

CITY COUNCIL “HYBRID”

MEETING AGENDA

October 25, 2021

City Council Regular Meeting 7:30 pm

**LOCATION: City Council Chambers, City Hall
60 Pleasant Street, Newburyport**

Zoom Details:

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/87977934012>

Or One tap mobile :

US: +13017158592

Or Telephone:

US: +1 301 715

Webinar ID: 879 7793 4012

1. CALL TO ORDER

2. MOMENT OF SILENCE

3. PLEDGE OF ALLEGIANCE

4. CALL TO ORDER

5. LATE FILE

- COMM373_10_25_2021 IFS Ltr. From Pamela Kipp
- COMM374_10_25_2021 IFS Ltr. From Steve and Sharon Knipmeyer
- COMM375_10_25_2021 IFS Ltr. From Mary Lyon
- COMM376_10_25_2021 IFS Ltr. From Barbara Oswald
- COMM377_10_25_2021 IFS Ltr. From Sean Sullivan
- ODNC097_09_13_2021 Proposed Zoning Clarifications re Public Purpose Takings
- APPT283_10_12_2021 Robert Currier 3 Summit Pl. Affordable Housing Trust 10/29/2023
- COMM359_10_12_2021 City Solicitor Opinion on Residency Requirements
- ORDR294_10_25_2021 Legal Boundary Descriptions (Ward & Precincts)
- ORDR295_10_25_2021 Order re Toppans Lane Pavement Markings
- ORDR296_10_25_2021 Additional funding the market landing park restroom facility

6. PUBLIC COMMENT

7. 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.

8. APPROVAL OF MINUTES

- October 12, 2021

(Approve)

9. COMMUNICATIONS

- COMM360_10_25_2021 Memo Conf. Water Main Replacement Phillips Dr. (PU)
- APPL054_10_25_2021 11/28/21-12/19/21 Pop Park Merrimac St. & Market Sq. (PS)

10. TRANSFERS

11. APPOINTMENTS

- APPT285_10_25_2021 Mary E. Young 11 Jefferson Ct. Aff. Housing Trust 11/10/2023

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

Budget and Finance

- ORDR265_08_09_2021 CPC-FY22 Recommendations
#11 Restoration of Nock Middle School Tennis Courts
- COMM353_09_27_2021 Newburyport Public Library Annual Report
- TRAN111_09_27_2021 Transfer Multiple \$42,327.42 to Multiple \$42,327.42
Collective Bargaining Agreement Teamsters Union Local 170
- ORDR287_10_12_2021 Approval to Pay Prior Year Bills
- ORDR289_10_12_2021 FY22 Supplemental Budget Request #1
- ORDR290_10_12_2021 Anna Jaques Hospital Gift Acceptance

General Government

- COMM359_10_12_2021 City Solicitor Opinion on Residency Requirements

Neighborhoods & City Services

- ODNC084_07_12_2021 Streets, Sidewalks, and Other Public Places Alterations and Maintenance
- COMM343_08_30_2021 Congregation Ahavas Achim sign at High & Olive Sts
- ORDR276_08_30_2021 Crosswalk at Pleasant St and Inn St

Planning & Development

- ODNC097_09_13_2021 Proposed Zoning Clarifications re Public Purpose Takings
- APPT283_10_12_2021 Robert Currier 3 Summit Pl. Affordable Housing Trust 10/29/2023

Public Safety

- COMM243_05_11_2020 Ltr from Jane Rascal re: NMMCD
- COMM216_01_13_2020 Ltr re: Ban the Use of Glyphosate
- APPL052_10_12_2021 Youth Hockey League Tag Day 11/20/2021 8am-2pm
- APPL053_10_12_2021 Greater Newburyport Children's Chorus Candy Shop Sing

END OF CONSENT AGENDA

REGULAR AGENDA

9. MAYOR'S UPDATE

10. COMMUNICATIONS

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- COMM374_10_25_2021 IFS Ltr. From Steve and Sharon Knipmeyer
- COMM375_10_25_2021 IFS Ltr. From Mary Lyon
- COMM376_10_25_2021 IFS Ltr. From Barbara Oswald

11. TRANSFERS

12. SECOND READING APPOINTMENTS

		Re-Appointments	
• APPT281_10_12_2021	Scott Hanley	1 Milk St. Tree Comm.	11/1/2024
• APPT282_10_12_2021	Pat Cannon	185 High St. Cultural Council	10/15/2024
• APPT284_10_12_2021	Ted Boretti	67 Marlboro St. Parks Comm.	10/29/2026

13. ORDERS

- ORDR292_10_25_2021 Supplemental Budget #2 FY2022
- ORDR293_10_25_2021 Order re Auburn St Pavement Markings
- ORDR294_10_25_2021 Legal Boundary Descriptions (Ward & Precincts)
- ORDR295_10_25_2021 Order re Toppans Lane Pavement Markings
- ORDR296_10_25_2021 Additional funding the market landing park restroom facility

14. ORDINANCES

- ODNC089_08_09_2021 VII-A-Off-street parking regulations 2nd reading
- ODNC090_08_09_2021 Proposed Electrical Fee Schedule 2nd reading
- ODNC100_10_25_2021 Amended Parking Union St
- ODNC101_10_25_2021 Bus Stop Designation Low St

15. COMMITTEE ITEMS

Ad Hoc Committee on Economic Development

In Committee:

- ODNC098_10_12_2021 Permanent Parklets Legislation

Ad Hoc Committee on Market Landing Park and COTW

In Committee:

- COMM261_08_31_2020 Proposed Timeline, Waterfront
- ORDR227_12_14_2020 Appropriate NRA funds for RFP award
- ORDR284_09_27_2021 Approving Market Landing Park Expansion Conceptual Plan

Budget & Finance

In Committee:

