sidewalks

### Planning & Development

- COMM257\_08\_20\_2020 Ltr re: Harrison Street, J Tymon
- ORDR211\_09\_29\_2020 Preservation Restriction 272 High Street (Kemble Widmer II Trust)

### Public Safety

- APPL010\_03\_09\_2020 Witches' Night Out - 10/23/2020
- APPL011\_03\_09\_2020 Downtown Trick or Treat - 10/30/2020

### Public Utilities

- TRAN085\_09\_29\_2020 Multiple (attached) \$484K to WWTF Resiliency/CCRT Project \$484K
- ORDR213\_09\_29\_2020 Resiliency Project Grant Acceptance

Motion to approve the Consent Agenda as Amended by Councillor Zeid, seconded by Councillor Tontar. So voted.

## END OF CONSENT AGENDA REGULAR AGENDA

## 10. MAYOR'S UPDATE

## 11. SECOND READING APPOINTMENTS-None

## 12. COMMUNICATIONS

- COMM270\_10\_13\_2020 Ltr To DCAM Jeigerman  
Motion to refer to Planning & Development by Councillor Eigerman, seconded by Councillor Tontar. So voted.
- COMM273\_10\_13\_2020 Ltr of Non-Support from Mayor on Acts of 1987  
Motion to refer to Education by Councillor Zeid, seconded by Councillor Khan. So voted.
- COMM274\_10\_13\_2020 Ltr from Storm Surge  
Motion to Receive and File by Councillor Zeid, seconded by Councillor Tontar. So voted.

## 13. ORDERS



- ORDR214\_10\_13\_2020 57 Low Street Purchase  
Motion to refer to Budget & Finance and to Planning & Development by Councillor Tontar, seconded by Councillor Khan. 10 yes, 1 no (Zeid). Motion passes.
- ORDR215\_10\_13\_2020 57 Pres Restriction Central Cong LATE FILE  
Motion to refer to Planning & Development by Councillor Shand, seconded by Councillor Tontar. So voted.
- ORDR216EP\_10\_13\_2020 57 Emergency Preamble Supplemental Budget Charter Sec. 2-4  
Motion to Approve by Councillor Tontar, seconded by Councillor Khan. Roll call vote, 5 yes (Connell, Shand, Tontar, Vogel, Khan) 6 No. Motion fails.
- ORDR216\_10\_13\_2020 57 Supplemental Budget Charter Sec. 2-4  
Motion to refer to Budget & Finance by Councillor Tontar, seconded by Councillor Khan. Roll call vote. 7 yes, 3 no (Zeid, Devlin, McCauley), 1 abstain (Eigerman). Motion passes.
- ORDR217\_10\_13\_2020 Election Grant Acceptance LATE FILE  
Motion to refer to Budget & Finance by Councillor Tontar, seconded by Councillor Khan. 10 y, 1 no (Zeid). Motion passes.

#### 14. ORDINANCES

#### 15. COMMITTEE ITEMS

##### Ad Hoc Committee on Economic Development

###### *In Committee:*

- COMM262\_08\_31\_2020 Gasbarro Ltr re: Awareness

##### Ad Hoc Committee on Waterfront and COTW

###### *In Committee:*

- COMM261\_08\_31\_2020 Proposed Timeline, Waterfront

##### Budget & Finance

###### *In Committee:*

- ORDR132\_07\_15\_19 CPC FY2020 Recommended Appropriations (COTW)  
Project No. 9 held in committee.
- ORDR136\_08\_19\_19 Fuller Track Phase II Loan Order
- COMM189\_09\_09\_19 CPC Revised Recommendation for FY2020 Appropriations
- COMM263\_08\_31\_2020 Budget Revision – Vocational School
- **ORDR212\_09\_29\_2020 Prior Fiscal Year Bills**

Motion to approve by Councillor Tontar, seconded by Councillor Khan. Roll call vote. 11 yes. Motion passes.

- **COMM263\_08\_31\_2020 Budget Revision -Vocational School Assessments**

Motion to Receive and File by Councillor Tontar, seconded by Councillor Khan. So voted.

