

CITY COUNCIL MEETING AGENDA - VERSION 1
CITY COUNCIL CHAMBERS
OCTOBER 28, 2019

7:15PM

Pole Hearing – 14 Marlboro Street

7:30PM

(Sound Check)

- 1. MOMENT OF SILENCE**
- 2. PLEDGE OF ALLEGIANCE**
- 3. CALL TO ORDER**
- 4. LATE FILE ITEMS -** ORDR151_10_28_19 Amendment to 2-Hour Resident Zones, ORDR152_10_28_19 FY2020 Tax Rate, ORDR153_10_28_19 FY2020 Residential Factor
- 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

- October 15, 2019

(Approve)

8. TRANSFERS

- NONE

9. COMMUNICATIONS

- COMM197_10_28_19 Ltr re: Phillips Drive Neighborhood Drainage (N&CS)
- COMM198_10_28_19 Ltr re: Middle Street Parking/Curb Cuts (PS)
- COMM199_10_28_19 Newburyport Armory Conveyance (P&D)
- COMM200_10_28_19 Pole Hearing - 30 Colby Farm Lane (PU)
- COMM201_10_28_19 Memo re: Proposed Zoning Change – WWOD (P&D)

10. APPOINTMENTS

First Reading

- APPT131_10_28_19 Victoria Finnigan 10 Boxford Rd #25, Rowley Asst Treasurer 11/1/2022

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

Budget & Finance

- 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
- COMM192_09_30_19 10-Year Financial Projection (COTW)

Planning & Development

- APPT129_09_30_19 Malcolm Carnwath 22 Strong St Historical Comm 9/30/2022

Public Safety

- ORDR145_09_30_19 Snow Emergency Parking – Greenleaf Street
- COMM195_10_15_19 Newburyport Youth Hockey Tag Day Fundraiser - 11/16/2019

Public Utilities

- COMM193_10_15_19 Pole Hearing - 14 Marlboro Street

END OF CONSENT AGENDA REGULAR AGENDA

11. MAYOR'S UPDATE

12. APPOINTMENTS

Second Reading

- APPT130_10_15_19 Susan Brown 40 Fair St Tree Commission 10/1/2022

13. ORDERS

- ORDR148_10_28_19 Parent Workshops Gift Acceptance from Anna Jaques \$5,000
- ORDR149_10_28_19 Eliminate Two Hour Parking Upper Summer St
- ORDR150_10_28_19 Opioid Addiction Treatment and Prevention Grant Acceptance \$600K
- ORDR151_10_28_19 LATE FILE Amendment to 2-Hour Resident Zones
- ORDR152_10_28_19 LATE FILE FY2020 Tax Rate
- ORDR153_10_28_19 LATE FILE FY2020 Residential Factor

14. ORDINANCES

- ODNC040_08_19_19 Zoning Ordinance re: Kennel/Animal Boarding Use (2nd Reading)
- ODNC041_09_09_19 Zoning Map - Colby Farm Residential Overlay District (2nd Reading)

15. COMMITTEE ITEMS

NOTE: UNDERLINED COMMITTEE ITEMS WILL BE CONSIDERED AT THIS MEETING

Budget & Finance

In Committee:

- COMM112_02_11_19 Memo re: Fire-Based EMS Cost/Benefit Analysis
- COMM120_03_11_19 Central Congregational Grant Award Letter
- ORDR119_06_10_19 Bond Order - Streets and Sidewalks \$10M (COTW)
- 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
- COMM192_09_30_19 10-Year Financial Projection (COTW)

Education

In Committee:

-

General Government

In Committee:

-

License & Permits

In Committee:

- COMM029_04_30_18 Outdoor Seating – West Row Café
- COMM104_01_14_19 Seacoast Taxi - Application by Richard Hewlett for 2019

Neighborhoods and City Services

In Committee:

- ORDR048_06_13_16 Sidewalk Order
- COMM111_10_10_17 Petition for Road Repairs and Repaving – Squires Glen
- ODNC042_09_30_19 Parking at Public Parks and Playgrounds
- COMM194_10_15_19 Ltr from Newburyport Livable Streets
- COMM196_10_15_19 Ltr re: Road and Sidewalk Work on Merrimac and High Streets (COTW)

Planning & Development

In Committee:

- ORDR086_01_28_19 CPC FY2019 Amended Recommendation for Affordable Housing Trust Funds
- ODNC029_01_28_19 Zoning Map Amendment – Storey Ave South
- COMM164_06_24_19 LATE FILE Ltr to Ward 2 Councillor from Eric Goodness
- ODNC038_07_15_19 Zoning Amendment – Waterfront West Overlay District (COTW)
- COMM185_09_09_19 Memo re: Waterfront West Sustainability
- **APPT129_09_30_19 Malcolm Carnwath 22 Strong St Historical Comm 9/30/2022**

Public Safety

In Committee:

- ODNC009_03_12_18 Floating Homes, Houseboats, and Related Marinas
- COMM087_09_24_18 Ltr re: Coffin Street
- COMM116_02_25_19 Toward Zero Waste Newburyport Initiative *(full text available)* (COTW)
- ORDR094_04_08_19 Traffic Changes - Green, Pleasant, and Titcomb Streets
- ODNC035_05_28_19 Amendment to Health and Sanitation (COTW)
- **ORDR145_09_30_19 Snow Emergency Parking – Greenleaf Street**
- ORDR146_09_30_19 Restricted Parking – Merrimac Street at Ashland Street
- **COMM195_10_15_19 Newburyport Youth Hockey Tag Day Fundraiser - 11/16/2019**

Public Utilities

In Committee:

- COMM122_11_27_17 Mobilitie Application/Small Cell Utility Petition (re-file)
- ODNC022_05_29_18 Addition to Chapter 5, Article 6 - Small Cell Sites
- **COMM193_10_15_19 Pole Hearing - 14 Marlboro Street**

Rules Committee

In Committee:

- ORDR057_08_27_18 Amendment to Council Rule 12A

16. EXECUTIVE SESSION to discuss litigation with respect to the 193 High Street Zoning Appeal

17. GOOD OF THE ORDER

18. ADJOURNMENT

CONSENT AGENDA

CITY COUNCIL MEETING MINUTES
CITY COUNCIL CHAMBERS
OCTOBER 15, 2019

7:30PM

The City Council President, Barry Connell, called the meeting to order at 7:30pm, followed by the Pledge of Allegiance. The City Council President then instructed the City Clerk to call the roll. The following Councillors answered present: Giunta, Khan, McCauley, OBrien, Tontar, Vogel, Zeid, Eigerman, Connell. 9 present, 2 absent (Shand, Devlin).

(Sound Check)

1. MOMENT OF SILENCE

2. PLEDGE OF ALLEGIANCE

3. CALL TO ORDER

4. LATE FILE ITEMS – ORDR147EP_10_15_19, ORDR147_10_15_19

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

5. PUBLIC COMMENT

1. John Shortsleeve	1 Neptune St	General Business
2. Vinette Varvaro	8 Park St	2-Hour Parking
3. Lee Taylor	8 Park St	2-Hour Parking
4. Sharon DeAngelo	4 Park St	2-Hour Parking
5. Mike Gelardi	7 Park St	2-Hour Parking
6. Mark Griffin	30 Green St	Kennel Ordinance
7. Jane Snow	9 Coffin St	Emergency Preamble
8. Juliet Walker	13 Eagle Street	Complete Streets
9. Peter Murphy	6 Park St	2-Hour Parking
10. Bill Harris	56 Lime St	NRA Deed, BSOD

6. MAYOR'S COMMENT

The Mayor gave an update pursuant to her written communication.

CONSENT AGENDA

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

7. APPROVAL OF MINUTES

- September 30, 2019 (Approve)
- October 3, 2019 (Approve)
- October 7, 2019 (Approve)

8. TRANSFERS

- NONE

9. COMMUNICATIONS

- COMM193_10_15_19 Pole Hearing - 14 Marlboro Street (PU)
- COMM195_10_15_19 Newburyport Youth Hockey Tag Day Fundraiser - 11/16/2019 (PS)

10. APPOINTMENTS

- | | | | |
|--------------------------------|------------------------------------|-----------------|-----------|
| • APPT130_10_15_19 Susan Brown | First Reading
40 Fair St | Tree Commission | 10/1/2022 |
|--------------------------------|------------------------------------|-----------------|-----------|

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

Budget & Finance

- ORDR144_09_30_19 Tree Care and Plantings Gift Acceptance \$40,732

Public Safety

- ORDR139_09_09_19 Two-Hour Resident Parking Zones
- COMM191_09_30_19 Block Party - Neptune Street - 10/20/19
- ORDR145_09_30_19 Snow Emergency Parking – Greenleaf Street
- ORDR146_09_30_19 Restricted Parking – Merrimac Street at Ashland Street

**END OF CONSENT AGENDA
REGULAR AGENDA**

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

11. MAYOR’S UPDATE

Motion to receive and file by Councillor Zeid, seconded by Councillor Khan. So voted.

12. COMMUNICATIONS

- COMM194_10_15_19 Ltr from Newburyport Livable Streets
Councillor Eigerman removed from Consent Agenda. Motion to refer to Neighborhood & City Services by Councillor Eigerman, seconded by Councillor Zeid. So voted.
- COMM196_10_15_19 Ltr re: Road and Sidewalk Work on Merrimac and High Streets
Motion to refer to General Government and Committee of the Whole by Councillor Tontar, seconded by Councillor Vogel. Withdrawn. Motion to refer to Neighborhood & City Services and Committee of the Whole by Councillor Zeid, seconded by Councillor Tontar. So voted.

13. APPOINTMENTS

Second Reading

Re-Appointments

- | | | | |
|-----------------------------------------|--------------|---------------|------------|
| • APPT127_09_30_19 Paul Healy | 8 N St | CPA Committee | 10/1/2022 |
| • APPT128_09_30_19 Adrienne Silversmith | 4 Willow Ave | Cultural Comm | 10/30/2022 |

Motion to approve Second Reading Appointments by Councillor Zeid, seconded by Councillor Tontar. Roll call vote, 9 yes, 2 absent (Shand, Devlin). Motion passed.

14. ORDERS

- ORDR147EP_10_15_19 LATE FILE Emergency Preamble Grant Acceptance of \$35K Interim Parks Improvements
Motion to approve by Councillor Eigerman, seconded by Councillor Tontar. Roll call vote, 8 yes, 1 no (Zeid), 2 absent (Shand, Devlin). Motion passed.
- ORDR147_10_15_19 LATE FILE Grant Acceptance of \$35K Interim Parks Improvements
Motion to approve by Councillor Eigerman, seconded by Councillor Vogel. Roll call vote, 8 yes, 1 no (Zeid), 2 absent (Shand, Devlin). Motion passed.

15. ORDINANCES

- ODNC032_05_13_19 Zoning – Amend Ag-Con District (**2nd Reading**)
Motion to approve second reading by Councillor Eigerman, seconded by Councillor Giunta. Roll call vote, 9 yes, 2 absent (Shand, Devlin). Motion passed.
- ODNC033_05_13_19 Zoning – Amend Former George W. Brown School Parcels (**2nd Reading**)
Motion to approve second reading by Councillor Zeid, seconded by Councillor Tontar. Roll call vote, 8 yes, 1 recused (Khan), 2 absent (Shand, Devlin). Motion passed.
- ODNC037_06_24_19 Ordinance regarding City Solicitor Appointment and Duties (**2nd Reading**)
Motion to approve second reading by Councillor Eigerman, seconded by Councillor Zeid. Roll call vote, 9 yes, 2 absent (Shand, Devlin). Motion passed.