- ORDR265 08 09 2021 CPC-FY22 Recommendations
#11 Restoration of Nock Middle School Tennis Courts
- COMM353 09 27 2021 Newburyport Public Library Annual Report
- TRAN111 09 27 2021 Transfer Multiple \$42,327.42 to Multiple \$42,327.42
Collective Bargaining Agreement Teamsters Union Local 170
- ORDR287 10 12 2021 Approval to Pay Prior Year Bills
- ORDR289 10 12 2021 FY22 Supplemental Budget Request #1
- ORDR290 10 12 2021 Anna Jaques Hospital Gift Acceptance
- ORDR277_08_30_2021 Municipal Fee Schedule Fiscal Year 2022
- ODNC094_08_30_2021 Municipal Fee Schedule
- ORDR280_09_13_2021 Cutter Fire Station Loan Order
- ORDR281_09_13_2021 Authorizing Land Taking w/Waiver of Appraisal & Damages w/Bond

Education

In Committee:

- COMM273_10_13_2020 Ltr of Non-Support from Mayor on Acts of 1987

- COMM329_05_24_2021 Statement of Interest, School Building Authority
- COMM358_10_12_2021 School Strategic Plan documents

General Government

In Committee:

- **COMM359 10 12 2021 City Solicitor Opinion on Residency Requirements**
- COMM325_05_10_2021 Ordinance Review Committee Report
- COMM330_05_24_2021 Code of Ordinances Edited May 2021
- ORDR285_09_27_2021 Re-precincting Plan 2020
- ORDR291_10_12_2021 Authorizing Settlement between IFS and City

License & Permits

In Committee:

- ODNC047_01_27_2020 General Ordinance - Short Term Rental Units Rules
- COMM229_02_24_2020 Ltr re: Implementation of Short-Term Rental Ordinance

Neighborhoods & City Services

In Committee:

- **ODNC084 07 12 2021 Streets, Sidewalks, and Other Public Places Alterations and Maintenance**
- **COMM343 08 30 2021 Congregation Ahavas Achim sign at High & Olive Sts**
- **ORDR276 08 30 2021 Crosswalk at Pleasant St and Inn St**
- ODNC091_08_30_2021 Street, way or grounds specifications
- COMM299_02_08_2021 Phillips Dr. Neighborhood Committee Ltr
- COMM337_07_12_2021 Central Congregational Request crosswalk painting
- ORDR288_10_12_2021 Establishing Pickleball Courts

Planning & Development

In Committee:

- **ODNC097 09 13 2021 Proposed Zoning Clarifications re Public Purpose Takings**
- **APPT283 10 12 2021 Robert Currier 3 Summit Pl. Affordable Housing Trust 10/29/2023**
- COMM231_03_09_2020 Ltr re: Short-Term Rental Ordinance
- COMM346_08_30_2021 Ltr. Jane Snow Coffin St. safety concerns
- ODNC092_08_30_2021 Zoning Amendment Encouraging Outdoor and Recreational Activities
- COMM338_08_09_2021 Blight at State & High, Abandoned Global Oil Service Station
- COMM351_09_13_2021 Notice of Public Hearing Pursuant 107 State St. (Oct 12, 2021 7 pm)
- COMM352_09_13_2021 ORDER Pursuant to G.L. c.139, §1 on Dangerous Building at 107 State St.
- ORDR281_09_13_2021 Authorizing Land Taking w/Waiver of Appraisal & Damages w/Bond

Public Safety

In Committee:

- **COMM243 05 11 2020 Ltr from Jane Rascal re: NMMCD**
- **COMM216 01 13 2020 Ltr re: Ban the Use of Glyphosate**
- **APPL052 10 12 2021 Youth Hockey League Tag Day 11/20/2021 8am-2pm**
- **APPL053 10 12 2021 Greater Newburyport Children's Chorus Candy Shop Sing**
- APPT165_04_13_2020 Dr. Robin Blair 18 Market St. Board of Health 4/30/2023
- ORDR200_07_30_2020 List of Crosswalks Amended
- COMM283_01_27_2021 Ltr from Jim McCarthy-speed limit
- COMM334_06_28_2021 Crosswalk Rawson Ave/High St/Highland Ave
- COMM335_06_28_2021 Safety Review Rawson Ave Ltr. Daniel Blest
- ODNC086_08_09_2021 Loading Zone - Liberty Street
- COMM345_08_30_2021 Public Safety Concern, Parker Street
- COMM346_08_30_2021 Ltr. Jane Snow Coffin St. safety concerns

- ODNC096_09_13_2021 Late File Codification of Parking Orders
- ODNC099_10_12_2021 Parking Restriction Carter Street

Public Utilities

In Committee:

- COMM290_02_08_2021 Falmouth Broadband Feasibility Study (full text in Clerk's office)
- COMM295_02_08_2021 Best Best & Krieger Small Cells Order Annual Meeting
- COMM296_02_08_2021 Natoa FCC Small Wireless Facilities Rules Compliance Guide

Rules

In Committee:

- COMM220_01_27_2020 Proposed City Council Rule 9F
- ORDR170_02_24_2020 Amendment Council Rules 2020 (COTW)
- ORDR171_02_24_2020 Amendment to Rule 17B (COTW)
- ORDR239_02_8_2021 Council Rule 7 and 10B

16. GOOD OF THE ORDER

17. ADJOURNMENT

CONSENT AGENDA

CITY COUNCIL “HYBRID”

MEETING MINUTES

October 12, 2021

Executive Session 6:30 pm

City Council Regular Meeting 7:30 pm

**LOCATION: City Council Chambers, City Hall
60 Pleasant Street, Newburyport**

Zoom Details:

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/87977934012>

Or One tap mobile :

US: +13017158592

Or Telephone:

US: +1 301 715

Webinar ID: 879 7793 4012

- 1. CALL TO ORDER FOR EXECUTIVE SESSION COMMENCING AT 6:30 PM (1) TO DISCUSS LITIGATION RELATING TO AN APPEAL TO LAND COURT OF A PLANNING BOARD DECISION BY THE INSTITUTION FOR SAVINGS AND (2) TO CONSIDER THE PURCHASE, EXCHANGE, TAKING, LEASE, OR VALUE OF REAL PROPERTY PROXIMATE TO THE WEST END FIRE STATION**

- 2. CALL TO ORDER FOR REGULAR COUNCIL MEETING AT 7:30 PM**
- 3. MOMENT OF SILENCE**
- 4. PLEDGE OF ALLEGIANCE**
- 5. CALL TO ORDER**

The City Council President Jared Eigerman called the City Council meeting to order at 7:30 pm and asked the City Clerk, Richard B. Jones, to call the roll. The following City Councillors answered present Zeid, Connell, Khan, Lane, McCauley, Shand, Tontar, Vogel, and Eigerman. 9 present (1 remote AK), 2 absent (JD, CW).