- COMM264\_09\_29\_2020 Colleen Turner Letter
- ODNC063\_09\_29\_2020 Bond and Transfer Limit

##### Education

###### *In Committee:*

- COMM235\_03\_30\_2020 Ltr re: SC Appt. of Brett Murphy to Whittier Vo-Tech Cmte
- COMM240\_04\_27\_2020 Memo re: SOI Submission Info

##### General Government

### *In Committee:*

- COMM241\_05\_11\_2020 Charter Review Final Report
- COMM242\_05\_11\_2020 Confirmatory Legal Opinion from KP Law re: Charter Changes

### **License & Permits**

#### *In Committee:*

- ODNC047\_1\_27\_20 General Ordinance - Short Term Rental Units Rules
- COMM229\_02\_24\_2020 Ltr re: Implementation of Short-Term Rental Ordinance
- COMM230\_03\_09\_2020 Yearly Report, Section 16A of the Liquor Control Act
- APPL014\_06\_08\_2020 Outdoor Seating application from Vera Ristorante LLC
- APPL015\_06\_08\_2020 Ltr with Layout from Ted Epstein re: Outdoor Seating

### **Neighborhoods & City Services**

#### *In Committee:*

- COMM197\_10\_28\_19 Ltr re: Phillips Drive Neighborhood Drainage (COTW)
- **ODNC050\_02\_24\_2020 Curb Cuts and Notice of Work Involving Sidewalks**  
Motion to Approve 1<sup>st</sup> Reading as Amended Sec. 12-54A last sentence before construction from THE to ANY by Councillor Connell, seconded by Councillor Wallace. Roll call vote. 11 yes. Motion passes amended.
- COMM233\_03\_09\_2020 Ltr re: MVRTA State Street Bus Stop Shelter
- COMM234\_03\_30\_2020 Ltr from Newburyport Livable Streets March 11, 2020
- COMM252\_07\_30\_2020 Ltr re: Face Masks in public

### **Planning & Development**

#### *In Committee:*

- COMM214\_01\_13\_2020 Ltr from Central Cong Church re: CPA Funding, Historic Pres
- COMM215\_01\_13\_2020 Ltr re: Colby Farm Open Space Beautification
- ODNC046\_1\_27\_20 Zoning Amendment - Short Term Rental Units Definition
- COMM231\_03\_09\_2020 Ltr re: Short-Term Rental Ordinance
- ODNC054\_03\_09\_2020 Enforcement of the State Building Code
- ORDR196\_07\_13\_2020 Open Space and Recreation Plan 2020 (COTW)
- **COMM257\_08\_20\_2020 Ltr re: Harrison Street, J Tymon**  
Motion to Receive and File by Councillor Shand, seconded by Councillor Tontar. So voted.
- APPT187\_08\_31\_2020 Robert Armstrong 35 Louise Ave. Bldg Commissioner 1/1/2023
- **ORDR211\_09\_29\_2020 Preservation Restriction 272 High Street (Kemble Widmer II Trust)**  
Stay in Committee

### **Public Safety**

#### *In Committee:*

- COMM216\_01\_13\_2020 Ltr re: Ban the Use of Glyphosate
- COMM221\_01\_27\_2020 Letter re: Sign at 43 Pine Hill Road
- COMM227\_02\_10\_2020 Update and Request from Waste Stream Task Force
- **APPL010\_03\_09\_2020 Witches' Night Out - 10/23/2020**
- **APPL011\_03\_09\_2020 Downtown Trick or Treat - 10/30/2020**  
Motion to Received & File collectively by Councillor McCauley, seconded by Councillor Tontar. So voted.
- APPL012\_03\_09\_2020 Invitation Nights - 12/4, 12/11, 12/18 2020
- COMM243\_05\_11\_2020 Ltr from Jane Rascal re: NMMCD
- ODNC059\_06\_29\_2020 Truck Routes
- ODNC062\_09\_29\_2020 Residential Permit Zones seasonal hours extension

- APPT165\_04\_13\_2020 Dr. Robin Blair 18 Market St Board of Health 4/30/2023
- COMM254\_08\_10\_2020 Moseley Ave Ltr re: Sidewalk Safety and Roadway Speeding
- ORDR200\_07\_30\_2020 List of Crosswalks Amended

## Public Utilities

### *In Committee:*

- TRAN085 09 29 2020 Multiple (attached) \$484K to WWTF Resiliency/CCRT Project \$484K
- ORDR213 09 29 2020 Resiliency Project Grant Acceptance

Motion to approve collectively by Councillor Zeid seconded by Councillor Tontar. Roll call votes 11 yes. Motion passes.

## Rules

### *In Committee:*

- COMM220\_01\_27\_2020 Proposed City Council Rule 9F
- ORDR170\_02\_24\_2020 Amendment Council Rules 2020 (COTW)
- ORDR171\_02\_24\_2020 Amendment to Rule 17B (COTW)

## 16. GOOD OF THE ORDER

Discussion for hybrid meetings at Senior and Community Center

## 17. ADJOURNMENT

Motion to adjourn at 9:49 pm by Councillor Khan, seconded by Councillor Vogel. So voted.

