

CITY COUNCIL MEETING AGENDA - VERSION 1
CITY COUNCIL CHAMBERS
SEPTEMBER 25, 2017

7:15PM
Pole Hearing – 54th Street

7:30PM

(Sound Check)

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

CONSENT AGENDA

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

7. APPROVAL OF MINUTES

September 11, 2017

(Approve)

September 18, 2017

(Approve)

8. TRANSFERS

- **TRAN043_09_25_17** Gen Budget Contingency \$55336 to Pol Sal Officers \$55336 (B&F)

9. COMMUNICATIONS

- **NONE**

10. APPOINTMENTS

- **APPT061_09_25_17** Tania Hartford 22 Jackson St Planning Board 1/31/2019

END OF CONSENT AGENDA
REGULAR AGENDA

11. MAYOR'S UPDATE

12. COMMUNICATIONS

- **COMM110_09_25_17** Table for Bake Sale Fundraiser (re-file) - 10/9

13. APPOINTMENTS

Second Reading

- **APPT054_09_11_17** Cynthia Kowal 76 Prospect St Cultural Council 10/1/2020
- **APPT055_09_11_17** Susan Williamson 39 Temple St Cultural Council 6/1/2020
- **APPT056_09_11_17** Matthew D. Pieniazek 36 Marlboro St Waterfront Trust 12/31/2019

Re-Appointments

• APPT057_09_11_17	Janice Kelley	24 Dorothy Lucey Dr	Council/Aging	5/31/2022
• APPT058_09_11_17	Jo Ann Kincaid	17 Otis Pl #2	Council/Aging	5/31/2022
• APPT059_09_11_17	Fran Munroe	7 Christopher St	Council/Aging	5/31/2022
• APPT060_09_11_17	Judy Avery	54 Milk St	Cultural Council	6/1/2020

14. ORDERS

- NONE

15. ORDINANCES

- ODNC014_09_25_17 No Smoking at Certain Municipal Facilities

15. COMMITTEE ITEMS

Budget & Finance

In Committee:

- ORDR002_01_25_16 Accept Gift of \$25,000 Repairing Brown's Wharf Culvert (COTW)
- ORDR009_02_08_16 Increase Fees for Fire Dept.
- ORDR010_02_08_16 Increase Fines Parking Violations
- ORDR039_05_31_16 Increase Hourly Parking Rate to \$1.50
- ORDR079_09_26_16 Movie Location Order (L&P)
- ORDR032_06_12_17 Nock Parking Lot Order

General Government

In Committee:

Joint Education

In Committee:

License & Permits

In Committee:

- COMM010_01_25_16 Licensing Commission Acoustic & Amplified Entertainment
- ORDR079_09_26_16 Movie Location Order (B&F)
- ODNC001_01_30_17 BYOB Ordinance
- COMM091_08_14_17 A-Frames - Star Nails
- COMM109_09_11_17 A-Frames - Ivy Lane

Neighborhoods and City Services

In Committee:

- ODNC001_01_11_16 Amend Ch11 Parks and Recreation (COTW)
- ORDR048_06_13_16 Sidewalk Order
- COMM048_04_24_17 Ltr from Merchants re: Downtown Events (PS)
- COMM080_06_26_17 Ltr re: Dedication of Public Space to Recognize Citizens
- COMM090_08_14_17 Ltr re: Parking Garage

Planning & Development

In Committee:

- **COMM023_02_27_17** Zoning Changes to Waterfront West (**COTW**)
- **COMM024_03_13_17** Newburyport's Master Plan - Final Document (**COTW**)
- **COMM030_03_28_17** Pres. Trust Ltr to City Council re: 1690 House
- **COMM038_03_28_17** Lower Custom House Way
- **ORDR015_04_10_17** Complete Streets Policy (**PU**)
- **COMM069_06_12_17** Air Quality Analysis of Intermodal Facility
- **ODNC007_06_12_17** Zoning Amendment - I2 Zone Change
- **ODNC008_06_26_17** Zoning Amendment – Bed & Breakfast Use (V-D, V-E) (**COTW**)
- **ODNC010_06_26_17** Zoning Amendment – Zoning Map, R-2, Dimensional Controls (**COTW**)
- **ODNC011_06_26_17** Zoning Amendment – Inclusionary Affordable Housing (**COTW**)
- **ORDR047_08_14_17** Pilot Program for Wayfinding Signage (**PU, COTW**)
- **ODNC012_09_11_17** Zoning Amendment – Off-Street Parking Regulations (**COTW**)
- **ODNC013_09_11_17** Zoning – High Street Residential Districts (**COTW**)

Public Safety

In Committee:

- **ORDR077_09_12_16** Parking Restricted on Daniel Lucy Way
- **COMM048_04_24_17** Ltr from Merchants re: Downtown Events (**N&CS**)
- **COMM095_08_14_17** Newburyport River Run - 5/6/18
- **COMM102_08_28_17** Ltr re: Request for Public Hearing on Evacuation Plan
- **ORDR051_09_11_17** Handicapped Parking Space - 29 Tyng St
- **ORDR052_09_11_17** Handicapped Parking Space - 53 Washington St
- **ORDR053_09_11_17** No Parking - Malcolm Hoyt Drive

Public Utilities

In Committee:

- **COMM060_05_31_16** Mobilitie, LLC Highway Access Permit
- **ORDR015_04_10_17** Complete Streets Policy (**P&D**)
- **ORDR048_08_14_17** Scott Blood Excavation, LLC, Lic Contractor
- **ORDR047_08_14_17** Pilot Program for Wayfinding Signage (**P&D, COTW**)

Rules Committee

In Committee:

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

16. GOOD OF THE ORDER

17. ADJOURNMENT

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

Questions contact John Butler 978 725 1415

2017 SEP 13 PM 3:17

PETITION FOR JOINT OR IDENTICAL POLE LOCATIONS

North Andover, Massachusetts

To the City Council
Of Newburyport Massachusetts

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:

16 54th St-National Grid to install pole 3 at 16 54th St on the north west side approximately 50 feet from the center of the intersection of 52nd 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 – 16 54th St-Newburyport Massachusetts

24658475 September 7, 2017

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*
Engineering Department

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

City

Questions contact – John Butler 978-725-1415

ORDER FOR JOINT OR IDENTICAL POLE LOCATIONS

To the City Council of 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 7th day of September 2017.

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 – 16 54th St -Newburyport Massachusetts.

24658475 Dated September 7, 2017. 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:

16 54th St-National Grid to install pole 3 at 16 54th St on the north west side approximately 50 feet from the center of the intersection of 52nd 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
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

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

September 14, 2017

TO: Richard Jones, City Clerk

FROM: Board of Assessors

RE: 16 54th Street – Install pole 3 on the north west side approximately 50 feet from the center of the intersection of 52nd Street.