6. LATE FILE

- COMM358_10_12_2021 School Strategic Plan Documents
- COMM359_10_12_2021 City Solicitor Opinion on Residency Requirements
- APPT273_09_27_2021 Leslie Eckholdt 36 Warren St. Waterfront Trust 12/31/2023
- COMM282_01_27_2021 Ltr from Jim McCarthy re: Sign Proposal
- ODNC089_08_09_2021 VII-A-Off-street parking regulations (amended 10/12/2021 in Committee)
- ODNC099_10_12_2021 Carter St. Parking Restriction
- APPL053_10_12_2021 Greater Newburyport Children's Chorus Candy Shop Sing
- ORDR291_10_12_2021 Authorizing Settlement between IFS and City

7. PUBLIC COMMENT

1. Robert Currier, 3 Summit Pl.
2. James Jones, 2 Wills Ln.
3. Anika Greenwood, 151 High St.
4. Eileen McCoy, 132 State St.
5. Susan Diamantopoulos, 69 Turkey Hill Rd.
6. Greg Earls, 2 Sanborn Rd., Hampton Falls, NH
7. Richard Jervy, 6 Riley Ave

8. MAYOR'S COMMENT

CONSENT AGENDA

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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.

9. APPROVAL OF MINUTES

- September 27, 2021 (Approve)

Scrivener’s error COMM349_09_13_2021 to read Motion to receive and file by Councillor Zeid, seconded by Councillor Tontar. Roll call vote. 9 yes 2 absent (JD, CW). Motion passes.

10. COMMUNICATIONS

- COMM357_10_12_2021 Ltr. Jim McCarthy re: Open Space Fence (R&F)
- APPL052_10_12_2021 Youth Hockey League Tag Day 11/20/2021 8am-2pm (PS)

11. TRANSFERS

12. APPOINTMENTS

- | | | | | |
|-----------------------|----------------|--|--------------------------|------------|
| | | Re-Appointments | | |
| • APPT281_10_12_2021 | Scott Hanley | 1 Milk St. | Tree Comm. | 11/1/2024 |
| • APPT282_10_12_2021 | Pat Cannon | 185 High St. | Cultural Council | 10/15/2024 |
| | | <i>*Referred to Planning & Development</i> | | |
| • *APPT283_10_12_2021 | Robert Currier | 3 Summit Pl. | Affordable Housing Trust | 10/29/2023 |
| • APPT284_10_12_2021 | Ted Boretti | 67 Marlboro St. | Parks Comm. | 10/29/2026 |

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

Budget and Finance

- COMM311_03_08_2021 Cllr Tontar letter re: KP Law Legal Opinion on Council Salaries
- ORDR269_08_09_2021 Friends of COA Gift Acceptance
- ODNC090_08_09_2021 Proposed Electrical Fee Schedule
- COMM348_09_13_2021 FY2021 Year End Report
- ORDR282_09_27_2021 Equipment Lease Order

Planning & Development

- APPT273_09_27_2021 Leslie Eckholdt 36 Warren St. Waterfront Trust 12/31/2023
- COMM282_01_27_2021 Ltr from Jim McCarthy re: Sign Proposal
- ODNC089_08_09_2021 VII-A-Off-street parking regulations

Public Safety

- APPL051_09_27_2021 PGA Hope Launch Party @ Battle Grounds
10/16/21 10am-2pm Tracy Park, Pleasant St.
- ORDR283_09_27_2021 Rectangular Rapid Flash Beacon (RRFB) at High Street

END OF CONSENT AGENDA

Motion to approve the Consent Agenda as amended by Councillor Zeid, seconded by Councillor Lane. Roll call vote. 9 yes, 2 absent (JD, CW).
Motion passes.

REGULAR AGENDA

9. MAYOR'S UPDATE

Motion to receive and file by Councillor Zeid, seconded by Councillor McCauley. Roll call vote. 9 yes, 2 absent (JD, CW). Motion passes.

10. COMMUNICATIONS

- COMM358_10_12_2021 School Strategic Plan documents

Motion to refer to Education by Councillor Khan, seconded by Councillor Tontar. Roll call vote. 9 yes, 2 absent (JD, CW). Motion passes.

- COMM359_10_12_2021 City Solicitor Opinion on Residency Requirements

Motion to refer to General Government by Councillor Zeid, seconded by Councillor Shand. Roll call vote. 9 yes, 2 absent (JD, CW). Motion passes.

- APPL053_10_12_2021 Greater Newburyport Children's Chorus Candy Shop Sing

Motion to refer to Public Safety by Councillor Zeid, seconded by Councillor McCauley. Roll call vote. 9 yes, 2 absent (JD, CW). Motion passes.

11. TRANSFERS

12. SECOND READING APPOINTMENTS

Re-Appointments

- APPT274_09_27_2021 Aine Greaney Ellrot 43 Purchase St. Emma Andrews Lib. 10/28/2022
- APPT275_09_27_2021 Elizabeth Valeriani 29 Oak St. Emma Andrews Lib. 10/28/2022
- APPT276_09_27_2021 Virginia R. Champi 84 Purchase St. Emma Andrews Lib. 10/28/2022
- APPT277_09_27_2021 Susan Chase 44 Oak St. Emma Andrews Lib. 10/28/2022
- APPT278_09_27_2021 Donna Conway 27 Marlboro St. Emma Andrews Lib. 10/28/2022

Motion to approve collectively by Councillor Zeid, seconded by Councillor Tontar. Roll call vote. 9 yes, 2 absent (JD, CW). Motion passes.