# COMMUNICATIONS

RECEIVED  
CITY CLERK'S OFFICE  
NEWBURYPORT, MA

2020 OCT 20 PM 12:57

Dear Chairman McCauley,

Several years ago, while I was on the Planning Board, the Mayor led a team of us to MassDOT District 4 to request help with reconfiguring the Route 1 rotary.

It's been mostly quiet on details since then, and now apparently we have a 75% design on the table.

I don't recall any public meetings that solicited feedback at any stage of the process so far.

We all know that the rotary poses significant safety aspects for pedestrians and the completion of Rail Trail Phase III, as well as complying with the City Council mandate for safe passage to enable the easterly portion of the Smart Growth District.

I would ask your Committee to please hold a public hearing to consider vetting the public safety aspects of the plan.

Thank you.

Jim McCarthy  
[jimmacnbpt@comcast.net](mailto:jimmacnbpt@comcast.net)  
(978) 417-9373 cell



October 9, 2020

President and Members of the City Council

City Hall

60 Pleasant Street, Newburyport, MA

Dear City Council,

As in years past, Congregation Ahavas Achim requests a permit to install a Hanukkah menorah in Market Square, adjacent to the Christmas tree. This year Hanukkah takes place from December 10<sup>th</sup> through December 17<sup>th</sup>. We plan to set up the menorah during the week of December 7<sup>th</sup> and will be able to take it down as early as December 21<sup>st</sup>, however we are open to leaving it in place through New Year's if it is felt that it adds to the city's holiday display. We will need access to an electrical outlet, but will handle all of the setup directly. Thank you very much for your consideration.

Warm wishes,

Alex Matthews

Congregational Leader

Congregation Ahavas Achim, Newburyport

RECEIVED  
CITY CLERK'S OFFICE  
NEWBURYPORT, MA  
2020 OCT 20 PM 2:06



RECEIVED  
CITY OF NEWBURYPORT'S OFFICE  
NEWBURYPORT, MA  
OCT 20 PM 3:33

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

October 20, 2020

Dear President Eigerman and City Councillors:

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

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

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

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

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

Thank you

A handwritten signature in cursive script, appearing to read "Donna D. Holaday".

Donna D. Holaday, Mayor





## **Newburyport Climate Resiliency Plan**

### **October 8, 2020**

#### **Newburyport Resiliency Committee**

**Donna D. Holaday, Mayor**

**Barry Connell, City Councilor At-Large**

**David Chatfield, Co-Chair**

**Michael Morris, Author and Co-Chair**

**Chris Boelke, Resident**

**Molly Ettenborough, Sustainability Manager**

**Julia Godtfredsen, Conservation Administrator Chris LeClaire, Fire Chief**

**William Mullen, Resident**

**John O'Connell, Newbury Resident**

**Lisë Reid, Parks Director**

**Joe Teixeira, Conservation Commission Chair**

**Jon-Eric White, City Engineer**



### **Community Communication and Education**

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

### **Mitigation through Carbon Footprint Reductions**

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

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

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

*Mayor Donna Holaday*

---



**APPOINTMENTS  
FIRST READING**





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: October 20, 2020

Subject: Appointment

---

I hereby appoint, subject to your approval, the following named individual as a member of the Community Preservation Act Committee. This term will expire on November 1, 2023.

Thomas O'Brien  
11 Moseley Avenue  
Newburyport, MA 01950

RECEIVED  
CITY CLERK'S OFFICE  
NEWBURYPORT, MA  
2020 OCT 20 PM 2:06



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: October 20, 2020

Subject: Re-Appointment

A handwritten signature in cursive script, appearing to read "Donna D. Holaday", is written over the "From:" field of the letterhead.

-----

I hereby re-appoint, subject to your approval, the following named individual as a member of the Commission on Disability. This term will expire on November 1, 2023.