The attached are the abutters to the above described location:

Jill Brennan

76/ 1/ / /
CORMIER EDWARD R
ANNE T T/E
303 DILLARD AVE
FT MYERS, FL 33908

76/ 2/ / /
HARVEY SUSAN J
16 54TH ST
NEWBURYPORT, MA 01950

76/ 4/ / /
ELLIOTT GREGORY D
CANDACE D MCMAHON J/T
12 54TH ST
NEWBURYPORT, MA 01950



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

September 14, 2017

Dear Property Owner:

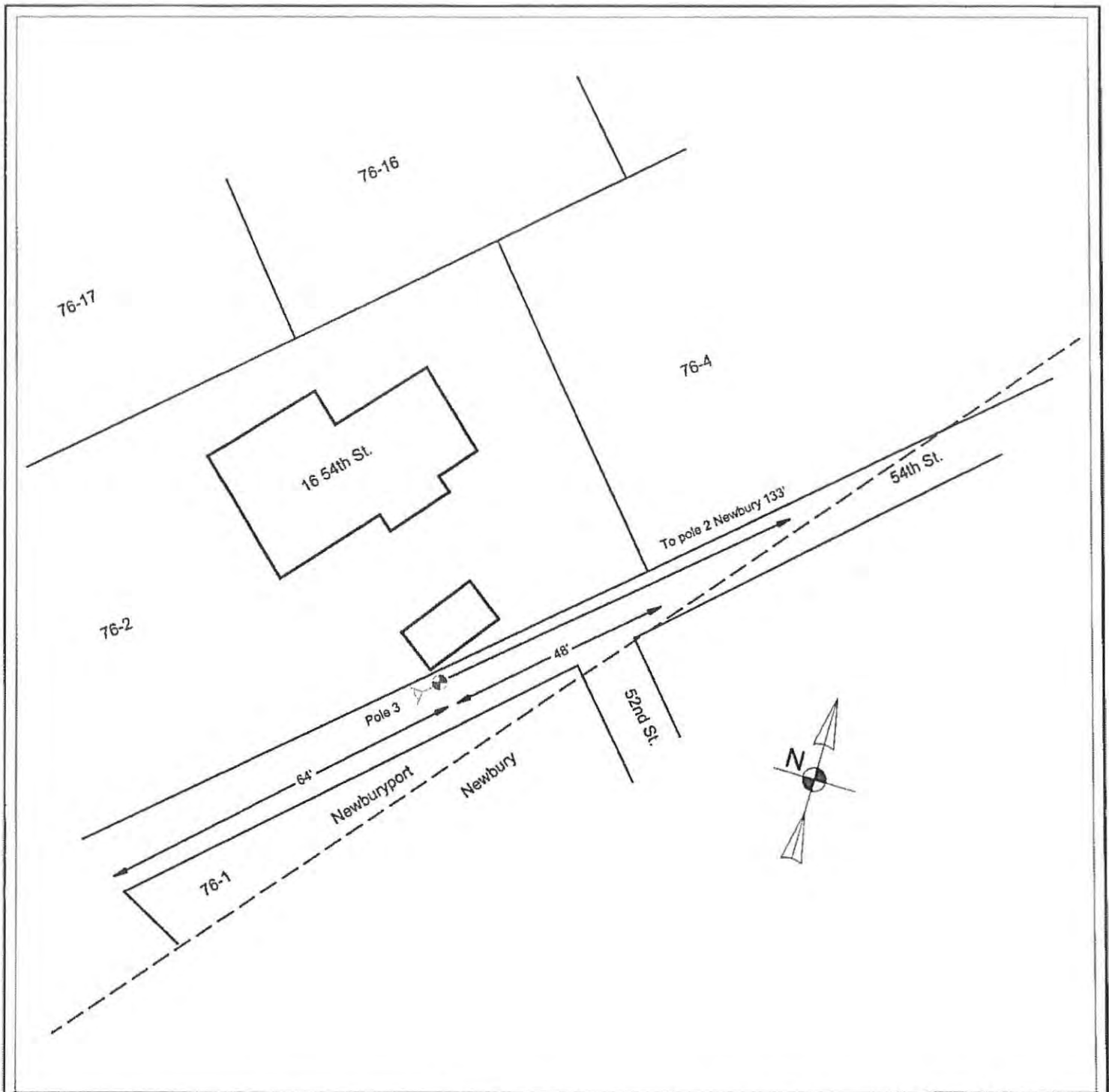
Notice is hereby given that a public hearing will be held on the petition of National Grid and Verizon New England Inc., to install pole 3 at 16 54th Street on the North West side approximately 50 feet from the center of the intersection of 52nd Street.

Location approximately as shown on the plan attached.

Said hearing will be held on Monday, September 25, 2017 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



JOINT OWNED POLE PETITION		nationalgrid And Verizon New England, Inc.	
Proposed J.O. Pole Locations			
Proposed J.O. Anchor Locations		Work Request Number: WR 24658475	
DISTANCES ARE APPROXIMATE		To Accompany Petition Dated: August 25,2017	
		To The: City Of Newburyport	
		For Proposed Pole: # 3 Location: 16 54th Street	

CONSENT AGENDA

CITY COUNCIL MEETING MINUTES
CITY COUNCIL CHAMBERS
SEPTEMBER 11, 2017

7:30PM

The City Council President called the meeting to order at 7:30pm. A moment of silence was held for Mike Twomey, the victims of the hurricanes, and those affected by the terrorist attacks on September 11, 2001. The Council President led the Council in the Pledge of Allegiance. The City Council President then instructed the City Clerk to call the roll. The following Councillors answered present: Zeid, Cameron, Connell, Cronin, Devlin, Eigerman, Giunta, Tontar, OBrien. 9 present, 2 absent (Vogel, Earls).