16. COMMITTEE ITEMS

NOTE: UNDERLINED COMMITTEE ITEMS WILL BE CONSIDERED AT THIS MEETING

Budget & Finance

In Committee:

- COMM112_02_11_19 Memo re: Fire-Based EMS Cost/Benefit Analysis
- COMM120_03_11_19 Central Congregational Grant Award Letter
- ORDR119_06_10_19 Bond Order - Streets and Sidewalks \$10M (COTW)
- 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
- COMM192_09_30_19 10-Year Financial Projection (COTW)
- **ORDR144_09_30_19 Tree Care and Plantings Gift Acceptance \$40,732**
Motion to approve (comm vote 3-0) by Councillor Tontar, seconded by Councillor OBrien. So voted.

Education

In Committee:

-

General Government

In Committee:

-

License & Permits

In Committee:

- COMM029_04_30_18 Outdoor Seating – West Row Café
- COMM104_01_14_19 Seacoast Taxi - Application by Richard Hewlett for 2019

Neighborhoods and City Services

In Committee:

- ORDR048_06_13_16 Sidewalk Order
- COMM111_10_10_17 Petition for Road Repairs and Repaving – Squires Glen
- ODNC042_09_30_19 Parking at Public Parks and Playgrounds

Planning & Development

In Committee:

- ORDR086_01_28_19 CPC FY2019 Amended Recommendation for Affordable Housing Trust Funds
- ODNC029_01_28_19 Zoning Map Amendment – Storey Ave South
- COMM164_06_24_19 LATE FILE Ltr to Ward 2 Councillor from Eric Goodness

- ODNC038_07_15_19 Zoning Amendment – Waterfront West Overlay District (COTW)
- **ODNC040_08_19_19 Zoning Ordinance re: Kennel/Animal Boarding Use**
Motion to remove from Planning & Development by Councillor Eigerman, seconded by Councillor Giunta. So voted. Motion to approve by Councillor Eigerman, seconded by Councillor Giunta. Motion to amend, change “five hundred” to “two hundred and fifty” in the Footnote to Table of Dimensional Requirements, by Councillor Eigerman, seconded by Councillor Khan. Roll call vote, 9 yes, 2 absent (Shand, Devlin). Motion passed. Councillor OBrien added as co-sponsor. Motion to amend, change SP to NP under I-2 in the Table of Use Regulations, by Councillor Eigerman, seconded by Councillor Zeid. Roll call vote, 9 yes, 2 absent (Shand, Devlin). Motion passed. Motion to approve as amended by Councillor Eigerman, seconded by Councillor Giunta. Roll call vote, 9 yes, 2 absent (Shand, Devlin). Motion passed.
- COMM185_09_09_19 Memo re: Waterfront West Sustainability
- **ORDR142_09_09_19 Acceptance of NRA Deed (COTW)**
Motion to remove from Planning & Development by Councillor Eigerman, seconded by Councillor Zeid. So voted. Motion to approve by Councillor Eigerman, seconded by Councillor Vogel. Motion to amend, strike “acting by and through its Conservation Commission” in paragraph 2 and change “re: deed to Newburyport Waterfront Trust” to “re: deed to City of Newburyport” on the Certificate of Secretary, by Councillor Eigerman, seconded by Councillor Vogel. Roll call vote, 9 yes, 2 absent (Shand, Devlin). Motion passed. Motion to approve as amended by Councillor Eigerman, seconded by Councillor Vogel. Roll call vote, 9 yes, 2 absent (Shand, Devlin). Motion passed.
- **ODNC041_09_09_19 Zoning Map - Colby Farm Residential Overlay District**
Motion to remove from Planning & Development by Councillor Eigerman, seconded by Councillor Tontar. So voted. Motion to approve first reading by Councillor Eigerman, seconded by Councillor Giunta. Roll call vote, 9 yes, 2 absent (Shand, Devlin). Motion passed.
- **COMM190_09_30_19 Ltr from Judy Tymon re: Brown School Overlay District**
Motion to remove from Planning & Development by Councillor Eigerman, seconded by Councillor Zeid. So voted. Motion to receive and file by Councillor Eigerman, seconded by Councillor Giunta. So voted.
- APPT129_09_30_19 Malcolm Carnwath 22 Strong St Historical Comm 9/30/2022

Public Safety

In Committee:

- ODNC009_03_12_18 Floating Homes, Houseboats, and Related Marinas
- COMM087_09_24_18 Ltr re: Coffin Street
- COMM116_02_25_19 Toward Zero Waste Newburyport Initiative *(full text available)* (COTW)
- ORDR094_04_08_19 Traffic Changes - Green, Pleasant, and Titcomb Streets
- ODNC035_05_28_19 Amendment to Health and Sanitation (COTW)
- **ORDR139_09_09_19 Two-Hour Resident Parking Zones**
Motion to approve by Councillor Giunta, seconded by Councillor Zeid. Motion to amend, add “Park Street from High Street to Harris Street” in Zone 2, by Councillor Eigerman, seconded by Councillor Giunta. So voted. Motion to approve as amended by Councillor Giunta, seconded by Councillor Zeid. Roll call vote, 8 yes, 1 present (Zeid), 2 absent (Shand, Devlin). Motion passed.
- **COMM191_09_30_19 Block Party - Neptune Street - 10/20/19**
Motion to waive the rules, as the committee did not meet on the matter, by Councillor Zeid, seconded by Councillor Tontar. Roll call vote, 9 yes, 2 absent (Shand, Devlin). Motion passed. Motion to approve by Councillor Zeid, seconded by Councillor Tontar. So voted.
- **ORDR145_09_30_19 Snow Emergency Parking – Greenleaf Street**
- **ORDR146_09_30_19 Restricted Parking – Merrimac Street at Ashland Street**

Public Utilities

In Committee:

- COMM122_11_27_17 Mobilitie Application/Small Cell Utility Petition (re-file)
- ODNC022_05_29_18 Addition to Chapter 5, Article 6 - Small Cell Sites

Rules Committee

In Committee:

- ORDR057_08_27_18 Amendment to Council Rule 12A

17. EXECUTIVE SESSION to discuss litigation with respect to the 193 High Street Zoning Appeal
Motion to go in to Executive Session, for the purpose of discussing litigation with respect to the 193 High Street Zoning Appeal, by Councillor Vogel, seconded by Councillor Zeid. Roll call vote, 8 yes, 1 no (OBrien), 2 absent (Shand, Devlin). Motion passed. The Council President stated the Council would not return to Open Session. 9:35pm.

18. GOOD OF THE ORDER

19. ADJOURNMENT

Motion to adjourn by Councillor Zeid, seconded by Councillor Vogel. So voted. 10:22pm.

COMMUNICATIONS

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2019 OCT 21 AM 8:12

Philip Cootey
22 Phillips Drive
Newburyport MA 01950

October 16, 2019

Newburyport City Clerk's Office
Attn: Larry Giunta
60 Pleasant St.
Newburyport MA 01950

Dear Mr. Giunta and City Councilors:

Thank you to the councilors and candidates who came to our neighborhood meeting on October 5th where we raised awareness of our crumbling drainage infrastructure.

I write to today regarding the ongoing drainage situation. We request an official update from the Council on the plan to address our ongoing problems at its next meeting on October 28.

Regards,

Philip Cootey and residents of Phillips Drive Neighborhood



Jared Eigerman <jeigerman@gmail.com>

Fwd: Middle Street Curb Cut

1 message

T. KEVIN BANNIGAN <tkbannigan@comcast.net>

Tue, Oct 15, 2019 at 1:15 PM

Reply-To: "T. KEVIN BANNIGAN" <tkbannigan@comcast.net>

To: Jared Eigerman <jeigerman@gmail.com>, Rjones@cityofnewburyport.com

Mr. Jared Eigerman; Ward 2 Councillor
15, 2019

October
Mr. Richard Jones; City Clerk

Dear Gentlemen,

The NEW million dollar plus house across the street from us at 56 Middle has been sold and the parking for this house is totally inadequate. I am being proactive in preserving the wholly inadequate resident street parking that we have with the fear that the new owner of 56 Middle, will petition the city for a new curb cut.

The many residents here were promised by the builder/developer as abbuttors that no other curb cuts were to happen to cause even ONE street parking space to be lost. As you well know, builder/developers will say anything to avoid abbuttor objections to get their project approved. I doubt there is any such promise in writing to the planning or zoning boards!

This proactive effort is to 'nip in he bud' any future requests by the new owner to petition the city for any such future curb cuts for better access to his new home.

There is a common driveway access serving both 56 & 58 Middle Street. Each property has the required two (2) deeded on-site parking spaces as required. In my opinion, it will be difficult for the new owner to pull two vehicles into their driveway and make right-hand turns for their two car parking, but the property was bought as presented!

I am forwarding this email to you with the suggestion from Mr. Eigerman that you forward this advance notice to all other City Councillors. Thank you for your attention to this request.

Sincerely,

T. Kevin Bannigan

President/Trustee

Middle Street Condominium Trust

tkbannigan@comcast.net

43 Middle; Units 1,2,3.

45 Middle Street

45 1/2 Middle



The Commonwealth of Massachusetts
 William Francis Galvin, Secretary of the Commonwealth
 Massachusetts Historical Commission

October 4, 2019

Warren Madden
 Project Manager
 Division of Capital Asset Management and Maintenance
 One Ashburton Place, 15th Floor
 Boston, MA 02108

RE: Newburyport Armory Conveyance, 57 Low Street, Newburyport, MA; MHC# RC.66955

Dear Mr. Madden:

Thank you for submitting a Project Notification Form (PNF) for the project referenced above, which was received at this office on September 9, 2019. The staff of the Massachusetts Historical Commission (MHC) have reviewed the information submitted and have the following comments.

The Division of Capital Asset Management and Maintenance (DCAMM) proposes to transfer the Newburyport Armory and Garage out of state ownership without a historic covenant.

The Newburyport Armory (NWB.2994) and Garage (NWB.2995) are included in MHC's *Inventory of Historic and Archaeological Assets of the Commonwealth*.

MHC previously concurred with the Massachusetts National Guard's opinion that the property meets the criteria of eligibility for listing in the National Register of Historic Places under Criteria A & C on the local and/or state level in a letter dated March 13, 2003.

Conveyance of the Newburyport Armory and Garage constitutes an "adverse effect" (950 CMR 71.05(e) and 950 CMR 71.07(2)(b)(3)) through the transfer or sale of a historic property without adequate conditions or restrictions regarding preservation, maintenance, or use of all or part of a historic property.

The MHC accepts the adverse effect and proposes the development of a Memorandum of Agreement (MOA) in order to resolve the adverse effects.

These comments are offered to assist in compliance with M.G.L. Chapter 9, sections 26-27C (950 CMR 71.00). Please do not hesitate to contact Elizabeth Sherva of my staff if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "Brona Simon".

Brona Simon
 State Historic Preservation Officer
 Executive Director
 Massachusetts Historical Commission

xc: Carol Meeker, DCAMM
 Newburyport Historical Commission

220 Morrissey Boulevard, Boston, Massachusetts 02125
 (617) 727-8470 • Fax: (617) 727-5128
www.sec.state.ma.us/mhc

Questions contact Gerard Vanderpool 508-935-1631

PETITION FOR JOINT OR IDENTICAL POLE LOCATIONS

North Andover, Massachusetts

To the City Council
Of Newburyport, Massachusetts

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA
2019 OCT 11 AM 9:40

NATIONAL GRID and Verizon New England, Inc requests permission to locate poles, wires, and fixtures, including the necessary sustaining and protecting fixtures, along and across the following public way:

Colby Farm Ln. (Crow Ln.) - National Grid to install (1) JO pole on Colby Farm Ln. (Crow Ln.) and relocate (1) JO pole on Colby Farm Ln. (Crow Ln.) beginning at a point approximately 1400 feet southwest of the centerline of the intersection of Colby Farm Ln. (Crow Ln.) and Low St. Relocating pole 11 approximately 75 feet northeast of existing location, in line. Install stub pole 11-S across Colby Farm Ln. (Crow Ln.) from relocated pole 11. Poles will be located in front of 30 Colby Farm Ln. (Crow Ln.).