Appointments

- APPT279_09_27_2021 Marcia Edson 11 Salem St. Tree Commission 10/15/2024

Motion to approve by Councillor Zeid, seconded by Councillor Connell. Roll call vote. 9 yes, 2 absent (JD, CW). Motion passes.

- APPT280_09_27_2021 John Moynihan 415 Portland St. Cultural Commission 10/15/2024
Raymond, NH

Motion to approve by Councillor Connell (WD), seconded by Councillor Zeid (WD).

Motion to receive and file by Councillor Connell, seconded by Councillor Zeid. Roll call vote. 8 yes, 1 no (BV), 2 absent (JD, CW). Motion passes.

13. ORDERS

- ORDR286_09_27_2021 Crosswalk Central Cong Church Pleasant & Titcomb

Moved to a date certain

Motion to approve by Councillor McCauley, seconded by Councillor Shand. Roll call vote. 8 yes, 1 no (BL), 2 absent (JD, CW). Motion passes.

- ORDR287_10_12_2021 Approval to Pay Prior Year Bills

Motion to refer collectively with ORDR289_10_12_2021 and ORDR290_10_12_2021 to Budget & Finance by Councillor Zeid, seconded by Councillor McCauley. Roll call vote. 9 yes, 2 absent (JD, CW). Motion passes.

- ORDR288_10_12_2021 Establishing Pickleball Courts

Motion to refer to Neighborhood and City Services by Councillor McCauley, seconded by Councillor Connell. Roll call vote. 9 yes, 2 absent (JD, CW). Motion passes.

- ORDR289_10_12_2021 FY22 Supplemental Budget Request #1

Motion to refer collectively with ORDR287_10_12_2021 and ORDR290_10_12_2021 to Budget & Finance

by Councillor Zeid, seconded by Councillor McCauley. Roll call vote. 9 yes, 2 absent (JD, CW). Motion passes.

- **ORDR290_10_12_2021** Anna Jaques Hospital Gift Acceptance
Motion to refer collectively with ORDR287_10_12_2021 and ORDR289_10_12_2021 to Budget & Finance by Councillor Zeid, seconded by Councillor McCauley. Roll call vote. 9 yes, 2 absent (JD, CW). Motion passes.
- **ORDR291_10_12_2021** Authorizing Settlement between IFS and City
Motion to refer to General Government by Councillor Zeid, seconded by Councillor Tontar. Roll call vote. 9 yes, 2 absent (JD, CW). Motion passes.

14. ORDINANCES

- **ODNC087_08_09_2021** Municipal Facility Reports 2nd Reading
Motion to approve collectively with ODNC088_08_09_2021 by Councillor Shand, seconded by Councillor Vogel. Roll call vote. 9 yes, 2 absent (JD, CW). Motion passes.
- **ODNC088_08_09_2021** Municipal Building Procurement 2nd Reading
Motion to approve collectively with ODNC087_08_09_2021 by Councillor Shand, seconded by Councillor Vogel. Roll call vote. 9 yes, 2 absent (JD, CW). Motion passes.
- **ODNC093_08_30_2021** Restricting residential permits on campers 2nd reading
Motion to approve by Councillor Vogel, seconded by Councillor McCauley, Roll call vote. 8 yes, 1 no (SZ), 2 absent (JD, CW). Motion passes.
- **ODNC095_09_13_2021** Abolition of Civic Commission Sec. 12 – 140 2nd reading
Motion to approve by Councillor Zeid, seconded by Councillor Tontar. Roll call vote. 9 yes, 2 absent (JD, CW). Motion passes.
- **ODNC098_10_12_2021** Permanent Parklets Legislation
Motion to refer to Ad Hoc Committee on Economic Development by Councillor Vogel, seconded by Councillor McCauley. Roll call vote. 9 yes, 2 absent (JD, CW). Motion passes,
- **ODNC099_10_12_2021** Parking Restriction Carter Street
Motion to refer to Public Safety by Councillor McCauley, seconded by Councillor Shand. Roll call vote. 9 yes, 2 absent (JD, CW). Motion passes.

15. COMMITTEE ITEMS

Ad Hoc Committee on Economic Development

In Committee:

Ad Hoc Committee on Market Landing Park and COTW

In Committee:

- **COMM261_08_31_2020** Proposed Timeline, Waterfront
- **ORDR227_12_14_2020** Appropriate NRA funds for RFP award
- **ORDR284_09_27_2021** Approving Market Landing Park Expansion Conceptual Plan

Budget & Finance

In Committee:

- **COMM311_03_08_2021** **Cllr Tontar letter re: KP Law Legal Opinion on Council Salaries**
Motion to receive and file, and a waiver of the privilege to allow the document to be open to the public by Councillor Zeid, seconded by Councillor McCauley. Roll call vote. 9 yes, 2 absent (JD, CW). Motion passes.
- **ORDR269_08_09_2021** **Friends of COA Gift Acceptance**
Motion to approve by Councillor Zeid, seconded by Councillor Tontar. Roll call vote. 8 yes, 1 no (JM), 2 absent (JD, CW). Motion passes.
- **ODNC090_08_09_2021** **Proposed Electrical Fee Schedule**
Motion to approve 1st reading by Councillor Zeid, seconded by Councillor Vogel. Roll call vote. 8 yes, 1 no (SZ), 2 absent (JD, CW). Motion passes.
- **COMM348_09_13_2021** **FY2021 Year End Report**
Motion to receive and file by Councillor Zeid, seconded by Councillor Connell. Roll call vote. 9 yes, 2 absent

(JD, CW). Motion passes.

- **ORDR282 09 27 2021 Equipment Lease Order**

Motion to approve by Councillor Zeid, seconded by Councillor Vogel. Roll call vote. 9 yes, 2 absent (JD, CW). Motion passes.