(Sound Check)

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

- | | | |
|----------------------|----------------------|------------------|
| 1. Jennifer Blanchet | 4 Island Ln, Newbury | Introduction |
| 2. Jane Snow | 9 Coffin St | I-2 Zone Changes |
| 3. Rob Germinara | 2 Ashland St | I-2 Zone Changes |

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**

August 28, 2017

(Approve)

8. **TRANSFERS**

- NONE

9. **COMMUNICATIONS**

- **COMM108_09_11_17** Appointment of Ben Fichera on Whittier School Committee (R&F)
- **COMM109_09_11_17** A-Frames - Ivy Lane (L&P)

10. **APPOINTMENTS**

- | | | | | |
|---------------------------|----------------------|----------------|------------------|------------|
| • APPT054_09_11_17 | Cynthia Kowal | 76 Prospect St | Cultural Council | 10/1/2020 |
| • APPT055_09_11_17 | Susan Williamson | 39 Temple St | Cultural Council | 6/1/2020 |
| • APPT056_09_11_17 | Matthew D. Pieniazek | 36 Marlboro St | Waterfront Trust | 12/31/2019 |

Re-Appointments

- | | | | | |
|---------------------------|----------------|---------------------|---------------|-----------|
| • APPT057_09_11_17 | Janice Kelley | 24 Dorothy Lucey Dr | Council/Aging | 5/31/2022 |
| • APPT058_09_11_17 | Jo Ann Kincaid | 17 Otis Pl #2 | Council/Aging | 5/31/2022 |

- **APPT059_09_11_17** Fran Munroe 7 Christopher St Council/Aging 5/31/2022
- **APPT060_09_11_17** Judy Avery 54 Milk St Cultural Council 6/1/2020

**END OF CONSENT AGENDA
REGULAR AGENDA**

Motion to approve the Consent Agenda by Councillor Zeid, seconded by Councillor Cameron. So voted.

11. MAYOR’S UPDATE

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

12. APPOINTMENTS

Second Reading

- **APPT053_08_28_17** Charles C. Kennedy 167 Water St Water/Sewer Comm (Alt) 8/1/2019
Motion to approve second reading by Councillor Zeid, seconded by Councillor Cameron. Roll call vote, 9 yes, 2 absent (Vogel, Earls). Motion passed.

13. ORDERS

- **ORDR051_09_11_17** Handicapped Parking Space - 29 Tyng St
Motion to refer to Public Safety by Councillor Tontar, seconded by Councillor Cameron. So voted.
- **ORDR052_09_11_17** Handicapped Parking Space - 53 Washington St
Motion to refer to Public Safety by Councillor Cronin, seconded by Councillor Cameron. So voted.
- **ORDR053_09_11_17** No Parking - Malcolm Hoyt Drive
Motion to refer to Public Safety by Councillor Cronin, seconded by Councillor Cameron. So voted.

14. ORDINANCES

- **ODNC009_06_26_17** Zoning Amendment – Ag/Con District, Lot Area/Lot Cov (**2nd READING**)
Motion to approve second reading by Councillor Eigerman, seconded by Councillor Cameron. Roll call vote, 9 yes, 2 absent (Vogel, Earls). Motion passed.
- **ODNC012_09_11_17** Zoning Amendment – Off-Street Parking Regulations
Motion to refer to Planning & Development and Committee of the Whole by Councillor Eigerman, seconded by Councillor Cameron. So voted.
- **ODNC013_09_11_17** Zoning – High Street Residential Districts
Motion to refer to Planning & Development and Committee of the Whole by Councillor Eigerman, seconded by Councillor Cameron. So voted.

15. COMMITTEE ITEMS

Budget & Finance

In Committee:

- **ORDR002_01_25_16** Accept Gift of \$25,000 Repairing Brown’s Wharf Culvert (**COTW**)
- **ORDR009_02_08_16** Increase Fees for Fire Dept.
- **ORDR010_02_08_16** Increase Fines Parking Violations
- **ORDR039_05_31_16** Increase Hourly Parking Rate to \$1.50
- **ORDR079_09_26_16** Movie Location Order (**L&P**)
- **ORDR032_06_12_17** Nock Parking Lot Order
- **TRAN041_08_28_17** \$40K Solid Waste Fee to \$20K Hshld Haz Waste, \$20K Chipper
Motion to remove from Budget & Finance by Councillor Tontar, seconded by Councillor Zeid. Motion to approve by Councillor Tontar, seconded by Councillor Giunta. So voted.
- **COMM100_08_28_17** FY2017 Year-End Financial Report

Motion to remove from Budget & Finance by Councillor Tontar, seconded by Councillor Connell.
Motion to receive and file by Councillor Tontar, seconded by Councillor Cameron. So voted.

General Government

In Committee:

Joint Education

In Committee:

Councillor Giunta announced there would be a vote on later start times in December; yes/no and other options will be considered. The next committee meeting will be held on October 2nd at 5:30pm in Room 118 of Newburyport High School.

License & Permits

In Committee:

- **COMM010_01_25_16** Licensing Commission Acoustic & Amplified Entertainment
- **ORDR079_09_26_16** Movie Location Order (**B&F**)
- **ODNC001_01_30_17** BYOB Ordinance
- **COMM091_08_14_17** A-Frames - Star Nails

Neighborhoods and City Services

In Committee:

- **ODNC001_01_11_16** Amend Ch11 Parks and Recreation (**COTW**)
- **ORDR048_06_13_16** Sidewalk Order
- **COMM048_04_24_17** Ltr from Merchants re: Downtown Events (**PS**)
- **COMM080_06_26_17** Ltr re: Dedication of Public Space to Recognize Citizens
- **COMM090_08_14_17** Ltr re: Parking Garage

Planning & Development

In Committee:

- **COMM023_02_27_17** Zoning Changes to Waterfront West (**COTW**)
- **COMM024_03_13_17** Newburyport's Master Plan - Final Document (**COTW**)
- **COMM030_03_28_17** Pres. Trust Ltr to City Council re: 1690 House
- **COMM038_03_28_17** Lower Custom House Way
- **ORDR015_04_10_17** Complete Streets Policy (**PU**)
- **COMM069_06_12_17** Air Quality Analysis of Intermodal Facility
- **ODNC007_06_12_17** Zoning Amendment - I2 Zone Change
- **ODNC008_06_26_17** Zoning Amendment – Bed & Breakfast Use (V-D, V-E) (**COTW**)
- **ODNC010_06_26_17** Zoning Amendment – Zoning Map, R-2, Dimensional Controls (**COTW**)
- **ODNC011_06_26_17** Zoning Amendment – Inclusionary Affordable Housing (**COTW**)
- **ORDR047_08_14_17** Pilot Program for Wayfinding Signage (**PU, COTW**)

Public Safety

In Committee:

- **ORDR077_09_12_16** Parking Restricted on Daniel Lucy Way
- **COMM048_04_24_17** Ltr from Merchants re: Downtown Events (**N&CS**)
- **COMM092_08_14_17** Ltr re: Suprin's Driving School Road Test

Motion to remove from Public Safety by Councillor Cronin, seconded by Councillor Zeid. Motion to receive and file by Councillor Cronin, seconded by Councillor Connell. So voted.