Location approximately as shown on plan attached.

Wherefore it prays that after due notice and hearing as provided by law, it be granted a location for and permission to erect and maintain poles and wires, together with such sustaining and protecting fixtures as it may find necessary, said poles to be erected substantially in accordance with the plan filed herewith marked – Colby Farm Ln. (Crow Ln.) - Newburyport, Massachusetts.

24178131

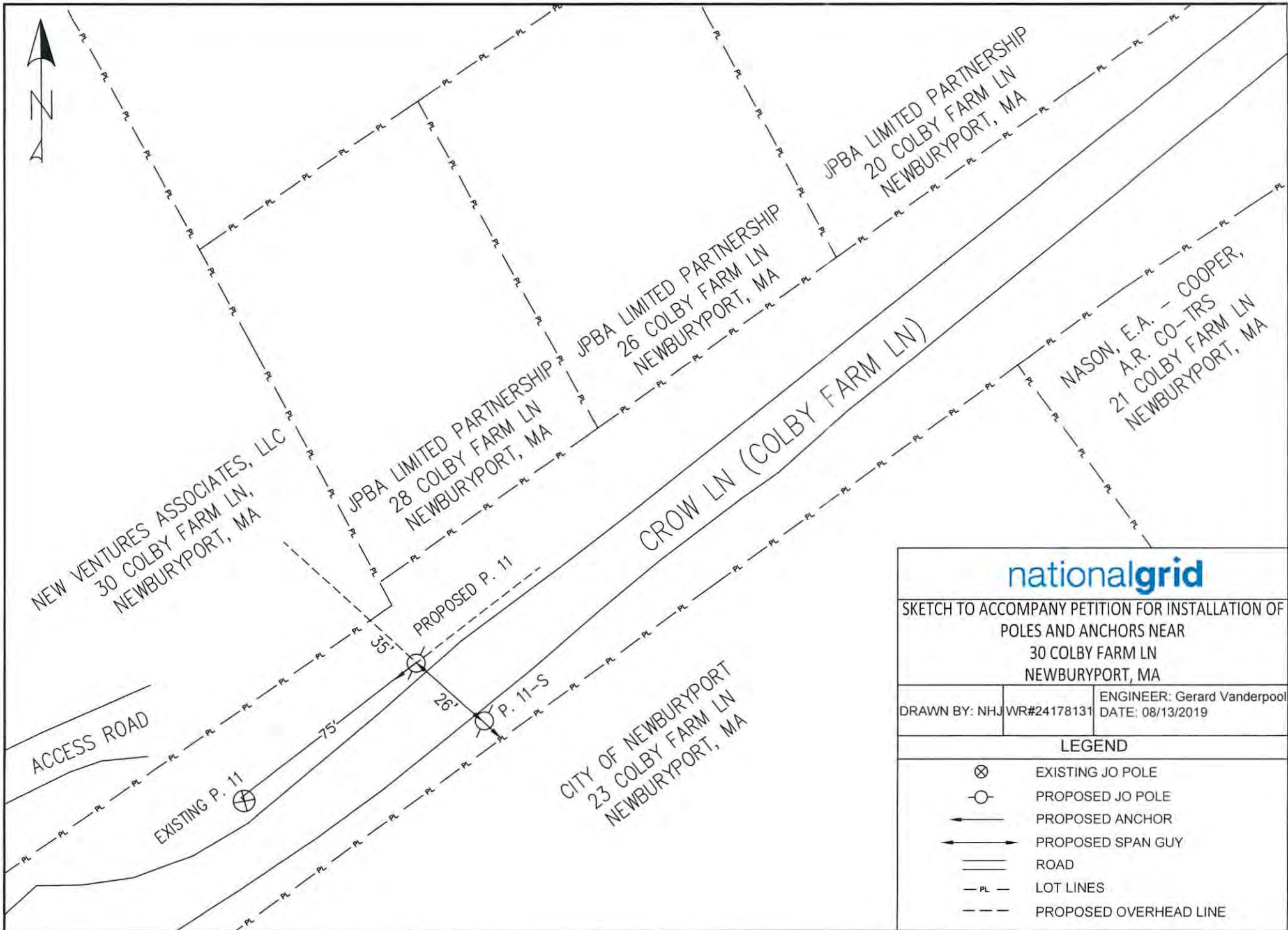
Also, for permission to lay and maintain underground laterals, cables, and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each of said petitioners may desire for distributing purposes.

Your petitioner agrees to reserve space for one cross-arm at a suitable point on each of said poles for the fire, police, telephone, and telegraph signal wires belonging to the municipality and used by it exclusively for municipal purposes.

NATIONAL GRID
BY Dave Johnson/lla
Engineering Department

VERIZON NEW ENGLAND, INC.
BY _____
Manager / Right of Way

August 26, 2019










nationalgrid

SKETCH TO ACCOMPANY PETITION FOR INSTALLATION OF
POLES AND ANCHORS NEAR
30 COLBY FARM LN
NEWBURYPORT, MA

DRAWN BY: NHJ	WR#24178131	ENGINEER: Gerard Vanderpool
		DATE: 08/13/2019

LEGEND

-  EXISTING JO POLE
-  PROPOSED JO POLE
-  PROPOSED ANCHOR
-  PROPOSED SPAN GUY
-  ROAD
-  LOT LINES
-  PROPOSED OVERHEAD LINE



October 7, 2019

City Council of Newburyport, Massachusetts

To Whom It May Concern:

Enclosed please find a petition of NATIONAL GRID and VERIZON, covering joint NATIONAL GRID-VERIZON pole location(s)

If you have any questions regarding this permit, please contact:

Gerard Vanderpool 508-935-1631

Please notify National Grid's Lisa Ayres of the hearing date / time.

If this petition meets with your approval, please return an executed copy to each of the above-named Companies.

National Grid: Lisa Ayres, 1101 Turnpike Street; North Andover, MA 01845
978-725-1418

Very truly yours,

A handwritten signature in blue ink that reads "Dave Johnson/lla".

Dave Johnson
Supervisor, Distribution Design

Enclosures

Questions contact – Gerard Vanderpool 508-935-1631

ORDER FOR JOINT OR IDENTICAL POLE LOCATIONS

To the City Council - Newburyport, Massachusetts

Notice having been given and public hearing held, as provided by law,
IT IS HEREBY ORDERED:

that NATIONAL GRID and VERIZON NEW ENGLAND INC. (formerly known as NEW ENGLAND TELEPHONE AND TELEGRAPH COMPANY) be and they are hereby granted joint or identical locations for and permission to erect and maintain poles and wires to be placed thereon, together with such sustaining and protecting fixtures as said Companies may deem necessary, in the public way or ways hereinafter referred to, as requested in petition of said Companies dated the 26th day of August 2019.

All construction under this order shall be in accordance with the following conditions:

Poles shall be of sound timber, and reasonable straight, and shall be set substantially at the points indicated upon the plan marked – Colby Farm Ln. (Crow Ln.) - Newburyport, Massachusetts.

24178131 Filed with this order:

There may be attached to said poles by NATIONAL GRID and Verizon New England Inc. such wires, cables, and fixtures as needed in their business and all of said wires and cables shall be placed at a height of not less than twenty (20) feet from the ground.

The following are the public ways or part of ways along which the poles above referred to may be erected, and the number of poles which may be erected thereon under this order:

Colby Farm Ln. (Crow Ln.) - National Grid to install (1) JO pole on Colby Farm Ln. (Crow Ln.) and relocate (1) JO pole on Colby Farm Ln. (Crow Ln.) beginning at a point approximately 1400 feet southwest of the centerline of the intersection of Colby Farm Ln. (Crow Ln.) and Low St. Relocating pole 11 approximately 75 feet northeast of existing location, in line. Install stub pole 11-S across Colby Farm Ln. (Crow Ln.) from relocated pole 11. Poles will be located in front of 30 Colby Farm Ln. (Crow Ln.).

Also, for permission to lay and maintain underground laterals, cables, and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each of said petitioners may desire for distributing purposes.

I hereby certify that the foregoing order was adopted at a meeting of the
Of the City/Town of _____, Massachusetts held on the _____ day of _____ 20__ .

Massachusetts

City/Town Clerk.
20__ .

Received and entered in the records of location orders of the City/Town of
Book _____ Page _____

Attest:
City/Town Clerk

I hereby certify that on _____ 20____, at _____ o'clock, M
At _____ a public hearing was held on the petition of
NATIONAL GRID and VERIZON NEW ENGLAND, INC.

for permission to erect the poles, wires, and fixtures described in the order herewith recorded, and that we mailed at least seven days before said hearing a written notice of the time and place of said hearing to each of the owners of real estate (as determined by the last preceding assessment for taxation) along the ways or parts of ways upon which the Company is permitted to erect Poles, wires, and fixtures under said order. And that thereupon said order was duly adopted.

City/Town Clerk.

.....
.....
.....
.....

Board or Council of Town or City, Massachusetts

CERTIFICATE

I hereby certify that the foregoing is a true copy of the location order and certificate of hearing with notice adopted by the _____ of the City of Massachusetts, on the _____ day of 20____ and recorded with the records of location orders of the said City, Book _____, and Page _____. This certified copy is made under the provisions of Chapter 166 of General Laws and any additions thereto or amendments thereof.

Attest:
City/Town Clerk



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

October 15, 2019

Dear Property Owner:

Notice is hereby given that a public hearing will be held on the petition of National Grid and Verizon New England Inc., request to locate poles, wires, and fixtures, including the necessary sustaining and protecting fixtures, along and across the following public way:

Colby Farm Road.

To install (1) JO Pole & relocate (1) JO pole beginning at a point approximately 1400 feet southwest of the centerline of the intersection of Colby Farm Lane and Low Street.

Relocate pole 11 approximately 75 feet northeast of existing location. Install stub pole 11-S across Colby Farm Lane from relocated pole 11. Poles will be located in from of 30 Colby Farm Lane.

Location approximately as shown on the plan attached.

Said hearing will be held on Tuesday, November 12, 2019 at 7:15 pm, in the City Council Chamber, City Hall, Newburyport, MA. At that time, all interested parties will have an opportunity to be heard.

Sincerely,

Tricia E. Barker
Assistant City Clerk



CITY OF NEWBURYPORT

OFFICE OF THE
ASSESSOR

JILL BRENNAN
CITY ASSESSOR

NEWBURYPORT CITY HALL

60 PLEASANT STREET

NEWBURYPORT, MA 01950

TEL: 978-465-4403

FAX: 978-462-8495

WWW.CITYOFNEWBURYPORT.COM

October 15, 2019

TO: Richard Jones, City Clerk

FROM: Board of Assessors

RE: Colby Farm Lane – Install (1) JO pole & relocate (1) JO pole beginning at a point approximately 1400 feet southwest of the centerline of the intersection of Colby Farm Lane and Low Street. Relocate pole 11 approximately 75 feet northeast of existing location. Install stub pole 11-S across Colby Farm Lane from relocated pole 11. Poles will be located in front of 30 Colby Farm Lane.

The attached are the abutters to the above described location:

Jill Brennan

96/ 1/ / /
CITY OF NEWBURYPORT
COMPOST FACILITY
23 COLBY FARM LN
NEWBURYPORT, MA 01950

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

98/ 3/A / /
NEW VENTURES ASSOCIATES LLC
85 BOSTON ST
EVERETT, MA 02149



CITY OF NEWBURYPORT
OFFICE OF PLANNING AND DEVELOPMENT
 60 PLEASANT STREET • P.O. Box 550
 NEWBURYPORT, MA 01950
 (978) 465-4400

RECEIVED
 CITY CLERK'S OFFICE
 NEWBURYPORT, MA
 2019 OCT 22 PM 3:58

MEMORANDUM

TO: Honorable members of the City Council
FROM: Andrew Port, Director of Planning & Development
CC: Donna D. Holaday, Mayor
RE: Proposed Zoning Change – Waterfront West Overlay District (WWOD)
DATE: October 22, 2019

This memorandum is in reference to the following item listed on the Council's upcoming agenda and currently in the Planning & Development (P&D) Committee docket:

- ODNC038_07_15_19 Zoning Amendment - Waterfront West Overlay District

Please refer the Planning Board's report, attached hereto, to the Planning & Development (P&D) Committee and Committee of the Whole (COTW) for consideration prior to any vote on the proposed zoning amendment.