- ORDR265_08_09_2021 CPC-FY22 Recommendations
#11 Restoration of Nock Middle School Tennis Courts
- ORDR277_08_30_2021 Municipal Fee Schedule Fiscal Year 2022
- ODNC094_08_30_2021 Municipal Fee Schedule
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- ORDR285_09_27_2021 Re-precincting Plan 2020

License & Permits

In Committee:

- ODNC047_01_27_2020 General Ordinance - Short Term Rental Units Rules
- COMM229_02_24_2020 Ltr re: Implementation of Short-Term Rental Ordinance

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- ODNC091_08_30_2021 Street, way or grounds specifications
- COMM299_02_08_2021 Phillips Dr. Neighborhood Committee Ltr
- COMM337_07_12_2021 Central Congregational Request crosswalk painting
- COMM343_08_30_2021 Congregation Ahavas Achim sign at High & Olive Sts

Planning & Development

In Committee:

- **APPT273 09 27 2021 Leslie Eckholdt 36 Warren St. Waterfront Trust 12/31/2023**

Motion to approve by Councillor Shand, seconded by Councillor Connell. Roll call vote. 9 yes, 2 absent (JD, CW). Motion passes.

- **COMM282 01 27 2021 Ltr from Jim McCarthy re: Sign Proposal**

Motion to receive and file by Councillor Shand, seconded by Councillor Zeid. Roll call vote. 9 yes, 2 absent (JD, CW). Motion passes.

- **ODNC089 08 09 2021 VII-A-Off-street parking regulations**

Motion to approve 1st reading as amended in Committee 10/12/2021 by Councillor Shand, seconded by Councillor Zeid. Roll call vote. 9 yes, 2 absent (JD, CW). Motion passes.

- COMM231_03_09_2020 Ltr re: Short-Term Rental Ordinance
- COMM346_08_30_2021 Ltr. Jane Snow Coffin St. safety concerns

- ODNC092_08_30_2021 Zoning Amendment Encouraging Outdoor and Recreational Activities
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- ORDR281_09_13_2021 Authorizing Land Taking w/Waiver of Appraisal & Damages w/Bond

Public Safety

In Committee:

- **APPL051_09_27_2021** **PGA Hope Launch Party @ Battle Grounds**
10/16/21 10am-2pm Tracy Park, Pleasant St.

Motion to approve by Councillor McCauley, seconded by Councillor Vogel. Roll call vote. 9 yes, 2 absent (JD, CW). Motion passes.

- **ORDR283_09_27_2021** **Rectangular Rapid Flash Beacon (RRFB) at High Street**

Motion to approve by Councillor McCauley, seconded by Councillor Shand. Roll call vote. 9 yes, 2 absent (JD, CW). Motion passes.

- COMM216_01_13_2020 Ltr re: Ban the Use of Glyphosate
- APPT165_04_13_2020 Dr. Robin Blair 18 Market St. Board of Health 4/30/2023
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Public Utilities

In Committee:

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- COMM295_02_08_2021 Best Best & Krieger Small Cells Order Annual Meeting
- COMM296_02_08_2021 Natoa FCC Small Wireless Facilities Rules Compliance Guide

Rules

In Committee:

- COMM220_01_27_2020 Proposed City Council Rule 9F
- ORDR170_02_24_2020 Amendment Council Rules 2020 (COTW)
- ORDR171_02_24_2020 Amendment to Rule 17B (COTW)
- ORDR239_02_8_2021 Council Rule 7 and 10B

16. GOOD OF THE ORDER

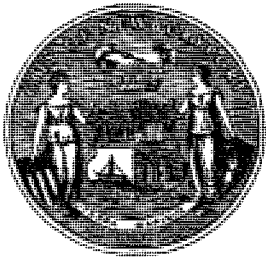
Councillor Zeid requested updated pending legislation regarding Short Term Rentals. Councillor McCauley state he would provide the same.

Councillor Khan stated that there would be a Joint Meeting between the City Council and the School Committee to discuss the school budget on November 16, 2021 at 6:30 pm.

17. ADJOURNMENT

Motion to adjourn at 8:58 pm by Councillor Zeid, seconded by Councillor Vogel. Roll call vote. 9 yes, 2 absent (JD, CW). Motion passes.

COMMUNICATIONS



CITY OF NEWBURYPORT
DEPARTMENT OF PUBLIC SERVICES
 16A PERRY WAY
 NEWBURYPORT, MA 01950

ANTHONY J. FURNARI, DIRECTOR
 JAMIE TUCCOLO, DEPUTY DIRECTOR/DIRECTOR OF OPERATIONS

PHONE: 978-465-4463/4464
 FAX : 978 462 2063

MEMORANDUM

DATE: October 15, 2021

TO: Richard Jones, City Clerk
 Members of the City Council

FROM: Jon-Eric White, City Engineer *JEW*

COPY: Mayor Donna D. Holaday
 Water and Sewer Commission
 Anthony J. Furnari, DPS Director
 Diane Gagnon, Assistant Engineer

SUBJECT: Philips Drive Neighborhood Roadway Improvements Project
ORDER 252 – CONFIRMATION OF WATER MAIN REPLACEMENT

This memo is in response to the subject City Council Order 252 (attached for reference) requesting that I provide to the City Council via the City Clerk (A) a final report [confirming the need to replace the water mains as part of the subject project], and, (B) a final plan defining the scope of the Water Line project with a cost estimate.

My final conclusion is that all of the water mains and services in the subject roadway project – specifically Philips Drive, Drew Street, Sullivan Drive, and Ryan Road – should be replaced in their entirety for reasons outlined herein.

We hired one of our engineering consultants, Environmental Partners, Inc., to assist me with an evaluation of the existing piping network. Their final evaluation and recommendation memo is attached. They recommend replacing the water mains in their entirety. We also discussed this at our previous two Water and Sewer Commission meetings and the Commission members support replacing these mains and services. They are concerned that the vibrations from the roadway construction equipment will cause the older cast iron pipe to break.