Lisa Rowan  
17 Boardman Street  
Newburyport, MA 01950

RECEIVED  
CITY CLERK'S OFFICE  
NEWBURYPORT, MA  
2020 OCT 20 PM 2:06

---

LISA ROWAN

---



LROWAN@IDC.COM



978-462-4828

17 BOARDMAN STREET  
NEWBURYPORT, MA 01950

---

---

MAYOR DONNA HOLADAY  
CITY HALL  
NEWBURYPORT MA

---

September 15, 2017

Reference: Application for appointment to Newburyport Disability Commission

Dear Mayor Holaday,

I have been a proud resident of our beautiful city for 22 years. For the last 6 years I have been wheelchair-bound due to a genetic nerve condition. As a handicapped resident, I am well acquainted with the opportunities and challenges associated with navigating the city. I would be honored to be a member of the Newburyport Disability Commission chaired by Jennie Donahue. I am in contact with Jennie and am attending the commission meetings.

I have been employed for the last 14 years by IDC, a Framingham-based technical research organization. I am currently Vice President of Human Resources research. In this role, I conduct research on and publish on the technology and services utilized by the HR function. While not directly linked to disabilities specifically, my research broadly covers the topics associated with unconscious bias, diversity and inclusion.

I believe my background and circumstances will prove of value to the commission and I look forward to meeting with you to discuss next steps. I am enclosing a copy of my professional bio.

Sincerely,

Lisa Rowan

---

Lisa Rowan serves as IDC's Vice President for HR, Learning, and Talent Management Strategies research. In this role, Ms. Rowan provides expert analysis focused on both the business services and software used to address HR and talent-related processes. Her research encompasses human capital applications, human resource consulting, HR processing services, and HR Business Process Outsourcing (BPO) services.

For the ten years prior to joining IDC, Ms. Rowan held business development, product management and marketing positions in the human resource software and services markets. Ms. Rowan held director positions in both business development and marketing within Genesys -- a provider of human capital management software and services based in Methuen, Mass. Prior to Genesys, she held positions in both technical marketing and IT at Digital Equipment Corporation. As a result, she has gained a depth of experience with both core human resource and talent-related services, and understands firsthand the unique challenges her vendor clients face.

Ms. Rowan is an active member of a number of HR organizations and served on the board of directors for the New England Chapter of IHRIM (International HR Information Management society.) She is frequently invited to present her industry knowledge and views at industry events and to the press.

#### **EDUCATION/INDUSTRY ACCOMPLISHMENTS**

- Bachelor of Fine Arts from the University of Massachusetts
- Masters of Business Administration from Southern New Hampshire University
- Received IHRIM's Summit Award, the association's highest honor
- Named to HRO Today Magazine's list of HRO Superstars
- Named to HR Examiner's Top 100 Influencers
- Named one of the Top 10 Most Powerful HR Technology Experts by *HR Technology Magazine*



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: October 20, 2020  
Re: Re-Appointment

*Donna D. Holaday*

-----  
I hereby re-appoint, subject to your approval, the following  
named individual as a member of the Tree Commission.  
This term shall expire on November 30, 2023.

Constance Preston  
18 Atwood Street  
Newburyport, MA 01950

RECEIVED  
CITY CLERK'S OFFICE  
NEWBURYPORT, MA  
2020 OCT 20 PM 2:07



18 September, 2020

Honorable Mayor Donna Holaday  
60 Pleasant Street  
Newburyport, MA 01950

Dear Mayor Holaday,

I would like to request that I be renominated to be a member of the Newburyport Tree Commission. I have been a member of the since October 2016 serving as the Treasurer and Vice-Chair before becoming the Chair in 2019. I am also the Commissioner that is personally responsible for overseeing the planting and watering of our street trees for the past 4 years. I hope that you agree that I am a valuable asset to the Commission as I am energetic, have a strong business acumen and am skilled at relationship building.

Enclosed is my resume for your consideration.

Please let me know if you have any questions.

Sincerely,

Constance Preston

## Constance Preston

---

18 Atwood St. Newburyport, MA 01950  
Mobile: (617) 230.4133  
Email: connie.preston@gmail.com

### PROFILE

Retired biotech executive with extensive global development and commercial experience currently focused on volunteering in her community. Proven track record of building relationships that deliver success. Scientific background with deep knowledge of FDA, EMA and International regulatory guidelines and pathways.