Note: This document may also provide helpful guidance in the coming months if a new amendment to the Waterfront West Overlay District (WWOD) is to be drafted with support from the Planning Board.

Thank you.

**PLANNING BOARD REPORT TO THE CITY COUNCIL
ON THE PROPOSED ZONING ORDINANCE AMENDMENT
REGARDING THE WATERFRONT WEST OVERLAY DISTRICT**

OCT 22 PM 3:58

October 16, 2019

In accordance with M.G.L. Chapter 40A, Section 5, and with the City of Newburyport Zoning Ordinance, Section XX-B, the Planning Board held a public hearing on a proposed ordinance (ODNC038_07_15_19, dated July 15, 2019) to amend the Zoning Ordinance. The proposed amendment would delete the existing *Section XXIV, Waterfront West Overlay District (WWOD) – Special Permit* (enacted February 14, 2005), and replace it with a new *Section XXIV, Waterfront West Overlay District (WWOD)*. The public hearing was held jointly with the City Council's Planning and Development Committee and took place over the course of three nights: September 19 and 26 and October 10, 2019.

After the public hearing was closed on October 10, the Planning Board voted 7-0 (2 members absent) to recommend that the proposed WWOD ordinance not be enacted. On October 16, 2019, the Board voted to approve this report to the City Council setting forth the reasons for the vote and recommendations as to how to proceed on this matter.

The Planning Board recommends that the existing WWOD-SP ordinance should serve as the starting point for zoning of the Waterfront West area, and that a new process involving the Planning Board, City Council and staff be established to draft amendments to the existing ordinance.

Reasons for the Planning Board's Recommendation Not to Enact the Proposed Ordinance

The proposed WWOD ordinance is not in the interest of Newburyport for several reasons:

1. The proposed WWOD ordinance does not respect important aspects of the 2003 Waterfront Strategic Plan, including the conceptual street pattern, building scale, and open waterfront illustrated in the Plan.
2. The proposed ordinance does not reflect important aspects of the 2018-2019 Ad Hoc Committee's recommendations, especially the recommendation to preserve the special permit process.
3. The proposed ordinance does not respond to public criticism of the 2017 and 2018 site plans proposed by New England Development in terms of scale, massing, height and density.
4. The proposed ordinance does not provide adequate guidance regarding street layout and site organization.
5. The proposed ordinance does not adequately acknowledge and plan for the ongoing and future impacts of climate change and sea level rise.

Specific Issues To Be Addressed in New Amendment, As Identified by Planning Board Members

Prior to the public hearing, Planning Board members analyzed the ordinance in detail and made specific comments and recommendations. While there was not unanimity on every point, these comments reflect a broad consensus on many of the larger issues and contributed to the Board's report and recommendations. The following list summarizes the most important issues that should be considered when amending the existing WWOD-SP ordinance.

Purposes of the Ordinance

- The stated purposes of the WWOD ordinance should emphasize sustainable development, including the City's energy goals, and resilience to climate change and sea level rise.
- The stated purposes should also include preservation of views to the river and maintenance of views of the waterfront from the river and from land.

Permitting Mechanism and Procedures

- The ordinance should retain permitting authority to the Planning Board through the special permit process.
- The ordinance should require that a Development Agreement addressing non-regulatory issues and commitments be in place before the zoning amendment is approved.

Uses

- Uses allowed through a WWOD special permit should be the same as those allowed as of right or by special permit in the underlying Waterfront Mixed Use district or the adjacent Central Business district, except as specifically modified within the ordinance.
- Uses that are not specifically prohibited in the WMU or B-2 districts, and that meet the purposes of the WWOD district, should be allowed by the WWOD special permit, subject to the discretion of the Planning Board.
- A hotel including event facilities should be required to be part of the first phase of a development allowed by the WWOD special permit.

Affordable Housing

- Affordable housing units should be allowed to be provided off-site only with a significant increase in the affordable housing benefit, whether through the provision of more affordable units than required on-site or through a greater depth of affordability.
- Any affordable units allowed to be off-site should be constructed by the applicant concurrently with the WWOD project.

Public Open Space

- The term “public open space” should be redefined to exclude pedestrian alleys, walkways (other than a boardwalk) and sidewalks; public restrooms; parking spaces and other areas designed to accommodate private automobiles; and rooftops.
- The 6-foot maximum front building setback should be reconsidered to allow public open space to be provided adjacent to a street.
- The ordinance should require public open space to be designed to avoid or minimize flooding resulting from sea level rise and storm surge.

Building Heights

- The ordinance should specify maximum allowed building heights in relation to distance from the river, and should encourage variety in building heights.
- Building heights should be defined in relation to Merrimac Street and sea level in order to provide certainty about the scale of future development.
- The ordinance should define limits on the vertical and horizontal extent of rooftop elements that exceed maximum building height.
- The required elevation of lowest floor should be specified in accordance with projected sea level rise.

Other Design and Performance Requirements

- View corridors from Merrimac Street to the Merrimack River should be preserved.
- The ordinance should provide for a strong east-west connection across the site as illustrated in the 2003 Waterfront Strategic Plan.
- Architectural standards should be defined to promote variety in building styles.
- The ordinance should incorporate required energy conservation standards.

Parking

- All parking for residential uses should be required to be provided on-site.
- The requirements for design and landscaping of surface parking lots should be strengthened.

**APPOINTMENTS
FIRST READING**



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

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2019 OCT 22 PM 12:39


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 18, 2019
Subject: Appointment


I hereby appoint, subject to your approval, the following named individual as Assistant Treasurer/Collector for the City of Newburyport. This term will expire on November 1, 2022.

Victoria Finnigan
10 Boxford Road #25
Rowley, MA 01969

Victoria Finnigan

63 Washington St, Groveland MA 

978-821-4105 

vickifinnigan@gmail.com 

I am looking for a challenging position in which I am able to utilize my strong organizational, technical and interpersonal skills to complete tasks accurately and efficiently.

Experience

SEPTEMBER 2016 – PRESENT

Administrative Assistant / Treasurer/Collector's Office Hamilton, MA

Collect, process and post all payment of Town taxes and Water bills; enter information into Munis and maintain Excel spreadsheets for each turnover. Manage online payment activity, up and downloading of files. Process insufficient/reversal of funds and daily deposits; Prepare Municipal Lien Certificates; submit department invoices for payment, Print, mail and backup Town Warrant and manual checks. Process town Payroll as needed.

SEPTEMBER 1995 – PRESENT

Accounts Receivable, Money Room/ Henry's Foods, Inc. Beverly, MA

Manage Accounts Receivable for store and catering, process payments and generate monthly statements. Oversee money room and daily balancing; maintain files.

AUGUST 1986 – SEPTEMBER 1995

Retail Accounting/ Cressey-Dockham; SUPERVALU Andover, MA

Responsible for the payroll, accounts payable/receivable, manual check writing and bank statement reconciliation for independent grocery store clients.

Education

May 2010

Bachelor's Degree in Business Management Bay Path University, Burlington, MA

May 2006

Associates Degree in Business Management Northern Essex Community College, Haverhill, MA

Skills

- Analytical Thinker
- Ability to work independently or as a team
- Strong Communication Skills
- Customer Service Expertise
- Excellent Time Management
- Microsoft Office, Excel, Munis

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

**APPOINTMENTS
SECOND READING**

SECOND READING APPOINTMENTS

- APPT130_10_15_19 Susan Brown 40 Fair St Tree Commission 10/1/2022

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

ORDERS

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

October 28, 2019

THAT, The CITY COUNCIL of the City of Newburyport accepts with gratitude a gift from Anna Jaques Hospital, in the amount of \$5,000.00 to be appropriated for the purpose of hosting parent workshops through the Essex County Asset Builder Network program. Said funds are accepted in accordance with M.G.L. Chapter 44, Section 53A.

Councillor Charles F. Tontar

MEMO

To: President and Members of the Newburyport City Council

From: Tina Los, Associate Director, Essex County Asset Builder Network

Date: October 16, 2019

Subject: Anna Jaques Sponsorship

The Essex County Asset Builder Network, of Newburyport Youth Services, received a sponsorship check in the amount of \$5,000 from Anna Jaques Hospital. These funds are for our regional Parent Workshop series being hosted three times this fiscal year. These workshops are intended for parents and guardians to work in small groups with local experienced clinicians to gain skills to help support the healthy development of their children. Topics include, learning what is developmentally appropriate, improving communication, creating boundaries and expectations and various other health topics, such as anxiety, depression, stress, substance use and social media. These funds will be primarily used to pay the clinicians to run the workshops.

If you have any further questions I would be happy to answer them for you

Tina Los

Associate Director,

Essex County Asset Builder Network

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

Amended as follows, with deletions ~~double-stricken and italicized~~, and additions double-underlined and italicized:

Date: October 28, 2019

THAT pursuant to the CITY OF NEWBURYPORT Code of Ordinances Section 13-180.1 and Section 13-166 the CITY COUNCIL of the CITY OF NEWBURYPORT hereby amends and approves as follows:

Chapter 13	Traffic and Motor Vehicles
Article 4	Specific Street Schedules
Division 6	Stopping, Standing and Parking
Section 13-175	Two Hour Parking

Amend existing Section as follows, with deletions ~~double-stricken-through~~, and additions double-underlined:

No person shall park a vehicle for longer than two (2) hours between the hours of 9:00 a.m. and 6:00 p.m. of any day except Sundays and holidays in the following described streets or parts thereof:

<u>Street</u>	<u>Extent</u>
Summer Street	On the easterly side starting at High Street and running northerly to the property known as 31 Summer Street

Councillor Heather L. Shand

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

October 28, 2019

THAT, The CITY COUNCIL of the City of Newburyport accepts a grant from the Office of Justice Programs at the United States Department of Justice, in the amount of \$600,000.00 to be appropriated for the purpose of establishing the Essex County Outreach Program. Said funds are accepted in accordance with M.G.L. Chapter 44, Section 53A.

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: Donna D. Holaday, Mayor
Date: October 22, 2019
Subject: Opioid Addiction Treatment and Prevention Grant

As announced at the last meeting of the City Council, I am pleased to present for acceptance a \$600,000 grant from the Office of Justice Programs at the United States Department of Justice to be used in developing an Essex County Outreach Program to address opioid addiction, treatment and prevention throughout Essex County. I would like to thank the Police Department and Inspector Dani Sinclair for their important work in this area, as well as, our grant writer Nancy London who pulled together and submitted this complex grant application.

The Essex County Outreach Program will establish and maintain outreach teams made up of contiguous communities within Essex County to include counselors, treatment professionals, recovery coaches, and at least one police officer with legal jurisdiction over cases of overdoses. Participation includes a commitment from participating police departments (all 36 cities and towns in Essex County) to implement the established overdose intervention program, submit reporting information to a county-wide database and assign at least one officer to part of the Outreach Follow-Up Team.

The program also includes a commitment from treatment and recovery professional organizations and medical facilities to be part of the Follow-Up Teams, to be placed on the "on-call" list for placing prospective clients seeking in-patient treatment and to attend quarterly meetings. In addition, the Essex County Sherriff's Office will participate by committing to notify police departments when a county inmate diagnosed with Opioid Use Disorder is being released into the community, and provide support to the Outreach Teams through its various opioid use programs.

This project serves all of Essex County. The City of Newburyport is the lead agency, and Inspector Dani Sinclair is the officer assigned to oversee and be Newburyport's representative to the consortium.

Thank you for your consideration.