Background:

Contractors had to remove a lot of ledge when they installed the underground utilities back in the 1960's and '70's. We suspect that the majority of the water main in Sullivan Drive was laid directly on ledge with little to no bedding based on discussions with the Water Division crews. This resulted in a handful of water breaks over the years at that location.

COMM360_10_25_2021

My understanding is that the majority of the other water breaks over the years were on the older, Type L copper service connections. This type of copper was too thin and not very durable so the industry replaced it with a better-quality Type K copper tubing. Even before we decided to replace the entire main, we always intended to replace the water services as part of this Project because of the poor quality copper.

There were two main reasons for replacing the mains in their entirety: 1) two hydrant flow tests performed earlier this year revealed just-above-the-minimum (500 gallons per minute @ 20 psi) firefighting flow rates, and; 2) vibratory roller roadway construction equipment will likely crack the brittle cast iron pipe or disturb it enough to cause a break in the future after paving has been completed.

Evaluation:

We hired Xcel Fire Protection, Inc., to flow test five hydrants and surprisingly, the results ranged between 2,100 gpm and 3,000 gpm at 20 psi residual pressure (ISO's baseline pressure requirement). Therefore, the existing pipe is capable of providing 4-6 times the flow rates needed to fight fires. Insufficient flow rates are a primary reason for water main replacement. Those pressures and flow rates are reason enough to justify *keeping* the water mains in place.

Although the existing mains provide ample flows today, I wanted to cut into the pipes and do some forensics on the pipe after being in service for 60 years. If there were signs of imminent pipe failure or the probability that it won't survive another 20 years (common roadway pavement life), then I would have recommended to replace it.

Before sending out crews to cut into the pipe, I took a hard look at the design Plans to see what the impact construction will have on the existing cast iron pipe. Cast iron is brittle and can crack if an impact to it is great enough, which is the primary reason why they invented ductile iron pipe, it's more durable. Water mains are typically 4'-5' deep to stay clear of the frost zone in the soil. At this depth, I do not believe that vibratory rollers used in roadway paving operations will cause pipe failure but I am certain that what *will* cause damage to the existing pipe would be ledge-removal operations (impact drilling, hoe ramming) in order to install the new drainage system. Ledge removal is highly anticipated on this Project and this will most definitely cause a problem to the existing cast iron pipe.

While that is reason enough to replace the pipe, what solidified my decision was the mere fact that we will have dozens of conflicts between the new drainage system and the existing water mains. This problem is greatly exacerbated with the fact that we do not know where the water mains are in the street. We do not have record, as-built Plans of the existing underground utilities so we have little confidence that we can even design a new system that will not have a physical impact on them.

One can argue that if we are about to impact the water main at a certain location in order to install a drainage structure or drainage pipe, then just relocate a portion of the water main at that location. The problem with this is that we have thousands of feet of gravity drainage pipe and dozens of new structures, as well as an existing sewer system in the roadways, so we'll end up cutting into the water

pipe in dozens of spots. Even if we put the Project out to bid and created payment items to cover the cost of the contractor to replace these segments of water main, it will likely result in over-runs that could be quite costly. And living with a patchwork of new and old piping segments is the least desirable situation. That will likely lead to breaks or leaks in the future and force us to cut into the new pavement.

This decision to replace all of the pipe eliminated the need to cut into them to evaluate their condition.

As for the pipe sizes, we do not need 8-inch diameter on all roads, just in Philips Drive and the connection to Hoyt's Lane. The side streets can be 6-inch so this will provide us with some cost savings. Attached is an updated cost estimate. Some quantities have changed as well as some unit prices because we are using the latest bid prices available.

I will attend the Council meeting when this is discussed to answer any questions that may arise.

CITY OF NEWBURYPORT



IN CITY COUNCIL

May 24, 2021

ORDERED:

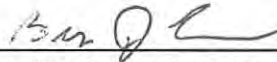
THAT, subject to the conditions shown below, a grand total of \$4,389,000 from various sources is appropriated to the Phillips Drive Neighborhood Roadway, Drainage, and Water line Improvements Project. The funding sources are shown as follows:

THAT, at the recommendation of the American Rescue Plan Ad Hoc Committee, \$1,000,000 is further appropriated to pay Costs of the Phillips Drive Neighborhood Drainage Improvements and Roadway Reconstruction related thereto from the City's allocation of the Coronavirus State and Local Fiscal Recovery Funds.

THAT, \$1,575,000 is appropriated to pay costs of the Phillips Drive Neighborhood Roadway and Drainage Improvements Project 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 said amount under and pursuant to M.G.L. c. 44, §7(1), or pursuant to any other enabling authority, and to issue bonds or notes of the City therefor; 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 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. While all notes and bonds issued under this loan order shall be general obligations of the City, it is the intent that the debt service on such notes and bonds be paid from General Fund revenues.

THAT, \$1,814,000 is appropriated to pay costs of the Phillips Drive Neighborhood Water Line Project 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 said amount under and pursuant to M.G.L. c. 44, §7(1), or pursuant to any other enabling authority, and to issue bonds or notes of the City therefor; 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 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. The appropriation referenced in this paragraph shall not be considered valid until such time as

the City Engineer provides to the City Council via the City Clerk (A) a final report including, at minimum, , an analysis of the pipe condition and (B) a final plan meeting the City Engineer's approval defining the final planned scope of the Water Line project with a detailed cost estimate along with information about all alternatives considered. While all notes and bonds issued under this loan order shall be general obligations of the City, it is the intent that the debt service on such notes and bonds be paid from Water Enterprise Fund revenues.



Councillor Byron J. Lane



Councillor Charles F. Tontar

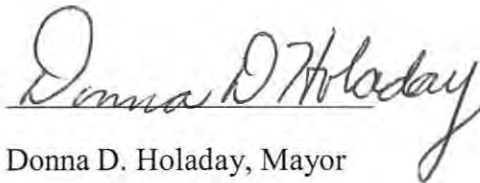
In City Council May 24, 2021:

Motion to refer to Budget & Finance by Councillor Tontar, seconded by Councillor Zeid. Roll call vote. 11 yes. Motion passes.