---

### COMMUNITY EXPERIENCE:

- Chair, Newburyport Tree Commission Oct 2016 - present
- Volunteer, Brigham Health & Rehabilitation Center Mar 2017 - present
- Volunteer, Avita of Newburyport Jan 2017 - present
- Volunteer, Our Neighbor's Table Sep 2018 - present
- Big Friends, Little Friend of Merrimack Valley Oct 2019 - present
- Jeanne Geiger Center, Development Committee Jun 2020 - present

### PROFESSIONAL EXPERIENCE:

#### **GENZYME CORPORATION, Cambridge, MA**

- Head of New Product Planning 2013-2016
- Sr. Director of Japan/Asia Pacific, Rare Diseases Business Unit 2011-2013
- Director of Strategic Marketing, Rare Diseases Business Unit 2009-2011
- Associate Director, Rare Diseases Business Unit 2006-2009
- Sr. Product Manager, Rare Diseases Business Unit 2003-2006
- Sr. Portfolio Manager, Program Management Department 2001-2003
- Program Manager, Program Management Department 1999-2001
- Research Scientist 1994-1998

### EDUCATION

- Sloan School of Management, MIT** 2009-2010  
Greater Boston Executive Program
- BOSTON UNIVERSITY, Boston, MA** 1998-1999  
Program Management Certification, Management Development Program
- Brown University, Providence, RI** 1991-1993  
M.S. – Biochemistry with a concentration in Microbiology  
Thesis project – Characterization of Heat Shock Proteins in *Vibrio anguillarum*
- CLARKSON UNIVERSITY, Potsdam, NY** 1987-1991  
B.S. – Biology & Chemistry

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

**APPOINTMENTS  
SECOND READING**

## SECOND READING APPOINTMENTS

- APPT190\_10\_13\_2020 Elizabeth Valeriani 29 Oak St, Nbpt Emma Andrews 10/29/2021
- APPT191\_10\_13\_2020 Elizabeth L. Watson 53 Warren St, #315, Nbpt Emma Andrews 10/29/2021
- APPT192\_10\_13\_2020 Aine G. Ellrott 43 Purchase St, Nbpt Emma Andrews 10/29/2021
- APPT193\_10\_13\_2020 Virginia R. Champi 84 Purchase St, Nbpt Emma Andrews 10/29/2021
- APPT194\_10\_13\_2020 Donna Conway 27 Marlboro St, Nbpt Emma Andrews 10/29/2021

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



# ORDERS

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

April 27<sup>th</sup>, 2020

The City Council hereby adopts the entirety of Chapter 329 of the Acts of 1987 including, without limitation, the ability under Section 32 of Chapter 44 of the General Laws to vote by a two-thirds majority to increase the total amount appropriate for the support of the City's schools or the regional district schools on recommendation of the School Committee or the Regional District School Committee, as the case may be, and otherwise consistently with the General Laws.

A handwritten signature in black ink, appearing to read "Sharif I. Zeid".

Sharif I. Zeid, Ward 1 City Councillor

A handwritten signature in black ink, appearing to read "Joseph H. Devlin".

Joseph H. Devlin, At Large Councillor

**In City Council April 27, 2020:**

Motion to refer to Education and Budget & Finance by Councillor Zeid, seconded by Councillor Devlin. Roll call vote, 8 yes, 3 no (Connell, Tontar, Vogel). Motion passed.

**In city Council September 14, 2020:**

Motion to remove from Committee by Councillor Tontar, seconded by Councillor Khan. So voted.

8:30pm Councillor Connell Pro Tempore Council President.

Motion to approve by Councillor Tontar, seconded by Councillor Khan. Roll Call vote. 8 yes, 2 no (CT, BV), 1 absent (HS). Motion passed, Requires Mayor's signature.

Approve: \_\_\_\_\_

Donna D. Holaday, Mayor

Attest: \_\_\_\_\_

Richard B. Jones, City Clerk

Date: \_\_\_\_\_



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

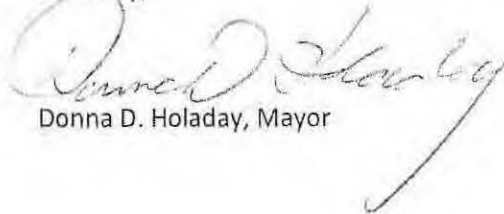
60 PLEASANT STREET - P.O. BOX 550  
NEWBURYPORT, MA 01950  
978-465-4413 PHONE  
978-465-4402 FAX

Oct. 1, 2020

Dear President Eigerman and City Councillors:

This letter is written in response to the City Council vote on September 14<sup>th</sup>, 2020 to approve the Acts of 1987, Chapter 329 to allow the City Council to increase the annual school budget. We have accomplished much together in the past decade in advancing our School District, including building a much needed new elementary school and renovations to the Nock/Molin. Additionally, we have increased the operational budget of our school district by nearly 50% in the past decade. I appreciate your tremendous advocacy and support for the education of our children. The development of the annual budget is a very detailed and complex process requiring months of work with input from the school's Leadership Team, School Councils, the School Committee and families. I do not see any reason to alter this extensive process and the resultant final budget developed. The Mayor is obligated by law to present a balanced annual budget. This can be very challenging particularly in the current pandemic and economic downturn. Predictions are bleak for next year's budget. Consequently, being in a leadership role with deep understanding of the city and school budgets, the Mayor and his or her Finance Team are in the best position to address these difficult decisions. Therefore, for the reasons cited above, I cannot support the City Council's vote to accept the Acts of 1987.