- **COMM093_08_14_17** Bartlet Mall Day - 10/7/17
Motion to remove from Public Safety by Councillor Cronin, seconded by Councillor Zeid. Motion to approve by Councillor Cronin, seconded by Councillor Zeid. Councillor Eigerman recused himself. So voted.
- **COMM096_08_14_17** Friends of the Poor - 9/30/17
Motion to remove from Public Safety by Councillor Cronin, seconded by Councillor Zeid. Motion to approve by Councillor Cronin, seconded by Councillor Giunta. So voted.
- **COMM095_08_14_17** Newburyport River Run - 5/6/18
- **ORDR046_08_14_17** 88 State Street Loading Zone
Motion to remove from Public Safety by Councillor Cronin, seconded by Councillor Zeid. Motion to approve by Councillor Cronin, seconded by Councillor Zeid. So voted.
- **COMM098_08_28_17** Ltr from Marshal Murray re: Parking Spaces for Police
Motion to remove from Public Safety by Councillor Cronin, seconded by Councillor Cameron. Motion to approve by Councillor Cronin, seconded by Councillor Tontar. So voted.
- **COMM099_08_28_17** Petition re: Hales Court Parking Lot
Motion to remove from Public Safety by Councillor Cronin, seconded by Councillor Tontar. Motion to receive and file by Councillor Cronin, seconded by Councillor Tontar. So voted.
- **ORDR049_08_28_17** 143A State Street Setback Driveway
Motion to remove from Public Safety by Councillor Cronin, seconded by Councillor Tontar. Motion to approve by Councillor Cronin, seconded by Councillor Tontar. So voted.
- **COMM102_08_28_17** Ltr re: Request for Public Hearing on Evacuation Plan

Public Utilities

In Committee:

- **COMM060_05_31_16** Mobilitie, LLC Highway Access Permit
- **ORDR015_04_10_17** Complete Streets Policy (**P&D**)
- **ORDR048_08_14_17** Scott Blood Excavation, LLC, Lic Contractor
- **ORDR047_08_14_17** Pilot Program for Wayfinding Signage (**P&D, COTW**)

Rules Committee

In Committee:

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

16. GOOD OF THE ORDER

Councillor Tontar commended the efforts of Conor Clancy and Fred Elwell on their missions, including the Virgin Islands.

17. ADJOURNMENT

Motion to adjourn by Councillor Zeid, seconded by Councillor Cameron. So voted. 8:21pm.

CITY COUNCIL & SCHOOL COMMITTEE JOINT MEETING MINUTES

September 18, 2017

Newburyport High School

Room 118

6:00PM

1. CALL TO ORDER

The meeting came to order at 6:08pm and was chaired by Mayor Holaday. The Clerk called the roll and the following members answered present: Cameron, Cole, Connell, Cronin, deKanter, Devlin, Eigerman, Giunta, Hochheiser, Menin, Sweeney, Tontar, Vogel, Zeid, O'Brien, Holaday. Councillor Earls was absent.

2. INTRODUCTION

Mayor Holaday started the meeting by reading the following introduction:

Because there is a vacancy in the office of an elected school committee, pursuant to the City Charter Section 4-6, the City Council President has convened this joint meeting of the City Council and School Committee and this meeting shall be presided over by the Mayor. The purpose of the meeting is to review applicants for this interim office and allow them an opportunity at this meeting to present their credentials to this joint body for their consideration.

It is important to note that the individual selected by the City Council and School Committee will fill the position for the remainder of this term ending December 31, 2019. If s/he wants to continue to serve on the School Committee beyond this interim period, s/he will then have to run for election in the fall of 2019 for the new term starting in January 2020.

There are three candidates for the interim position on the school committee.

3. INDIVIDUAL PRESENTATIONS

1. Edward J. Waldron, III, 14 Oak Street, Newburyport, MA

The Mayor announced that Ted Waldron would like to make a statement before the individual presentations. Ted Waldron then addressed the gathering and stated that because he was a current member of the Local License Commission he was concerned there may appear to be a conflict under G.L. 268A – the Ethics Law – that it may appear to be a conflict of interest to be on both the school committee and the local license commission. He then withdrew his name from consideration.

2. Sean R. Reardon, 5 Lois Street, Newburyport, MA

Sean R. Reardon gave a 5-minute presentation followed by 16 minutes of questions and answers.

3. Gary M. Tirone, 129 Merrimac Street, Unit 6, Newburyport, MA

Gary M. Tirone gave a 5-minute presentation followed by 16 minutes of questions and answers.

4. VOTE

The Mayor then asked the Clerk to conduct the election by a majority roll call vote. On one round of voting, Sean R. Reardon was elected after receiving 13 votes. Gary M. Tirone received three votes (Cole, Menin, Sweeney). Councillor Earls was absent. Motion to approve Sean R. Reardon by unanimous vote by Councillor Tontar, seconded by Councillor Cameron. 16 yes, 1 absent (Earls).

5. ADJOURNMENT

Motion to adjourn by Councillor Tontar, seconded by Councillor Cameron. So voted. 7:10pm.

TRANSFERS



City of Newburyport

FY 2018

BUDGET TRANSFER REQUEST

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

SEP 19 PM 12:24

Department: Mayor's Office
Submitted by: Donna D. Holaday, Mayor **Date Submitted:** 9/26/2017

Transfer From:

Account Name	<u>GEN BUDGET CONTINGENCY</u>	YTD Bal:	<u>\$ 65,336.00</u>
Account Number:	<u>01129007-57805</u>	Category:	<u>\$ 65,791.00</u>
Amount:	<u>\$55,336.00</u>	Trans I/O:	<u>\$ (20,876.00)</u>
Why are Funds Available:	<u>A contingency was budgeted for expiring collective bargaining agreements as of June 30, 2017.</u>		

Transfer To:

Account Name	<u>POL SAL OFFICERS</u>	YTD Bal:	<u>\$ 1,786,829.12</u>
Account Number:	<u>01210001-51142</u>	Category:	<u>\$ 2,612,327.41</u>
Amount:	<u>\$55,336.00</u>	Trans I/O:	<u>\$ 20,876.00</u>
Why are Funds Required:	<u>To fund the recently settled collective bargaining agreement for the New England Police Benevolent Association Local 30. See attached memorandum.</u>		

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

Donna D. Holaday

Ethan R. Manning

Date: 9/15/17
 Date: 9/15/17



CITY OF NEWBURYPORT
OFFICE OF THE MAYOR
DONNA D. HOLADAY

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

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2017 SEP 19 PM 12:24

To: President and Members of the City Council
From: Donna D. Holaday, Mayor
Date: September 19, 2017
Re: Police Officers Contract – Tentative Agreement

The following is a summary of the agreement that has been reached in principle for FY18-FY20 with the Police Officers bargaining unit, New England PBA Local 30. The City has agreed to the terms contained herein subject to the appropriation by the City Council. Local 30 voted to ratify the terms of this agreement on September 11, 2017.