In City Council August 30, 2021:

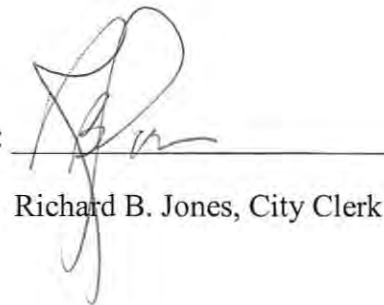
Motion to approve by Councillor Zeid, seconded by Councillor Lane. Motion to amend as presented by Councillor Zeid, seconded by Councillor McCauley. Motion to delete the last sentence beginning with the words "The appropriation..." ending with the word "...considered" by Councillor Tontar, seconded by Councillor Lane. A friendly amendment to the standing motion to amend as presented to strike "from the General Fund" and to strike "from" and to insert "with the intent to use" after the words "and related thereto" was accepted by Councillors Zeid and Lane. Friendly amendment by Councillor Khan to strike only the words of the last sentence between "a series...locations" and "determined...inspection" accepted by Councillors Tontar and Lane. Roll call on the Motion to Delete. 11 yes. Motion passes. Roll call on the Motion to Amend. 11 yes. Motion passes. Roll call on the Motion to Approve. 11 Yes. Motion passes.

Approve:



Donna D. Holaday, Mayor

Attest:



Richard B. Jones, City Clerk

Date:

10/4/2021

MEMORANDUM

Date: October 15, 2021

To: Newburyport Department of Public Services
Water and Engineering Divisions

From: Ryan J. Allgrove, PE

Cc: Eric A. Kelley, PE, Environmental Partners
Edward H. Ye, Environmental Partners

Subject Phillip Drive Fire Flow Analysis – Findings and Recommendations

Background

The City of Newburyport (City) is currently designing stormwater infrastructure and roadway improvements in the Phillips Drive neighborhood including Phillips Drive, Drew Street, Sullivan Drive and Ryan Road. The improvements will involve utility trench excavation and full-depth pavement restoration for most of the neighborhood. In order to take advantage of the cost efficiencies associated with performing construction for multiple utilities under the same project, the City is assessing the need for replacement of the water distribution system or select elements of it within the project area. The neighborhood's water distribution system (pipes, valves, and hydrants) are approximately 60 years old and originally installed when the neighborhood was developed.

Hydrant Flow Test Results

The Newburyport Department of Public Services (DPS) requested Environmental Partners (EP) oversee hydrant flow testing completed by Xcel Fire Protection, Inc. (Xcel) to document hydraulic conditions in the Phillips Drive neighborhood. A total of five hydrant flow tests were conducted on September 8, 2021. The field test reports prepared by Xcel are included as Attachment A. Table 1 summarizes the main findings of the tests:

Table 1: Hydrant Flow Testing Results

Test #	Flow Hydrant	Read Hydrant	Test Flow (gpm)	Available Flow @ 20 psi Residual Pressure (gpm)
1	Drew Street / Phillips Drive West	Hoyt's Lane	1062	2144
2	Sullivan Drive	Drew Street / Phillips Drive East	1062	2797
3	Ryan Road Dead End	Ryan Road/ Phillips Drive	1163	2994
4	Phillips Drive North	William Hall Drive	1187	2276
5	Turkey Hill/Storey Ave	#175 Storey Ave	950	2923

Hydrant Flow Test Analysis

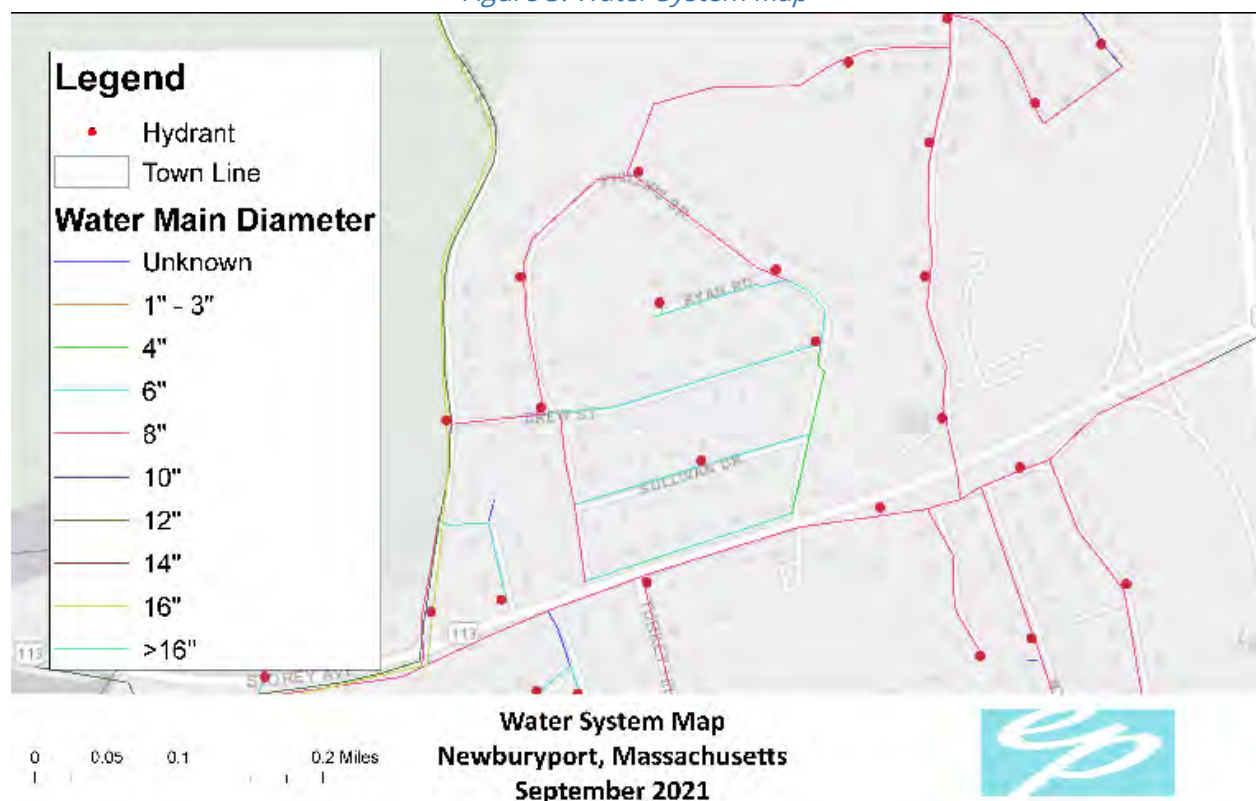
Upon the completion of the hydrant flow testing, EP reviewed the results and field data provided by Xcel. Based on the *Guide for Determination of Needed Fire Flow* provided by the Insurance Services Office, Inc. (ISO), the Newburyport water system can provide fire flows typically considered adequate for similar residential areas. The typical distance between buildings in the Phillips Drive neighborhood exceeds 30 feet. From the test results, the range of approximately 2,100 gpm to 3,000 gpm far exceeds the 500 gpm need for buildings more than 30 feet apart. Fire flow requirements for the neighborhood should be confirmed by the Fire Department.