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

Date: October 28, 2019

Amended as follows, with deletions ~~double-stricken and italicized~~, and additions double-underlined and italicized:

THAT pursuant to the CITY OF NEWBURYPORT Code of Ordinances Section 13-180.1 and Section 13-166 the CITY COUNCIL of the CITY OF NEWBURYPORT hereby amends and approves as follows:

Chapter 13	Traffic and Motor Vehicles
Article 4	Specific Street Schedules
Division 6	Stopping, Standing and Parking
Section 13-180(g)(2)	Resident Parking Zones, <i>Zone 2</i>

Amend existing Section as follows, with deletions ~~double-stricken-through-in-bold~~, and additions double-underlined in bold:

(g) Designation of two-hour residential parking permit zones.

...

(2) *Zone 2*: Includes the following streets between High Street, State Street, the Merrimack River, and Winter Street,:

<u>Street</u>	<u>Extent</u>
---------------	---------------

...

Harris	From Green Street to State Street, both sides <u>southwesterly side</u>
--------	------------------------------------------------------------------------------------

...

Councillor Jared J. Eigerman

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

October 28, 2019

THAT, the City of Newburyport **Tax Rate** for **Fiscal Year 2020** will be \$[] for all classes of property.

Councillor Charles F. Tontar



CITY OF NEWBURYPORT
OFFICE OF THE MAYOR
DONNA D. HOLADAY
60 PLEASANT STREET • P.O. BOX 550
NEWBURYPORT, MA 01950
(978) 465-4413 • (978) 465-4402 (FAX)
WWW.CITYOFNEWBURYPORT.COM

To: President and Members of the City Council
From: Donna D. Holaday, Mayor
Date: October 24, 2019
Subject: Fiscal Year 2020 Tax Rate

For Fiscal Year 2020, we recommend establishing a tax rate of **\$12.84 per \$1,000** based on a tax levy of \$59,556,464 and a city-wide valuation of \$4,634,824,144. This tax rate represents a 2.5% increase to the prior year levy limit. Due to increased values, this results in a decrease to the tax rate of \$0.24 per \$1,000 compared to the FY2019 tax rate of \$13.08.

Based on the FY2020 valuation, the average single-family home in Newburyport is now assessed at \$617,500, compared to \$595,000 in FY2019. This results in an average single-family tax bill of \$7,929, which represents a 1.9%, or \$146, increase over FY2019's average single-family tax bill.

The average single-family home value continues to be driven up by a strong local economy that continues to encourage new development and improvements or additions to existing homes. As a result, we have added \$732,787 in value from New Growth for FY2020; however, slightly below the estimate of \$750,000 that was used to build the FY2020 budget. As you may recall, new growth totaled \$985,930 in FY2019 and \$933,594 the year prior. The reduction in new growth aligns with a slowing economy with the U.S. Leading Index down 9.1% compared to this time last year; stressing the importance of conservative revenue estimates.

Given that our revenue estimate for FY2020 is built on a 2.5% increase to the levy limit, it is important that we establish the tax rate as such. For all but one of the past seven years, Newburyport has taxed below the levy limit, leaving excess levy capacity, by utilizing Free Cash to balance the tax rate. However, at this point, I feel that is not prudent to do so given the uncertainty of the economy combined with the capital needs that have been identified throughout the City; especially the need to make much greater investments in our streets and sidewalks.

Thank you for your consideration.

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

October 28, 2019

THAT, all property within the City of Newburyport be taxed equally and that the method to determine this percentage of the local tax levy to be assessed by each class of property is established by the adoption of a **Residential Factor** of [] for **Fiscal Year 2020** in the City of Newburyport.

Councillor Charles F. Tontar

ORDINANCES

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

August 19, 2019

(Revised in Committee 10/2/2019)

AN ZONING ORDINANCE REGARDING KENNEL/ANIMAL BOARDING USE

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

THAT the Zoning Ordinance be amended pursuant to Section XII-B “Adoption and Amendment” by addition of the following provisions for Kennel and Animal Boarding uses:

Section V-D: Table of Use Regulations

4. Business

Use	NUM	C O N	HS R- A	HS R- B	R-1	R-2	R-3	B-1	B-2	B-3	I-1	I-1B	I-2	M	WMD	WMU
Kennel / Animal Boarding	424	N P	NP	NP	NP	NP	NP	NP	NP	NP	SP Planning Board	SP Planning Board	NP	NP	NP	NP

Section V-E: List of Allowable Uses

4. Business

Kennel/Animal Boarding

424

Any building, collection of buildings, and/or property in which dogs, cats, and/or other domesticated animals are housed temporarily. This use may include short term day time care and/or accommodations as well as overnight accommodations. This use does not preclude dog runs and other outdoor spaces for exercise and relief purposes. Grooming may occur as an accessory professional retail use.

Section VI: Dimensional Controls

VI-A - General regulations.

Table of Dimensional Requirements

Use	Num.	District	Lot Area	Street Frontage	Height	% Lot Coverage	Open Space	Yard Requirements		
								Front	Side	Rear
Kennel/Animal Boarding (n)	424	I1	20,000	90	40	50	N/A	20	20	20
		I1B	20,000	90	40	50	N/A	20	20	20

Footnote to Table of Dimensional Requirements:

(n) No Kennel/Animal Boarding use shall be located within two hundred and fifty feet (250') of a Residential District.

Section VII-B: Parking Requirements

4. Business

	Num.	Parking Requirement
Kennel/Animal Boarding	424	2 per full time employee during largest work shift, plus 4 visitor spaces

Councillor Joseph H. Devlin

Councillor Thomas F. OBrien

In City Council October 15, 2019:

Motion to remove from Planning & Development by Councillor Eigerman, seconded by Councillor Giunta. So voted. Motion to approve by Councillor Eigerman, seconded by Councillor Giunta. Motion to amend, change “five hundred” to “two hundred and fifty” in the Footnote to Table of Dimensional Requirements, by Councillor Eigerman, seconded by Councillor Khan. Roll call vote, 9 yes, 2 absent (Shand, Devlin). Motion passed. Councillor OBrien added as co-sponsor. Motion to amend, change SP to NP under I-2 in the Table of Use Regulations, by Councillor Eigerman, seconded by Councillor Zeid. Roll call vote, 9 yes, 2 absent (Shand, Devlin). Motion passed. Motion to approve as amended by Councillor Eigerman, seconded by Councillor Giunta. Roll call vote, 9 yes, 2 absent (Shand, Devlin). Motion passed.

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

September 9, 2019

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

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

THAT the Zoning Ordinance, Appendix A of the Code of Ordinances, City of Newburyport, Massachusetts, is hereby amended pursuant to Section XII-B "Adoption and Amendment" as follows:

Section III-C: Zoning Map.

The Zoning Map of said Zoning Ordinance entitled "Zoning Map of the City of Newburyport," referenced in Section III-C (entitled Zoning Map) is hereby amended pursuant to Section III-D "Changes to Zoning Map" as follows:

Expand the "Colby Farm Lane Residential Overlay District" (CFL-ROD) to include the following three (3) additional parcels of land currently zoned Residential R1:

1. 8 Colby Farm Road (Map 98 Lot 26)
2. 10 Colby Farm Road (Map 98 Lot 27)
3. 12 Colby Farm Road (Map 98 Lot 5)

Councillor Larry G. Giunta, Jr.

In City Council October 15, 2019:

Motion to remove from Planning & Development by Councillor Eigerman, seconded by Councillor Tontar. So voted. Motion to approve first reading by Councillor Eigerman, seconded by Councillor Giunta. Roll call vote, 9 yes, 2 absent (Shand, Devlin). Motion passed.

COMMITTEE ITEMS

Removal from Committee Form

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

Committee Name: Budget and Finance

Committee Chair: Tontar

	Measure Identifier	Measure Title	Amended in Committee? (if yes, attach final version)	Consent Agenda or Regular Agenda?
1.	ORDR119_06_10_19	Bond Order - Streets and Sidewalks \$10m	NO	REGULAR
2.	ORDR132_07_15_19	CPC FY2020 Recommended appropriations (Appropriation 9).	NO	CONSENT
3.	ORDR136_08_19_19	Fuller Track Phase II Loan Order	NO	CONSENT
4.	COMM189_09_09_19	CPC Revised Recommendation for FY2020 Appropriations	NO	CONSENT
5.	COMM192_09_30_19	10 Year Financial Projection	NO	CONSENT
6.				
7.				
8.				
9.				
10.				
11.				
12.				
13.				

October 28, 2019

Committee Items Budget & Finance

Committee Items:

REGULAR:

- ORDR119_06_10_19 Bond Order – Streets and Sidewalks \$10m

CONSENT:

- 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
- COMM192_09_30_19 10-Year Financial Projection (COTW)

BT
Resubmitt
9/20/17
DOT COT

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

June 10, 2019

THAT the sum of ten million dollars and no cents (\$10,000,000.00) is appropriated to pay the costs to maintain and/or repair public streets, ways, walkways, and sidewalks throughout the city, to be expended in five, equal increments of two million dollars and no cents (\$2,000,000.00) each fiscal year beginning in Fiscal Year 2020, consistent with Item Numbers HW009 and HW010 of the Capital Improvement Plan for Fiscal Years 2020-2024, including the payment of all costs incidental and related thereto, which amount shall be expended in addition to those amounts otherwise appropriated to pay the costs of such maintenance and repairs, and that to meet this appropriation the Treasurer is authorized to borrow said amount under and pursuant to Section 7(1) of Chapter 44 of the General Laws, or pursuant to any other enabling authority, and to issue bonds or notes of the City therefore, and that the Mayor and the Treasurer are authorized to take any other action necessary or convenient to carry out this vote. Any premium received upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Section 20 of Chapter 44 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

Councillor Jared J. Eigerman, Ward 2

Councillor Joseph H. Devlin, At Large

Councillor Sharif I. Zeid, Ward 1

BTF
COTW
RESUBMIT
9-30-19

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

That the City Council appropriates from the Community Preservation Act FY 2020 estimated revenues, in accordance with the provisions of M.G.L. Chapter 44B, for the following projects, based upon the Community Preservation Committee's recommendation, the total amount of **\$1,250,803**. The source of funds shall be FY2020 estimated revenues in the amount of \$1,048,493.01 and Community Preservation Fund Balance in the amount of \$304,611. Each project listed below shall be considered a separate appropriation or reservation in the amount indicated for that project. Any conditions or stipulations indicated within the Community Preservation Committee's recommendation, incorporated herein, shall be considered a condition of this appropriation and subsequent grant award.

Project No.	Project Title	Applicant	Request	Recommendation
1	NHS Exterior Woodwork Restoration Phase 3	Newburyport Public Schools	\$110,903	\$110,903
2	Kelleher Gardens Siding Project	Newburyport Housing Authority	\$325,000	\$325,000
3	Gateway Trees 2	Newburyport Tree Commission	\$13,000	\$13,000
4	Cushing House Electrical System	Historic Society of Old Newbury	\$59,430	\$59,430
5	Bartlet Mall Historic Restoration-Walkway Improvements	Newburyport Parks Department and Commission	\$118,925	\$83,000
6	Custom House Maritime Museum: Interior Climate Control Systems Upgrade	Newburyport Maritime Society, Inc.	\$100,000	\$75,000
7	NHS Exterior Woodwork Restoration Phase 4	Newburyport Public Schools	\$84,000	\$84,000
8	Open Space Reserve Fund	Newburyport Open Space	\$170,000	\$100,000
9	Fuller Field Track Renovation Phase 2	Newburyport Parks Department and Commission	\$694,820	Full Bond

Revised 10/1/19
CI SE 50

10	Riverfront Trail Gap Project/Clipper City Rail Trail Phase 2	Newburyport Planning Office	\$250,000	\$250,000
----	--------------------------------------------------------------------	-----------------------------	-----------	-----------

Total: \$1,926,078 \$1,100,333

11	NHS Stadium Bond Payment	123,080
12	Cherry Hill Soccer Field Bond Payment	\$12,540
13	Administrative Costs	\$12,000

Total: \$150,470

Councillor Charles F. Tontar

Approve:
Date:

Attest:

**NEWBURYPORT COMMUNITY PRESERVATION COMMITTEE
RECOMMENDATIONS FOR FY20 APPROPRIATIONS**

The Newburyport Community Preservation Committee recommends that the City Council appropriate **\$1,250,803** from Community Preservation Fund Revenues for the projects and bond payments, in the amounts, in the categories, and subject to the conditions hereinafter described.