ARTICLE X – Vacations

Add language that an officer with thirty (30) years' service shall be entitled to 6 days' vacation in addition to the level of benefits in effect for such officers under the 2000-2003 agreement. (Note: This was inadvertently left out of Patrol contract when Superior and Patrol unions split in 2006).

ARTICLE XI - Holidays

Section 1: Addition of Police Memorial Day (May 15) as a paid holiday. Police Memorial Day is an annual memorial where each year police officers killed in the line of duty are honored and remembered.

ARTICLE XIV – Wages

Section 2: Starting in FY20 (year three of this contract) the City shall include education incentive in calculation of night differentials (5% for second shift and 7% for third shift).

Section 5: Increase of wages according to the following schedule:

	BASE	COLA
FY18	2.00%	2.00%
FY19	2.50%	2.00%
FY20	2.50%	2.00%

100% of Senior Officer's (completion of third year)		Current	FY18	FY19	FY20
Base		\$55,658	\$57,906	\$60,541	\$63,296
Associate	10%	\$61,224	\$63,697	\$66,595	\$69,625
Bachelor	20%	\$66,789	\$69,488	\$72,649	\$75,955
Master/JD	25%	\$69,572	\$72,383	\$75,677	\$79,120

Lateral Transfers: Agreed to compensate at the regular rate of pay upon successful completion of probationary period based on their time with previous employer.

Section 6: Add Mandatory Direct Deposit language.

ARTICLE XVII – Clothing Allowance

Effective July 1, 2017, all police officers covered by this agreement will be granted a clothing allowance of \$1,600 annually, \$1,000 on the second pay period of July, and \$600 in first pay period in January.

ARTICLE XXI – Sick Leave

Sick leave buyback has been eliminated for all new hires and will only remain in effect for employees hired prior to July 1, 2017.

ARTICLE XXIII – Bereavement Leave

Add Aunt, Uncle, Brother-in-Law, Sister-in-Law, domestic partner, and non-family member with permission from the Marshal.

ARTICLE XXVI – Accreditation Stipend

Increase of stipend according to the following schedule, to be paid first pay period in September:

Accreditation Stipend	
Current	1.75%
FY18	3.0%
FY19	4.0%
FY20	5.0%

Article XV – Details

Clarified that the regular detail rate is 1 ½ times the hourly rate of a Senior Patrolman with a Master's Degree, rounded to the highest dollar.

Clarified that the weekend and holiday detail rate is the regular detail rate, plus an additional \$10.00 per hour. The weekend is now extended an extra seven hours to Monday at 7:00am; had been Friday at 5:00pm to Sunday at Midnight.

Details between 7:00pm and 7:00am on weeknights will now be paid at the weekend and holiday detail rate.

SUMMARY:

Regular detail rate: Monday, Tuesday, Wednesday, Thursday, and Friday, 7:00am – 7:00pm.

Additional \$10.00/hour rate: Weekends, holidays, and evenings (7:00pm – 7:00am).

Article XXII – Elimination of One for Two Coverage for June 1 to August 31 of each year. (One officer was hired on all shifts when there were two officers out on a shift, two for three, three for four, etc.)

Article XVI – Amount for Temporary Duty in a Higher Rank as Shift Supervisor from \$40 for regular shift / \$60 for weekend or holiday shift, to increase to \$100 for any shift.

Addition of Section on **INFECTIOUS/COMMUNICABLE DISEASE** including definitions, information on exposure, availability of immunization, and City provided training.

**APPOINTMENTS
FIRST READING**



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

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2017 SEP 19 PM 3:01

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: September 19, 2017

Subject: Appointment

I hereby appoint, subject to your approval, the following
named individual as a member of Planning Board to fulfill
the unexpired term of James McCarthy. This term will
expire on January 31, 2019.

Tania Hartford
22 Jackson Street
Newburyport, MA 01950

TANIA HARTFORD, AICP

22 Jackson Street
Newburyport, MA 01950
(617) 797-7392
taniahartford@gmail.com
Twitter: @TaniaHartford

PROFESSIONAL EXPERIENCE

RCG LLC, Somerville, MA 2016 to Present
DEVELOPMENT MANAGER

- Manage the master planned development at the East/West Mill in North Andover, a mixed use project consisting of residential, commercial and retail uses.
- Lead the permitting and development of three new mixed use building at Wadsworth Village in Danvers.
- Identify new development opportunities.

MassDevelopment, Boston, MA 2013 to 2016
DIRECTOR, REAL ESTATE SERVICES

- Managed the Real Estate Services programs which offer a range of planning and development services to municipalities, including district master plans, economic/market analysis, site feasibility studies, and urban design plans. Work focused on guiding municipalities to foster better planning, community engagement, and incremental strategies for economic revitalization and growth.
- Worked on the core team that developed and implemented the [Transformative Development Initiative \(TDI\)](#), a Massachusetts Gateway Cities program that works to advance revitalization efforts in cities through a strategic district focus, public/private partnership and enhanced community engagement
- Lead efforts to better coordinate services to municipalities at the state and regional level through the launch of [TA Connect](#). The initiative expanded local practical learning opportunities with a workshop series and peer learning group as well connecting communities to resources in a "one stop" online portal.
- Developed the [Commonwealth Places](#) program, a new \$1 million placemaking program that utilizes crowdfunding to engage communities in supporting projects as well as leveraging resources
- Partnered with the Urban Land Institute to sponsor [Technical Assistance Panels \(TAPs\)](#) in communities throughout the state

MassDevelopment, Northeast Region, Lawrence, MA 2007 to 2013
VICE PRESIDENT, COMMUNITY DEVELOPMENT

- Worked with governmental entities, nonprofit organizations, and private developers to promote and advance programs offered and managed by MassDevelopment
- Managed portfolio of projects funded through the Brownfields Redevelopment Fund, Predevelopment program and the Massachusetts Cultural Facilities Fund
- Worked with public agencies, at the local, regional, state and federal level, and lending institutions to help secure financing and incentives for local community and economic development projects

- Assisted municipalities in refining reuse goals for municipally-owned properties and creating a plan of action on redevelopment including identifying financial and technical resources available
- Lead the Brownfield Support Team (BST) projects in Haverhill, Chelmsford, and Amesbury

City of Salem, Planning and Community Development, Salem, MA 2002 to 2007
ECONOMIC DEVELOPMENT PROGRAM DIRECTOR/PLANNER