Sincerely,



Donna D. Holaday, Mayor

RECEIVED  
CITY CLERK'S OFFICE  
NEWBURYPORT, MA  
2020 OCT - 1 PM 4: 05

CITY OF NEWBURYPORT



---

IN CITY COUNCIL

ORDERED:

October 26, 2020

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

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

---

Councillor Charles F. Tontar





CITY OF NEWBURYPORT  
OFFICE OF THE MAYOR  
DONNA D. HOLADAY

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

To: President and Members of the City Council  
From: Mayor Donna D. Holaday  
Date: October 20, 2020  
Subject: Supplemental Budget Request #2

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

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

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

Thank you for your consideration.

## ORDINANCES

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

February 24, 2020

Scrivener's errors corrected 10-15-2020

AN ORDINANCE TO AMEND CHAPTER 12 OF THE MUNICIPAL CODE REGARDING DRIVEWAY OPENINGS AND NOTICE OF WORK INVOLVING SIDEWALKS

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

*Amend existing Section 12-5 regarding altering the grade, width, sidewalk, etc. of a public way as follows, with deletions ~~double stricken through~~, and additions double-underlined:*

Sec. 12-5. – Altering grade, width, sidewalk, driveway openings, etc.

No person shall change the grade of any such street, way or grounds, or of any sidewalk of any such street, way or grounds, or the width or materials of any such sidewalk, including, without limitation, by installing or altering a driveway opening, or in any manner alter the grade, width or direction of any curbstone of such sidewalk without permission of the Department of Public Services. Unless undertaken by the department of public services itself, all such changes, including, without limitation, by installing or altering a driveway opening, shall require a permit to be issued beforehand by the director of such department in compliance with all provisions of the Newburyport Code, including, without limitation, section 12-54 (street way or grounds specifications).

*Amend existing Section 12-54 regarding sidewalks open to public travel, as follows, with deletions ~~double stricken through~~, and additions double-underlined:*

Sec. 12-54. - ~~Sidewalk materials~~ Street, way or grounds specifications.

- (a) City Design and methods specifications. ~~The installation, construction, maintenance, repair, replacement, and reconstruction of any sidewalk located in the city and open to public travel, whether such sidewalks are located on public or private land.~~ Any change in grade of any such street, way or grounds, or of any sidewalk of any such street, way or grounds, or the

width of any such sidewalk, including, without limitation, by installing, constructing, maintaining, repairing, replacing, reconstructing installing a sidewalk and/or a driveway opening, or in any manner alter the grade, width or direction of any curbstone of such sidewalk, including when undertaken by the department of public services itself, shall be undertaken in compliance with both this section and also any “Construction and Traffic Standard Details” promulgated by the department of public services.

- (i) For the purposes of clarification, neither the Clipper City Rail Trail nor the Harbor Walk constitute sidewalks under the meaning of this section.
- (ii) The department of public services may amend its Construction and Traffic Standard Details, from time to time, provided, however, that no such amendment shall take effect until a copy has first been posted on the city website for a period of thirty (30) calendar days to solicit comment from interested parties, including other city departments, and has been approved by order of the city council.

(b) *Sidewalk materials.*

- (i.) *Brick or cement surfaces only.* At the time of installation, construction, maintenance, repair, replacement, or reconstruction of any sidewalk located in the city and open to public travel, whether such sidewalks are located on public or private land, the surface material shall be either brick or cement, and no other materials, as follows:

~~(1)~~(A) *Downtown.* Brick shall be the required surface material for all sidewalks located within the Downtown Overlay District, established under section XXVIII of the zoning ordinance.

~~(2)~~(B) *Historic areas outside of downtown.* Brick shall be the encouraged surface material for all sidewalks located outside of the Downtown Overlay District but within the Newburyport Historic District, which was listed on the National Register of Historic Places and the State Register of Historic Places on August 2, 1984, and both brick and cement shall be permitted therein.

~~(3)~~(C) *All other areas.* Cement shall be the required surface material for all sidewalks located outside of the Newburyport Historic District.