The following CONDITIONS are common to recommended projects #1 through #11:

- A. Each recipient of funds is required to submit to the CPC a written report on the status of the project by each October 15, January 15, April 15 and July 15 following appropriation and until final completion of the project.
- B. If a project is not completed within twelve (12) months of appropriation, the grantee must submit a written request to the CPC for an extension of the grant. Otherwise, funds may be subject to rescission and returned to Community Preservation Fund Reserves (applicable to appropriations, not to reservations).
- C. Full funding is conditioned upon the receipt of state matching funds, estimated to be 11.5% of local revenue, expected in November 2019.

Attached are:

- 1. A draft Council Order and table summarizing all CPC recommendations.
- 2. Recommendations for appropriation numbers 1-14, with summaries for each.
- 3. Criteria for project evaluation adopted and published by the CPC.

Estimated Community Preservation Fund Revenues available for appropriation or reservation in FY 2020 total **\$1,353,104.01**. This figure includes estimated receipts of the local CPA surcharge through fiscal year end 2019, accumulated interest, the anticipated 11.5% state matching funds expected to be received in November 2019, current uncommitted and unreserved funds, and the returned funds from completed and closed-out projects.

Applications for all projects are available for review in the Office of Planning & Development. Applications received, including those recommended for funding, are also available for viewing on the City website at the following URL:

<https://www.cityofnewburyport.com/community-preservation-committee>

Respectfully submitted by:

Community Preservation Committee Members

Michael Dissette, Chair	Jane Healey, Vice Chair
Mark Rosen	Paul Healy
Daniel Koen	Don Walters
Don Little	Ronald Ziemba
Karen Popken	

PROJECT NO. 8
OPEN SPACE RESERVE FUND

The CPC recommends the reservation of \$100,000 from the FY 2020 Estimated Revenues to the Open Space Reserve Fund.

The CPA category for this reservation is Open Space.

Project Summary: Since 2014, through appropriations from the Open Space Reserve Fund, the City successfully protected 10+ acres of land on Curzon Mill Road and a significant portion of the Colby Farm land on Low Street (pending). The existence of the Reserve allowed the City to take the opportunities when they were presented. Recent CPC funding rounds have restored the Reserve to its current balance of \$729,966. The OSC continues to work on conserving open space based on goals and priorities described in the City's Master Plan and Open Space and Recreation Plan. This application is a "placeholder," with the intention of submitting supplementary application(s) about specific projects, as agreements are reached, outside funding and project partners identified, and we are otherwise able to provide the project-specific details for your consideration. No funds will be appropriated from the Open Space Reserve Fund without the CPC's review and recommendation, and City Council's approval of the specific projects.

PROJECT NO. 9
FULLER FIELD TRACK RENOVATION- PHASE 2

The CPC recommends to fully bond the continued renovation of the track and field facility at the Bradley Fuller Athletic Field on Low Street in the amount of \$694,820 on the condition that the annual debt service not exceed \$55,000.

The CPA category for this appropriation is Recreation.

Project Summary: Phase 1 of this project saw construction of a new, collegiate level track and multipurpose sports field at the existing track facility on Low Street. Phase 2 got underway with the installation of a new fence that allows gating off the facility in order to charge admissions for events. Continuation of the project includes installation of a 500 to 1,000-person grandstand, completion of electrical connections throughout the facility for the sound and timing systems, installation of a new sound system, and renovation of the interior of the existing field house to include expanded restroom facilities. Future phases include improving the parking and drop off area, and installing new concrete walkways and lighting and upgrade of the turf infield.

PROJECT NO. 10
RIVERFRONT TRAIL GAP PROJECT/ CLIPPER CITY RAIL TRAIL- PHASE 2

The CPC recommends the appropriation of \$250,000 from the FY 2020 Estimated Revenues to the City of Newburyport Office of Planning & Development for the construction phase of the Riverfront Trail Gap Project.

The CPA category for this appropriation is Recreation.

Project Summary: The construction phase of the Clipper City Rail Trail's Riverfront Trail Gap Project will establish a crucial trail link along a 1,200' section of the former B&M railroad corridor along the Merrimack River shoreline, and fill a critical gap in this well-used trail network. The project will clean up soil contamination and significantly improve the resilience of this unprotected stretch of shoreline to sea level rise and storm surge events. The riverfront trail section between Joppa Park and the American Yacht Club will connect over three miles of the City's existing Rail Trail/Harborwalk network. The trail will be raised several feet above existing grade in order to be at or above the

*Bot
re submit
9/26/19*

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

August 19, 2019

THAT, upon the recommendation of the Community Preservation Committee, \$694,820 is appropriated to pay costs of the continuation of Phase 2 of the Bradley Fuller Athletic Facility renovation project, including the installation of a 500 to 1,000-person grandstand, completion of electrical connections throughout the facility for the sound and timing systems, installation of a new sound system, and renovation of the interior of the existing field house to include expanded restroom facilities, and including the payment of all costs incidental and related thereto; and that to meet this appropriation, the Treasurer with the approval of the Mayor, is authorized to borrow \$694,820 under and pursuant to M.G.L. c.44B, of the General Laws (the Community Preservation Act), M.G.L. c.44 or pursuant to any other enabling authority, and to issue bonds or notes of the City therefor. Any premium received upon the sale of any bonds or notes approved by this order, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with M.G.L. c. 44, §20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

Councillor Charles F. Tontar

NEWBURYPORT COMMUNITY PRESERVATION COMMITTEE
REVISED RECOMMENDATION FOR FY20 APPROPRIATIONS

PROJECT NO. 9
FULLER FIELD TRACK RENOVATION- PHASE 2

The CPC recommends to fully bond the continued renovation of the track and field facility at the Bradley Fuller Athletic Field on Low Street in the amount of \$694,820.

The CPA category for this appropriation is Recreation.

Project Summary: Phase 1 of this project saw construction of a new, collegiate level track and multipurpose sports field at the existing track facility on Low Street. Phase 2 got underway with the installation of a new fence that allows gating off the facility in order to charge admissions for events. Continuation of the project includes installation of a 500 to 1,000-person grandstand, completion of electrical connections throughout the facility for the sound and timing systems, installation of a new sound system, and renovation of the interior of the existing field house to include expanded restroom facilities. Future phases include improving the parking and drop off area, and installing new concrete walkways and lighting and upgrade of the turf infield.



Museum of Old Newbury

98 High Street • Newburyport, MA 01950
www.NewburyHistory.org • 978.462.2681



September 3, 2019

Dear Newburyport City Councilors,

The Historical Society of Old Newbury (HSON) is pleased to offer its support for Phases 3 and 4 of Newburyport High School's (NHS) project to restore its historic woodwork and cupola.

The HSON has reviewed a draft preservation restriction for NHS, and has found its guidelines sufficient to ensure preservation of the building's historic integrity. The preservation restriction stipulates that the building's historic, cultural, and architectural features will not be significantly altered during restoration or routine maintenance. Repair work will be undertaken with sensitivity to the building's historic nature and in accordance with *The Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Building*.

Phases 3 and 4 of the NHS's current restoration project fall within the guidelines of the preservation restriction. Based on plans provided by NHS, the work will not compromise any historic elements in the building's façade or cupola. Rather, the work will address deterioration issues that threaten to irreparably damage the building's exterior and that would alter its appearance significantly if allowed to happen. The work includes restoration of existing elements where appropriate, and replacement with comparable materials when necessary.

With these considerations in mind, the HSON offers its support for the NHS restoration project and its request for funding from the Newburyport Community Preservation Committee.

Sincerely,

Susan Edwards

Executive Director



CITY OF NEWBURYPORT
HISTORICAL COMMISSION
60 PLEASANT STREET • P.O. BOX 550
NEWBURYPORT, MA 01950
(978) 465-4400
WWW.CITYOFNEWBURYPORT.COM

To: Newburyport Planning Department, Newburyport Community Preservation Committee, etc.

Re: Funding for the Cushing House Museum Electrical Upgrade Project

The Newburyport Historical Commission (NHC) wishes to convey its strong support for the proposal made by the Historical Society of Old Newbury (HSON), to undertake a major upgrade to the electrical system for the Cushing House Museum, and their request for FY 2020 CPA funding.

The Cushing House Museum (CHM) is currently under a Preservation Restriction (PR) between the Massachusetts Historic Commission (MHC) and the Historical Society of Old Newbury (HSON), owner of the property. This PR is for a period of ten years, starting in 2017, and includes the standard language stating that major work must be reviewed and approved by the MHC. We explained to HSON staff that a new PR will be drawn up which will be substantially similar to the existing PR except it will be between the HSON and the NHC, and will remain in effect in perpetuity.

NHC staff met with representatives of the HSON to tour the property and discuss the planned work. NHC staff were favorably impressed by the knowledge of the HSON staff and their sensitivity to the need to ensure that all work that is done has minimal adverse affect on the historical attributes of the structure, including the interior, which is key to the historic value of this property. We discussed the requirement that the NHC review the project in detail, and approve alterations prior to the start of work. The urgent need for the proposed electrical work was amply confirmed during this inspection. The staff shared their plans as to how they will execute the work with minimal adverse affect on the historical attributes of the structure.

The Cushing House is a unique cultural asset, being such a well preserved example of 19th century life in Newburyport. In addition, the museum has an extensive collection of artifacts representing local history and items from the extensive maritime trade to and from Newburyport. So not only the structure itself, but also these many artifacts are are risk from danger of fire the inadequate wiring currently in place. The museum also cannot supply effective lighting for many of the displays, nor adequately power office equipment used for museum administration.

Therefore, the NHC strongly supports this project and the request for FY2020 CPA funds required to accomplish it. We will review the final plans before work commences and continue to monitor the project.

Sincerely,

Glenn Richards, Chair
Newburyport Historical Commission

BET
COTW



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

DONNA D. HOLADAY
MAYOR

ETHAN R. MANNING
FINANCE DIRECTOR/CITY AUDITOR

To: President and Members of the Newburyport City Council
From: Ethan R. Manning, Finance Director/City Auditor
Date: September 30, 2019
Subject: 10-Year Financial Projection

The Committee on Budget & Finance requested that I submit the attached to the City Council to assist in your discussion of ORDR119_06_10_19, a \$10 million loan order for street and sidewalk improvements. The black line labeled "baseline growth" is the difference between projected revenues and expenditures over the next ten years based on current estimates.