- Managed Salem Redevelopment Authority Projects that included: adaptive reuse of the former Salem Jail and Salem Police Station; Old Town Hall Reuse; Market Area Redevelopment Project; and Downtown Retail Market Plan
- Developed, coordinated, and managed the city economic development programs, including the Salem Business Loan Programs, Tax Increment Finance (TIF) Agreements, Salem Main Street Programs, Storefront Improvement Programs, and Microenterprise Initiatives
- Worked with public agencies, nonprofits, and lending institutions to help secure technical assistance, financing, and incentives for businesses expanding or locating in Salem
- Developed the "[Doing Business in Salem](#)" Guide, which has been recognized as a model for other communities and is still utilized today
- Worked on the development of the North River Canal Corridor Canal Neighborhood Master Plan which provided a plan for the redevelopment of a former industrial area in Salem
- Served as the department liaison to the Workforce Investment Board (WIB) and Salem Main Streets Board of Directors/ Executive Committee
- Assisted in the administration of \$1.4 million federal CDBG and HOME programs and projects including ensuring compliance with federal eligibility regulations and drafting of all HUD required reports
- Managed housing programs including the First Time Homebuyers Program, Housing Rehabilitation Program, and Affordable Housing Development Projects

City of Newton, Planning and Development, Newton, MA 2000 to 2002
COMMUNITY DEVELOPMENT SENIOR PLANNER

- Administered \$2.7 million federal CDBG, HOME, and ESG grant programs including ensuring compliance with federal eligibility regulations, environmental reviews, and drafting HUD required reports
- Coordinated public relations for the Housing and Community Development Program as the liaison to the community on the grant program activity
- Developed, coordinated, and managed all CDBG funded economic development activity in the City, including the Community Development Business Loan Programs and Village Business Development Focus Study
- Promoted from **COMMUNITY DEVELOPMENT PLANNER** in February 2001 where served primarily as public facility improvements project manager and economic development project manager
- Managed neighborhood improvement, construction projects, which required coordination between various other City departments, contracted architects, and citizen advisory bodies

Third Sector New England, Boston, MA 1999 to 2000
RESEARCH ASSISTANT/EDITORIAL INTERN

- Assisted in the planning, research, writing, and copy-editing of the *Nonprofit Quarterly* (NPQ), a publication of Third Sector New England
- Authored three articles in *The Nonprofit Quarterly*: "The Digital Divide" Summer 2000; "Learning Communities – The Wave of the Future" Winter 1999; and "Leaders Share How Peer Learning Changes Their Organizations" Winter 1999

Michigan House of Representatives, Lansing, MI 1997 to 1998
LEGISLATIVE ASSISTANT

- Assisted state representative with district relations and constituent services

EDUCATION

Tufts University – Department of Urban and Environmental Policy and Planning

M.A. in Urban and Social Policy (2000)

Thesis: "Understanding the Dynamics of Nonprofit Collaborations"

Michigan State University – James Madison College

B.A. in International Relations, Environmental Public Policy (1997)

PROFESSIONAL AFFILIATIONS

- American Institute of Certified Planners
- American Planning Association – national and state chapters

VOLUNTEER ACTIVITY

- Girl Scouts of Eastern MA member/Co-Leader of Junior Troop; Service Unit Team Member

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

COMMUNICATIONS

To Newburyport City Council,

Greetings! A few weeks ago, I submitted a request to you. We hoped to hold a bake sale to raise funds for my daughter Alissa's upcoming migraine surgery (Alissa has suffered from daily migraines and headaches for the past thirteen years).

After I submitted my request, I realized that my timing was completely off. My request didn't leave enough time for you to OK the event for us by September 2nd and 3rd (the requested dates). However, you so kindly pushed my request through and okayed the early date on Alissa's behalf.

I'm so sorry — I should have attended the meeting; I wrongly assumed it couldn't happen on time and missed the opportunity that you gave us.

In hope of holding a bake sale when there's a lot of activity in Newburyport, may we again ask permission to hold one in Market Square (or wherever the council deems good), this time on October 9th (Columbus Day)? Two days later, Alissa will have 2 of 3 remaining surgeries in Bangor, Maine.

Thank you so much for your kind consideration! I'll see you at the next meeting!



Gail Heitmann

978-270-9218
45 Glen Devin Dr.
Amesbury, MA

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA
2017 SEP 19 PM 2:05

August 21, 2017

To Newburyport City Council,

We're writing to you in the hope that we'd be allowed to have a table with bakesale items and printed cards in order to raise money for my daughter Alissa's surgery costs. We're hoping for a table during an active Newburyport public event — possibly on September 2nd, during the Riverfront Music Festival, or on September 3rd at the Bartlett Mall Lamp Lighting — and we're open to any suggestions or thoughts.

My daughter Alissa has suffered daily from migraines for thirteen years. Attached, you'll find her full story on her GoFundMe page. To date, she has raised enough for the first of three or four migraine surgeries, the first of which has been extremely helpful in eliminating pain in the back area of her head. It would be wonderful if we could meet our goal, and schedule the second and third surgeries together by late September/early October. We're lifelong Amesbury residents. In the past Alissa had volunteered at Anna Jaques hospital, and had played several gigs there with her band, Merrimac Hat Company. We often drive through Newburyport in the evening to lift Alissa's spirits!

We are currently in touch with the Newburyport Health Department to be sure that if we may proceed we are in line with any directives.

Thank you very much for your kind consideration!



Gail Heitmann

978-270-9218

45 Glen Devin Dr.,
Amesbury, MA
01913



Help Support Alissa's Journey gofundme.com/goalissa

Alissa is my beautiful, smart, sweet, kind, talented and silly 22-year old niece. When she was only ten years old, she began experiencing terrible pain from non-stop, daily headaches. Alissa was soon diagnosed with chronic headaches and migraines; thirteen years later, she has suffered with migraine pain every day.

Alissa and her family have spent the past thirteen years searching for an answer. Under the constant care of Boston neurologists, surgeons, and pediatricians, pain therapists and counselors, pain clinics, chiropractors,

acupuncturists; various homeopaths, naturopaths, nutritionists, and allergists, her pain has still persisted. All norms of medicine, therapies and treatment options have utterly failed to help.

In spite of the pain, Alissa had always done her best to push through, and do the things she loves: playing the cello in youth orchestras and ensembles, singing in her indie-folk band, playing sports, volunteering with children in medical and classroom settings, reading, writing, studying and laughing.

Now, Alissa's pain is so intense, she spends about 90% of her days in her

room with the shades drawn, mostly alone. Light, smell and sound can be a trigger. She is desperate for relief from the overwhelming daily pain, and hoping for the chance to lead a normal life. For those who know and love Alissa, seeing her in pain, and being powerless to help, is heart wrenching.