- (ii.) *Existing nonconforming sidewalk surfaces.* Any sidewalk open to public travel whose surface does not comply with this section as of its effective date may remain in such noncompliance until such time as it is maintained, repaired, replaced, and reconstructed, at which time it shall be brought into compliance.

- (iii.) *Temporary asphalt surfaces.* Notwithstanding anything in this section to the contrary, the department of public services may, in its discretion, permit the temporary use of asphalt surface material for sidewalks ~~located in industrial zoning districts, and for sidewalks abutting undeveloped parcels until substantial construction there is complete.:~~ (A) for a period of no more than two months, tolled from November 1 through April 30; and/or (B) for sidewalks abutting undeveloped parcels until issuance of a certificate of occupancy. The department shall specify in writing the time by which brick or cement surface material, as the case may be, shall replace the temporary asphalt material.
- (c) *City supervision.* In all cases, any work subject to this Section 12-54 shall be performed by the department or a licensed contractor of the city supervised by the department.

*Amend existing Section 12-55 regarding notice of work involving city-owned sidewalks, as follows, with deletions ~~double-stricken through~~, and additions double-underlined:*

**Sec. 12-55. – ~~Notice of work involving city-owned sidewalks~~ Permit procedures and notification of work.**

- (a) *Administrative discretion.* Consistent with the city charter and the other provisions of this municipal code, the department of public services shall determine in its discretion whether to grant a permit for any change in grade of any such street, way or grounds, or of any sidewalk of any such street, way or grounds, or the width of any such sidewalk, including, without limitation, by installing, constructing, maintaining, repairing, replacing, reconstructing installing a sidewalk and/or a driveway opening, or in any manner alter the grade, width or direction of any curbstone of such sidewalk. When exercising its discretion under this Section 12-55, the department shall first consider the impact that the proposed work will have on the safety and convenience of pedestrians and motor vehicles on the adjacent ways open to public travel, on the physical integrity of the adjacent ways open to public travel, on traffic and parking on the adjacent ways open to public travel, and the management of the adjacent ways open to public travel~~the proper timing for the installation, construction, maintenance, repair, replacement, and reconstruction of any and all portions of city-owned sidewalk.~~
- (b) *Notice of work.* No fewer than ~~seven (7)~~fourteen (14) calendar days before granting a permit for, or itself undertaking, as the case may be, any change in grade of any such street, way or grounds, or of any sidewalk of any such street, way or grounds, or the width of any such sidewalk, including, without limitation, by installing, constructing, maintaining, repairing, replacing, reconstructing installing a sidewalk and/or a driveway opening, or in any manner alter the grade, width or direction of any curbstone of such sidewalk~~undertaking the installation, construction, maintenance, repair,~~



~~replacement, and reconstruction of any portion of a city-owned sidewalk, the~~ department of public services shall cause written notice of such permit application or planned work, as the case may be, to be posted within 20 feet of delivered to each residence and place of business abutting, the affected portion of sidewalk proposed to be affected, as well as delivered by hand or mail to each residence and place of business abutting such work, and to the city councillors for all wards where such area of work is located.

- (c) *Notice of brick option.* Where the department of public services intends to permit the use of, or to itself use, cement surface material in the installation, construction, maintenance, repair, replacement, or reconstruction of any portion of a city-owned sidewalk that is located outside of the Downtown Overlay District but within the Newburyport Historic District, no fewer than ninety (90) calendar days before undertaking any such work, the department shall cause written notice thereof to be mailed or delivered by hand to the owner of each parcel abutting the affected portion of sidewalk, as well as to the city councillors for all wards where such area of work is located.
- (i) Such required notice shall include the estimated cost per square foot to install brick surface material instead of cement. Such estimated cost shall exclude all costs that would also be incurred to use cement\_ surface material, including, without limitation, work involving grading, base material, and curbstones.
  - (ii) Each owner of an abutting parcel shall have twenty (20) calendar days from the mailing or delivery of such required notice to deliver its own written notice to the department that such owner agrees to pay the incremental cost for the use of brick surface material instead of cement for the affected portion of sidewalk abutting its parcel. It shall be the responsibility of such owner to confirm delivery to the department of such owner's agreement to pay, and to render such payment no later than the start of sidewalk construction.
  - (iii) No later than twenty (20) days after the expiration of the period in which an abutting owner may agree to pay the incremental cost of brick surface material, the department shall review all such responses, determine in its discretion the feasibility of using brick surface material instead of cement within the area of work, and cause written notice of its determination to be mailed or delivered to each owner that responded timely, as well as to the city councillors for all wards where such area of work is located. The department's determination regarding the feasibility of using brick surface material shall be final.