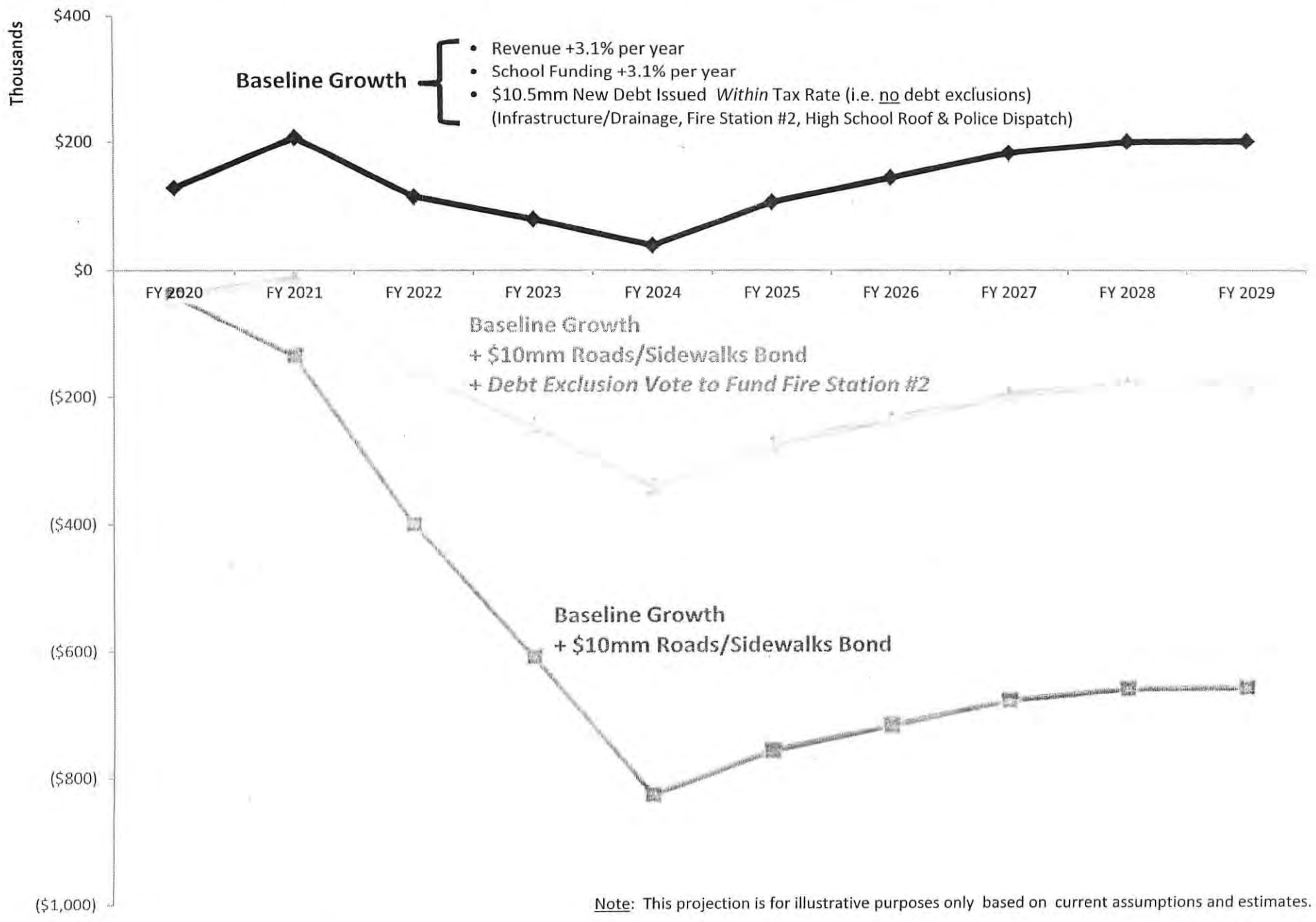
As noted on the chart, these estimates include revenue increasing at a rate of 3.1%, school funding increasing in line with revenue, and an additional \$10.5 million in new debt issued *within* the tax rate to fund infrastructure/drainage improvements, fire station #2 construction, high school roof replacement, and a renovation of police dispatch. Note that I excluded the Youth Services center from the analysis, given the ongoing feasibility study and further discussions needed on that particular project.

Based on these projections, I am concerned about the City's ability to afford a \$10 million bond for the purpose of improving streets and sidewalks. Even if fire station #2 were funded as a debt exclusion (i.e. above and beyond the normal tax rate), the projection still shows annual shortfalls when paying off the \$10 million bond. Part of the reason for the higher annual debt service is the maximum borrowing term of 15 years for roadway and sidewalk work (MGL ch 44, sec. 7, clause 1), whereas most other borrowing purposes can be repaid over 25-30 years.

I feel that the pavement management study that is being finalized by BETA Group will be a useful tool in developing a more robust capital planning strategy with respect to our streets and sidewalks. I look forward to continuing these discussions with the City Council in the coming weeks and months ahead.

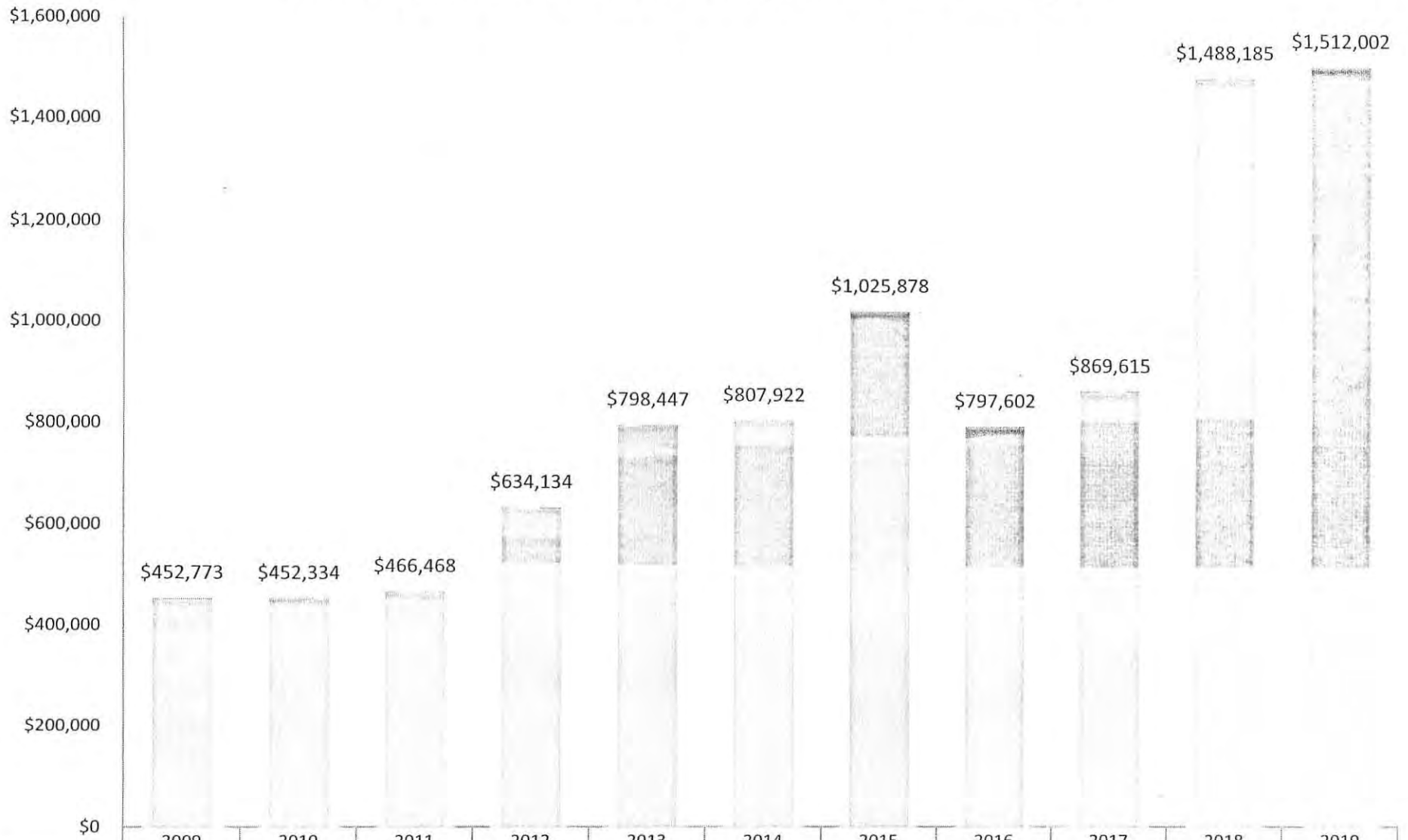
Thank you for your review.

10-Year Financial Projection: Annual Surplus/(Shortfall)



Note: This projection is for illustrative purposes only based on current assumptions and estimates.

Roads/Sidewalks Funding FY2009-FY2019



	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019
Other Sources	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$681,181
General Fund	\$60,000	\$60,000	\$60,000	\$60,000	\$60,000	\$50,000	\$0	\$0	\$60,000	\$675,000	\$0
Meals Tax	\$0	\$0	\$0	\$52,047	\$218,749	\$240,562	\$249,616	\$280,740	\$293,286	\$295,646	\$313,764
Ch. 90	\$392,773	\$392,334	\$406,468	\$522,087	\$519,698	\$517,360	\$776,262	\$516,862	\$516,329	\$517,539	\$517,057
Total	\$452,773	\$452,334	\$466,468	\$634,134	\$798,447	\$807,922	\$1,025,878	\$797,602	\$869,615	\$1,488,185	\$1,512,002

October 28, 2019
Committee Items-
Planning & Development

Committee Items:

Consent

- APPT129_09_30_19 Malcolm Carnwath 22 Strong St Historical Comm



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

276 SEP 23 PM 2:51

To: President and Members of the
City Council

From: Donna D. Holaday, Mayor

Date: August 27, 2019

Subject: Re-Appointment

I hereby re-appoint, subject to your approval, the following
named individual as a member of the Historical
Commission. This term will expire on September 30, 2022.

Malcolm Carnwath
22 Strong Street
Newburyport, MA 01950

Committee Items-Public Safety

October 28, 2019

In Committee:

Consent Agenda:

- ORDR145_09_30_19 Snow Emergency Parking – Greenleaf Street
- COMM195_10_15_19 Newburyport Youth Hockey Tag Day Fundraiser - 11/16/2019

ps

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

Amended as follows, with deletions ~~double-stricken and italicized~~, and additions double-underlined and italicized:

Date: September 30, 2019

THAT pursuant to the CITY OF NEWBURYPORT Code of Ordinances Section 13-180.1 and Section 13-166 the CITY COUNCIL of the CITY OF NEWBURYPORT hereby amends and approves as follows:

Chapter 13	Traffic and Motor Vehicles
Article 2	Administration
Section 13-29	Snow emergencies

Amend existing Section as follows, with deletions ~~double-stricken-through~~, and additions double-underlined:

Upon the declaration of a snow emergency by the superintendent of the department of public works, no parking shall be allowed on any street or way in the city except of the following street(s):

1. Greenleaf Street on the northerly side running from Pond Street to a point 285 feet from Auburn Street

The superintendent, upon such declaration, shall cause notice of the snow emergency to be given by radio broadcast or other suitable media. Upon the declaration of the end of the snow emergency by the superintendent, parking shall be allowed on any street or way in the city. Provided, however, that this section shall not be construed to permit parking where it is specifically prohibited by the provisions of this chapter.

Councillor Heather L. Shand

**Cassandra G. Green**

From: Richard Jones
Sent: Monday, September 30, 2019 4:22 PM
To: Cassandra G. Green; Patricia Barker
Subject: FW: [Ext]Newburyport Youth Hockey Request

For October 15th

From: Chris Howgate [<mailto:ch@digitalprospectors.com>]
Sent: Monday, September 30, 2019 2:14 PM
To: Richard Jones
Subject: [Ext]Newburyport Youth Hockey Request

external e-mail use caution opening

Hi Richard,

My name is Chris Howgate and I'm on the board of directors for the NYHL. We will be doing our annual Tag Day fundraiser on November 16th starting at 8am. All the kids in the Newburyport Youth Hockey leagues participate to help reduce ice time cost for the season. We are requesting the ability to stand in front of the Post Office and Library on the sidewalk for the event. We appreciate the approval last year and hope to use the city sidewalk in front of the Post Office and Library again this year. Please let me know if you have any questions.