A few years ago, we found out about migraine surgery, and our hopes soared. Over the past decade, it was determined that a routine procedure for plastic surgery significantly decreased, or even completely eliminated migraine pain for 50 to 90% of chronic migraine sufferers.

Alissa excitedly and extensively consulted with several migraine surgeons, including Dr. William G. Austen, Chief of Plastic and Reconstructive Surgery at Mass General; Alissa is the perfect candidate for the procedure! The surgery, in Alissa's case, will target four separate sites (\$5,000 per site), at a total cost of \$20,000. Insurance will not cover it. Though her parents have been trying for years to fund the surgery, they're struggling financially, and have simply been unable to do it.

Even with the tremendous pain, Alissa is taking college courses towards a degree in the medical field, maintaining a 3.95 GPA. Ever-determined and always optimistic, she is hoping to use the experience of her pain and hardship to bring compassion and help to others.

So many of the things Alissa used to do when she could get a break from the pain of her migraines — things that brought great joy to those around her, and purpose to her own life — seem more and more out of reach. Wouldn't it be absolutely wonderful if we could help this beautiful young woman get her life back?

With deepest gratitude and thanks -
Denise Prescott, Alissa's aunt

**APPOINTMENTS
SECOND READING**

SECOND READING APPOINTMENTS

- APPT054_09_11_17 Cynthia Kowal 76 Prospect St Cultural Council 10/1/2020
- APPT055_09_11_17 Susan Williamson 39 Temple St Cultural Council 6/1/2020
- APPT056_09_11_17 Matthew D. Pieniazek 36 Marlboro St Waterfront Trust 12/31/2019

Re-Appointments

- APPT057_09_11_17 Janice Kelley 24 Dorothy Lucey Dr Council/Aging 5/31/2022
- APPT058_09_11_17 Jo Ann Kincaid 17 Otis Pl #2 Council/Aging 5/31/2022
- APPT059_09_11_17 Fran Munroe 7 Christopher St Council/Aging 5/31/2022
- APPT060_09_11_17 Judy Avery 54 Milk St Cultural Council 6/1/2020

Motion to approve the Consent Agenda by Councillor Zeid, seconded by Councillor Cameron. So voted.

ORDINANCES

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

September 25, 2017

AN ORDINANCE TO RESTRICT SMOKING AT CERTAIN MUNICIPAL FACILITIES

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

Chapter 8 Health and Sanitation
Article 1 In General
Section 8-1 No Smoking at Certain Public Facilities

THAT Article 1 of Chapter 8 of the Newburyport Code be amended to add a new Section 8-1, as follows, with deletions ~~double-stricken through~~, and additions double-underlined:

Sec. 8-1. – No Smoking at Certain Municipal Facilities

- (a) *Smoking Prohibited.* No person shall smoke nor shall any person be permitted to smoke in or at any of the following municipal facilities:
 - (1) Within 10 (ten) feet of any portion of the Inn Street Playground (Map 004, Parcel 002)
 - (2) Within 10 (ten) feet of any portion of the Inn Street Fountain (Map 004, Parcel 030)
- (b) *Posting notice of prohibition.* Every board, commission, or officer having control of premises upon which smoking is prohibited by and under the authority of this section shall conspicuously display upon the premises "No Smoking" signs or the international "No Smoking" symbol (consisting of a pictorial representation of a burning cigarette enclosed in a red circle with a red bar across it).
- (c) *Violations and Penalties.* Any private individual who violates this chapter shall be subject to a fine of one hundred dollars (\$100). Each day a violation occurs will be considered a separate offense. As an alternative to initiating criminal proceedings, violations of this section may be enforced in the manner provided in MGL c.40, s. 21D. Any fines imposed under the provisions of this section shall inure to the city of Newburyport. For the purposes of this section, the following shall be enforcing officers: police officers; and employees of the health department, or their designees.

Councillor Jared J. Eigerman

COMMITTEE ITEMS

PLANNING & DEVELOPMENT COMMITTEE ITEMS

September 25, 2017

- **ODNC007_06_12_17** Zoning Amendment - I2 Zone Change

Refer to
CT/SZ

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

JUNE 12, 2017

A ZONING ORDINANCE REGARDING PERMITTED USES IN THE I2 DISTRICT

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

Amend existing Section V-D Table of Use Regulations, as follows, with deletions ~~double-stricken through~~, and additions double-underlined:

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

Section V-D Table of Use Regulations

Amend the Table of Uses relating to the I-2 district as follows:

Use	NUM	CON	R1	R2	R3	B1	B2	B3	I1	I1B	I2	M	WMD	WMU
Professional / Social Services	416	NP	NP	NP	NP	<u>P</u>	<u>P</u>	<u>P</u>	NP	NP	NP <u>P</u>	NP	P(b)	P(b)
Corporate Headquarters	612	NP	NP	NP	NP	NP	NP	NP	NP	<u>P</u>	NP <u>P</u>	NP	NP	SP(e)

Councillor Charles F. Tontar



Mead, Talerman & Costa, LLC
Attorneys at Law

30 Green Street
Newburyport, MA 01950
Phone 978.463.7700
Fax 978.463.7747

www.mtcattorneys.com

May 30, 2017

Via Email
Charlie Tontar
Ward 4 Councilor
City of Newburyport
60 Pleasant Street
Newburyport MA 01950

RE: Proposed Zoning Change / Assessor's Map 68 Lots 27 and 29 (aka the Mersen Property)

Dear Councilor Tontar;

Reference is made to the above captioned matter. In that connection, as you are aware, I represent the owners of the Mersen Property, Ganton LLC. ("Owners"). The Property is located in an I2 industrial district at 374 Merrimac Street. This Property is one of two location in the city which are zoned I2: the Mersen Property and the Towle Property. As you are aware, in or around 2007 the Towle Property was rezoned by adding an overlay district to allow greater use and more flexibility over reuse on the Towle site.

The Mersen Property was historically a manufacturing site - a vestige of the past. Increasingly, as you are well aware, manufacturing jobs and uses are either being relocated to other states or if the City is fortunate enough, in the industrial park. Fortunately, however, Mersen is still conducting some manufacturing on the Property. However, as time passes, the space occupied by that manufacturing is diminishing leaving unused and available space in the building. To that end, and similar to the reuse of the Towle site, but by no means as broad, the Owners are requesting that the City add two uses to the I2 District; 1. Corporate Headquarters (Use 612) and 2. Professional/Social Service/Office (Use 416). Permitting these uses are entirely consistent with the most recent changes to the I-1B district. Indeed, the very reason for the change to the I-1B was to encourage corporate headquarter type uses and provide greater flexibility to existing spaces making them more attractive for reuse and investment. Further, given that the other I2 district is the Towle site, the use is consistent with what exists and is permitted under the Overlay District.