---

Councillor Jared J. Eigerman

---

Councillor Christine E. Wallace

CITY OF NEWBURYPORT



---

IN CITY COUNCIL

ORDERED:

October 26, 2020

**EMERGENCY PREAMBLE**

Pursuant to Charter Section 2-9 (b) and as further defined in Section 1-7(7) an emergency exists due to COVID-19.

Therefore, the City Council hereby affirmatively declares that an emergency exists in order for Ordinance 064 to be acted upon at its first introduction to this Council.

---

Sharif I. Zeid, Ward 1 City  
Councillor

---

Joseph H. Devlin, At Large City  
Councillor

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

July 27th, 2020

**AN TIME-LIMITED ORDINANCE TO AMEND CHAPTER 11 OF THE MUNICIPAL CODE REGARDING PARKS AND RECREATION IN RESPONSE TO THE COVID-19 PANDEMIC**

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

***Add to Chapter 11, Subsection 11-7, a New Subsection C – "COVID19 Parks Permitting" to read as follows:***

In response to the COVID-19 pandemic, the City Council, in consultation with the Parks Commission, establishes a fee of \$0/hour in certain cases defined as follows:

- A) Recurring use of the following Parks:
  - a. Cashman Park Ballfield
  - b. Perkins Park Ballfield
  - c. Cashman Park Soccer Field
  - d. Cherry Hill Soccer Field Parcel A
  - e. Cherry Hill Soccer Field Parcel B
  - f. Bradley Fuller Park Infield
  - g. Bradley Fuller Park North Field
  - h. Woodman Park Multi-Use Field
  - i. Cashman Park Tennis
  - j. Perkins Park Tennis
  - k. Bartlet Mall Basketball Courts
  - l. Cashman Park Basketball Court
  - m. G.W. Brown School Playground Basketball
  - n. Perkins Park Basketball Courts
  - o. Woodman Park Basketball Courts
  - p. Atkinson Common, Lower, Founders Field
  - q. Atkinson Common, Lower, Pepe Field
  - r. Atkinson Common, Lower, Hawkes Field
  - s. Atkinson Common Tennis
  - t. Brown Square
  - u. Atkinson Common, Upper
  - v. Atkinson Common, Lower
  - w. Atwood/Garrison Gardens
  - x. Bartlett Mall (other than athletic fields or courts)
  - y. Cashman Park (other than athletic fields or courts)
  - z. Moseley Woods Pavilion
- B) 5 or fewer weekdays in any given week

- C) No more than 2 hrs. on any given day
- D) No tents or structures of any kind, temporary or permanent, are permitted
- E) Requests for usage on any weekend day may not be permitted under this subsection
- F) No more than 20 participants maximum (subject to other laws and regulations promulgated by other entities)

Any permit being requested under this specific subsection shall be made to the Parks Commission or its designee, which shall render a decision on the application within 7 days, with an application that shall include the following at minimum:

- A) Identification of the individual or organization
- B) Primary contact with contact information (including physical mailing address, phone number, and the cellphone number of the primary contact)
- C) A list of specific dates and time slot(s) requested
- D) A description of the proposed use
- E) A valid insurance binder with a minimum of \$1M of coverage indicating that the City of Newburyport is an additional named insured without limitation or any other additional requirement.

For the purposes of clarity, this subsection alters fees and permitting in specific cases for a defined period of time overriding 11-5v, 11-7 (specifically Group C) but shall not be construed to alter, eliminate, or supersede any other aspect of Chapter 11 or any rules promulgated by the Parks Commission.

Applicants are on notice that these are requests for fee-free usage of public Parks which belong to the residents of Newburyport. The Parks Commission must weigh this against any permit application and across all permit applications. In addition, the Parks Commission must also be mindful of congestion as permit applications are processed.

The Parks Commission may, at its sole discretion, approve or deny permits. Any such grant is a revocable license and, as such, may be revoked by the Parks Commission upon a supermajority vote during a public meeting.

This section and any permits approved under it shall expire on April 30<sup>th</sup>, 2021 at 11:59 PM unless this subsection is extended by the City Council or unless any individual permit is revoked by the Parks Commission at any time.

---

Sharif I. Zeid, Ward 1 City Councillor

---

Joseph H. Devlin, At Large City Councillor