Thank You,

Chris Howgate
Newburyport Youth Hockey League
781-983-2320

Chris Howgate | Chief Delivery Officer
W: 603.507.6192 | M: 781.983.2320
Digital Prospectors | loveyourjob.com

October 28, 2019
Committee Items Public Utilities

Consent

COMM193_10_15_19 Pole Hearing- 14 Marlboro Street

pu

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

Questions contact John Butler 978-725-1415

PETITION FOR JOINT OR IDENTICAL POLE LOCATIONS

OCT -7 PM 2:16

North Andover, Massachusetts

To the City Council
Of Newburyport, Massachusetts

Massachusetts Electric Company d/b/a NATIONAL GRID and Verizon New England, Inc requests permission to locate poles, wires, and fixtures, including the necessary sustaining and protecting fixtures, along and across the following public way:

Marlboro St. - National Grid to install (1) JO pole on 14 Marlboro St. Beginning at a point approximately 20 feet north of the centerline of the intersection of Lincoln St. Install support pole to take the place of the tree guy on the property of 14 Marlboro St.

Location approximately as shown on plan attached.

Wherefore it prays that after due notice and hearing as provided by law, it be granted a location for and permission to erect and maintain poles and wires, together with such sustaining and protecting fixtures as it may find necessary, said poles to be erected substantially in accordance with the plan filed herewith marked - Marlboro St. - Newburyport, Massachusetts.

28978251

Also, for permission to lay and maintain underground laterals, cables, and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each of said petitioners may desire for distributing purposes.

Your petitioner agrees to reserve space for one cross-arm at a suitable point on each of said poles for the fire, police, telephone, and telegraph signal wires belonging to the municipality and used by it exclusively for municipal purposes.

Massachusetts Electric Company d/b/a
NATIONAL GRID
BY Dave Johnson/lla
Engineering Department

VERIZON NEW ENGLAND, INC.
BY _____
Manager / Right of Way

October 4, 2019

Questions contact – John Butler 978-725-1415

ORDER FOR JOINT OR IDENTICAL POLE LOCATIONS

To the City Council - Newburyport, Massachusetts

Notice having been given and public hearing held, as provided by law,
IT IS HEREBY ORDERED:

that Massachusetts Electric Company d/b/a NATIONAL GRID and VERIZON NEW ENGLAND INC. (formerly known as NEW ENGLAND TELEPHONE AND TELEGRAPH COMPANY) be and they are hereby granted joint or identical locations for and permission to erect and maintain poles and wires to be placed thereon, together with such sustaining and protecting fixtures as said Companies may deem necessary, in the public way or ways hereinafter referred to, as requested in petition of said Companies dated the 4th day of October 2019.

All construction under this order shall be in accordance with the following conditions:

Poles shall be of sound timber, and reasonable straight, and shall be set substantially at the points indicated upon the plan marked – Marlboro St. - Newburyport, Massachusetts.

28978251 Filed with this order:

There may be attached to said poles by Massachusetts Electric Company d/b/a NATIONAL GRID and Verizon New England Inc. such wires, cables, and fixtures as needed in their business and all of said wires and cables shall be placed at a height of not less than twenty (20) feet from the ground.

The following are the public ways or part of ways along which the poles above referred to may be erected, and the number of poles which may be erected thereon under this order:

Marlboro St. - National Grid to install (1) JO pole on 14 Marlboro St. Beginning at a point approximately 20 feet north of the centerline of the intersection of Lincoln St. Install support pole to take the place of the tree guy on the property of 14 Marlboro St.

Also, for permission to lay and maintain underground laterals, cables, and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each of said petitioners may desire for distributing purposes.

I hereby certify that the foregoing order was adopted at a meeting of the
Of the City/Town of _____, Massachusetts held on the _____ day of _____ 20 .

Massachusetts City/Town Clerk.
20 .

Received and entered in the records of location orders of the City/Town of
Book _____ Page _____

Attest:
City/Town Clerk

I hereby certify that on _____ 20 _____, at _____ o'clock, M
At _____ a public hearing was held on the petition of
Massachusetts Electric Company d/b/a NATIONAL GRID and VERIZON NEW ENGLAND,
INC. for permission to erect the poles, wires, and fixtures described in the order herewith recorded,
and that we mailed at least seven days before said hearing a written notice of the time and place of
said hearing to each of the owners of real estate (as determined by the last preceding assessment
for taxation) along the ways or parts of ways upon which the Company is permitted to erect
Poles, wires, and fixtures under said order. And that thereupon said order was duly adopted.

City/Town Clerk.

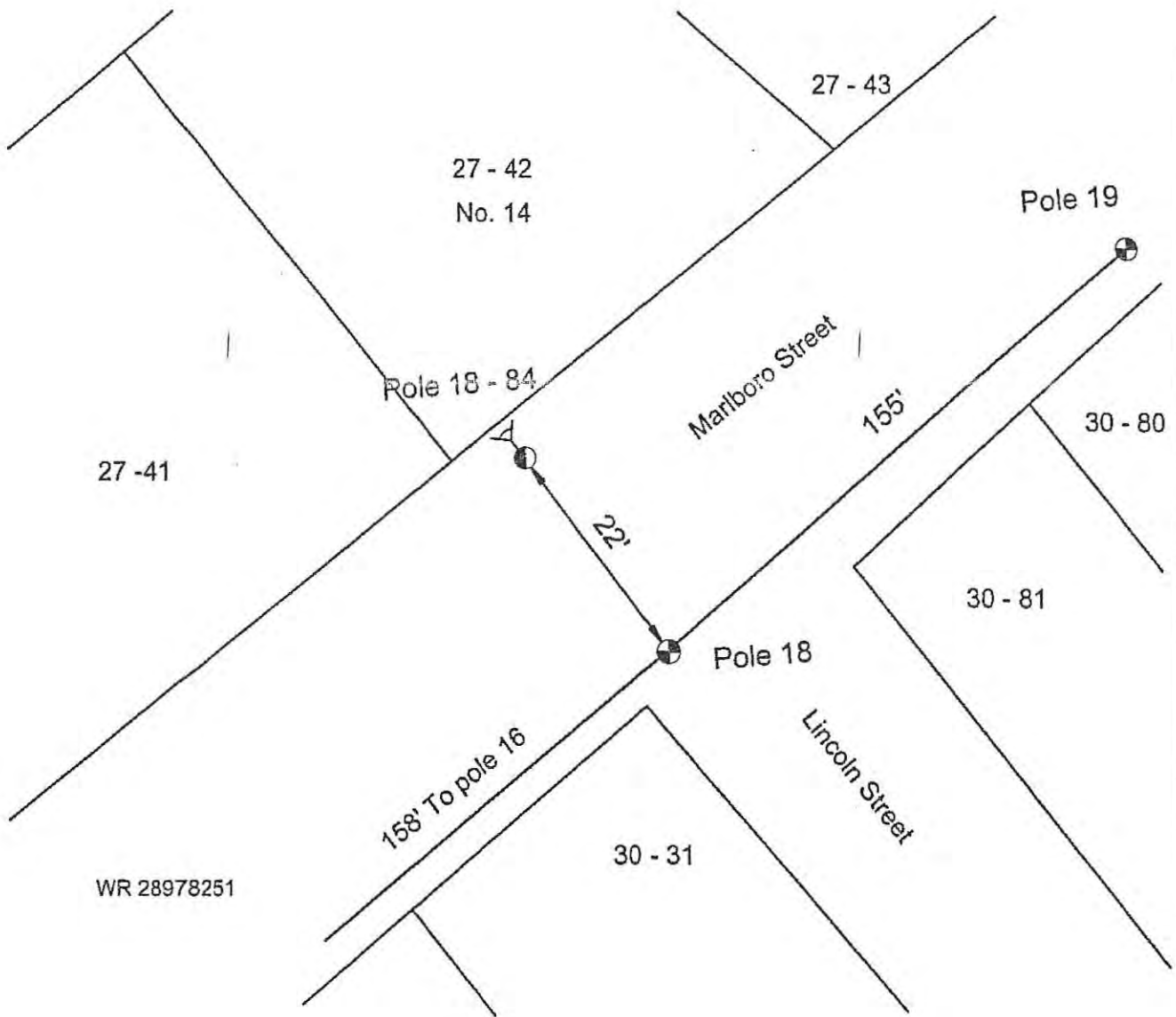
.....
.....
.....
.....

Board or Council of Town or City, Massachusetts

CERTIFICATE

I hereby certify that the foregoing is a true copy of the location order and certificate of
hearing with notice adopted by the _____ of the City of
Massachusetts, on the _____ day of 20 _____ and recorded with the records of location
orders of the said City, Book _____, and Page _____. This certified copy is made under
the provisions of Chapter 166 of General Laws and any additions thereto or amendments thereof.

Attest:
City/Town Clerk



JOINT OWNED POLE PETITION

nationalgrid
And
Verizon New England, Inc.

● Proposed J.O. Pole Locations

⊕ Existing J.O. Pole Locations

⚡ Proposed J.O. Anchor Locations

↔ Proposed Pole to Pole Guy

DISTANCES ARE APPROXIMATE

Date: October 1, 2019

Work Request Number: WR 28978251

To Accompany Petition Dated: October 1, 2019

To The: City Of Newburyport, Ma.

For Proposed Pole: 18 - 84 Location: 14 Marlboro St.

nationalgrid

October 4, 2019

City Council of Newburyport, Massachusetts

To Whom It May Concern:

Enclosed please find a petition of NATIONAL GRID and VERIZON, covering joint NATIONAL GRID-VERIZON pole location(s)

If you have any questions regarding this permit, please contact:

John Butler 978-725-1415

Please notify National Grid's Lisa Ayres of the hearing date / time.

If this petition meets with your approval, please return an executed copy to each of the above-named Companies.

National Grid: Lisa Ayres, 1101 Turnpike Street; North Andover, MA 01845
978-725-1418

Very truly yours,



Dave Johnson
Supervisor, Distribution Design

Enclosures



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

October 8, 2019

Dear Property Owner:

Notice is hereby given that a public hearing will be held on the petition of National Grid and Verizon New England Inc., request to locate poles, wires, and fixtures, including the necessary sustaining and protecting fixtures, along and across the following public way:

Marlboro Street.

To install (1) JO Pole on 14 Marlboro St., beginning at a point approximately 20 feet north of the centerline on the intersection of Lincoln St. Install support pole to take the place of the tree guy on the property of 14 Marlboro Street.

Location approximately as shown on the plan attached.

Said hearing will be held on Monday, October 28, 2019 at 7:15 pm, in the City Council Chamber, City Hall, Newburyport, MA. At that time, all interested parties will have an opportunity to be heard.

Sincerely,

Tricia E. Barker
Assistant City Clerk



CITY OF NEWBURYPORT

OFFICE OF THE
ASSESSOR

JILL BRENNAN
CITY ASSESSOR

NEWBURYPORT CITY HALL

60 PLEASANT STREET

NEWBURYPORT, MA 01950

TEL: 978-465-4403

FAX: 978-462-8495

WWW.CITYOFNEWBURYPORT.COM

October 7, 2019

TO: Richard Jones, City Clerk

FROM: Board of Assessors

RE: Marlboro Street – National Grid to install (1) JO pole on 14 Marlboro Street beginning at a point approximately 20 feet north of the centerline of the intersection of Lincoln Street. Install support pole to take the place of the tree guy on the property of 14 Marlboro Street.

The attached are the abutters to the above described location:

Jill Brennan

27/ 41/ / /
FOLEY ROBERT A & RAMONA M L/I
WILLIAM M T & PATRICIA M FOLEY T/E
18 MARLBORO ST
NEWBURYPORT, MA 01950

27/ 42/ / /
MALYNN BRIAN J & KATHLEEN F TRS
MALYNN FAMILY REVOCABLE TRUST
14 MARLBORO ST
NEWBURYPORT, MA 01950

27/ 43/ / /
NASON SCOTT F
12 MARLBORO ST
NEWBURYPORT, MA 01950

30/ 31/ / /
LEAVIS COLSON LINDA
2 LINCOLN ST
NEWBURYPORT, MA 01950

30/ 81/ / /
MOORE KIM BARRETT
JUNE R T/E
15 MARLBORO ST
NEWBURYPORT, MA 01950