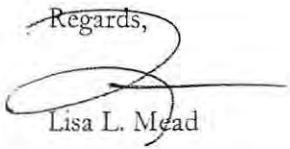
The Property Owner is attempting to be sure it can offer office and corporate headquarter space as an option in its building and thereby provide another dimension to the manufacturing use which currently exists. The added flexibility will allow the Owners to attract tenants currently looking for larger space in the Newburyport area. The Property includes plenty of parking and the change of use will aid in the Owners desire to invest in the Property to allow it to continue to be a

Millis Office
730 Main Street, Suite 1F
Millis, MA 02054
Phone 508.376.8400

vital asset to the Newburyport community as a place of employment as well as a key component of the commercial tax base. The addition of the two uses to the I2 will effect no other properties, but for the Mersen Property and the Towle Site as there are no other I2 districts in the City.

I have attached a proposed zoning change for your consideration. I appreciate your assistance and support in this matter. We look forward to the public hearing process.

Regards,

A handwritten signature in black ink, appearing to read "Lisa L. Mead". The signature is stylized with a large loop at the beginning and a horizontal line extending to the right.

Lisa L. Mead

cc: Client
Donna Holaday, Mayor

PUBLIC SAFETY COMMITTEE ITEMS

- **COMM102_08_28_17** Ltr re: Request for Public Hearing on Evacuation Plan
- **ORDR051_09_11_17** Handicapped Parking Space - 29 Tyng St
- **ORDR052_09_11_17** Handicapped Parking Space - 53 Washington St
- **ORDR053_09_11_17** No Parking - Malcolm Hoyt Drive



CITY OF NEWBURYPORT

 RECEIVED
 CITY CLERK'S OFFICE
 NEWBURYPORT, MA
 PS

2017 AUG 21 PM 3:29

CITY COUNCIL

NEWBURYPORT CITY HALL
 60 PLEASANT STREET
 P.O. Box 550
 NEWBURYPORT, MA 01950

TEL: 978-465-4407
 FAX: 978-462-7936

August 28, 2017

E. Roy Hawken, Chairman
 Administrative Judge
 Atomic Safety & Licensing Board
 U.S. Nuclear Regulatory Commission, MSC: T-3F23
 Washington, DC 20555-001

Dear Chairman Hawkins,

In the interest of public safety, we are writing you to respectfully request that you hold a public hearing on your evacuation plan. Newburyport is within the 10-mile radius of the nuclear power plant known as 'Seabrook Station' and according to the 2010 U.S. Census the population within 10 miles was no less than 118,000. Actually the population within 50 miles of the plant was 4,315,000 as of 2010.

Mr. Stephen B. Comley Sr. (founder of "We the People", a non-profit whistleblower protection organization) alleges that the evacuation plan is ineffective and that his public safety concerns have been ignored. Although we do not have substantive information to support Mr. Comley's allegations we remain very concerned about the plant and safety.

In 2012 the Newburyport City Council unanimously passed a resolution which contained, in pertinent part, the following requested remedial steps:

- Immediately halt all relicensing activities related to Seabrook Station;
- Conduct peer-reviewed studies of the reactor's ability to withstand seismic activity with compromised structural concrete, and publicly report the results of these studies;
- Fully investigate the causes of the unabated groundwater infiltration and resulting concrete degradation, and publicly report the results of such investigation;
- Devise a corrective action program to address both groundwater infiltration and concrete degradation throughout the facility;
- Require the owner and operator of Seabrook Station to take corrective measures to stop groundwater infiltration and related concrete degradation;
- Inspect and monitor the results of those corrective measures over a

sustained (multiyear) period of time to ensure that corrective measures are effective;

- If, following corrective measures and sustained monitoring, the Nuclear Regulatory Commission determines that degradation of safety structures has not abated, that it suspend the license to operate Seabrook Station until safe operation of this reactor can be assured.

We did not hear back from the Nuclear Regulatory Commission on this request.

We believe that a public hearing on the issue of the effectiveness of the evacuation plan will, at the very least, explain to the public how the plan is designed to work and hopefully this explanation will reduce the concern that persists among our residents.

On behalf of the Newburyport City Council

Barry N. Connell, Councillor at Large

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

September 11, 2017

AN ORDER TO ADD A NEW HANDICAPPED PARKING SPACE PURUSANT TO SECTION 166 (AMENDMENT, ADDITION AND DELETION BY ORDER) OF CHAPTER 13 (TRAFFIC AND MOTOR VEHICLES) OF THE MUNICIPAL CODE

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

Chapter 13	Traffic and Motor Vehicles
Article 4	Specific Street Schedules
Division 6	Stopping, Standing and Parking
Section 13-179	Handicapped zones.

Amend Section 13-179 by inserting a new line, as follows, with deletions ~~double-stricken through~~, and additions double-underlined:

Tyng Street

One (1) space at 29 Tyng Street through June 30, 2019.

Councillor Charles F. Tontar

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

September 11, 2017

AN ORDER TO ADD A NEW HANDICAPPED PARKING SPACE PURUSANT TO SECTION 166 (AMENDMENT, ADDITION AND DELETION BY ORDER) OF CHAPTER 13 (TRAFFIC AND MOTOR VEHICLES) OF THE MUNICIPAL CODE

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

Chapter 13	Traffic and Motor Vehicles
Article 4	Specific Street Schedules
Division 6	Stopping, Standing and Parking
Section 13-179	Handicapped zones.

Amend Section 13-179 by inserting a new line, as follows, with deletions ~~double-stricken-through~~, and additions double-underlined:

Washington Street

One (1) space at 53 Washington Street through June 30, 2019.

Councillor Robert J. Cronin



CITY OF NEWBURYPORT

CITY COUNCIL

60 PLEASANT STREET -- P.O. BOX 550
NEWBURYPORT, MASSACHUSETTS 01950
978 465 4407

IN CITY COUNCIL:

ORDERED:

Date: September 11, 2017

THAT the CITY COUNCIL of the CITY OF NEWBURYPORT amends the established list of parking restrictions per the Newburyport City Council to include:

No Parking: Malcom Hoyt Drive both sides, from Hale Street for a distance of 700 feet south of Hale Street

AND that the City Clerk and Department of Public Services maintain this list, available to the public

AND further post this list on the city website.

Submitted,

Councillor Robert J. Cronin, Public Safety Chair

Councillor Larry Giunta, Ward 5