Table 2: ISO Needed Fire Flows for One and Two Family Dwellings

Distance Between Buildings	Needed Fire Flow
More than 30 feet	500 gpm
21-30 feet	750 gpm
11-20 feet	1,000 gpm
0-10 feet	1,500 gpm

Figure 1 illustrates the existing Phillips Drive neighborhood water system map based upon GIS mapping records. The City's GIS mapping is inconsistent with field observations from the City's valve turning observations. These inconsistencies are addressed further in the recommendations.

Figure 3: Water System Map



While the Phillips Drive neighborhood exceeds the recommended ISO fire flows, based on other water distribution system conditions reported by DPS (e.g. leak/repair history, insufficient pipe bedding, valve turning results), uncertainty regarding the interior condition (e.g. lined vs. unlined cast iron) of water mains within the Phillips Drive neighborhood, EP recommends DPS consider the following water main improvements:

- Remove and replace the entire Phillips Drive neighborhood water distribution system due to concerns regarding history of leaks and repairs, presence of shallow bedrock (e.g. Sullivan Drive), uncertainty in pipe size (e.g. potential 4-inch main on Phillips Drive east) and cement lining, and potential utility conflicts identified between proposed drainage improvements and existing water mains. Based on the flow testing that was performed, 6-inch side street water mains can provide fire flow typically considered adequate in similar residential areas. EP recommends the following pipe sizes for the water main improvements:
 - Drew Street (Between Hoyt's Lane and Phillips Drive west) and Phillips Drive east/west: 8-inch cement lined ductile iron (CLDI)
 - Drew Street (Between Phillips Drive east and west), Sullivan Drive, and Ryan Road: 6-inch CLDI
- Consider sequencing the pavement restoration work to allow time for the utility trenches to settle and potential leaks from existing water mains to develop before final pavement installation. The pavement reclamation, vibratory compaction, and utility excavation

(including rock) may affect the integrity of the existing water mains, valves, hydrants and services.

- Provide a water main connection point for future use in connecting to the transmission main on Storey Avenue to provide a third connection to loop Phillips Drive neighborhood to the system for improved flow and redundancy. The connection of Phillips Drive to Storey Avenue could be considered for when the existing Storey Avenue water main is programmed for replacement, which will require permitting with Massachusetts Department of Transportation.

**PHILIPS DRIVE NEIGHBORHOOD ROADWAY AND DRAINAGE IMPROVEMENTS
NEWBURYPORT, MASSACHUSETTS
ENGINEER'S ESTIMATE
95% DESIGN
October 15,2021
PREPARED BY BSC GROUP
BSC PROJECT NO. 89923.00**

Item No	Description	Unit of Measure	Unit Price	Total Quantity	Total	Drainage	Roadway/Sidewalk	Waterline
101.	CLEARING AND GRUBBING	A	\$30,000.00	0.25	\$7,500.00	\$7,500.00		
120.	EARTH EXCAVATION	CY	\$30.00	100.00	\$3,000.00	\$3,000.00		
121.	CLASS A ROCK EXCAVATION	CY	\$150.00	100.00	\$7,500.00		\$7,500.00	
129.	SIDEWALK REMOVAL	SY	\$30.00	1875.00	\$56,250.00		\$56,250.00	
142.	CLASS B TRENCH EXCAVATION	CY	\$40.00	1366.00	\$54,640.00	\$27,320.00		\$27,320.00
144.	CLASS B ROCK EXCAVATION	CY	\$150.00	100.00	\$15,000.00			\$15,000.00
145.	DRAINAGE STRUCTURE ABANDONED	EA	\$500.00	15.00	\$7,500.00	\$7,500.00		
146.	DRAINAGE STRUCTURE REMOVED	EA	\$700.00	13.00	\$9,100.00	\$9,100.00		
153.	CONTROLLED DENSITY FILL - TYPE 1E	CY	\$150.00	169.99	\$25,498.17	\$25,498.17		
170.	FINE GRADING AND COMPACTING	SY	\$4.20	2000.00	\$8,400.00		\$8,400.00	
181.	DISPOSAL OF UNREGULATED SOIL	CY	\$76.00	100.00	\$176.00	\$176.00		
201.	CATCH BASIN	EA	\$4,500.00	35.00	\$157,500.00	\$157,500.00		
202.	MANHOLE	EA	\$5,000.00	32.00	\$160,000.00	\$160,000.00		
206.	DROP INLET, TYPE A	EA	\$4,500.00	9.00	\$40,500.00	\$40,500.00		
206.5	WATER QUALITY UNIT	EA	\$15,000.00	2.00	\$30,000.00	\$30,000.00		
220.7	SANITARY STRUCTURES ADJUSTED	EA	\$500.00	24.00	\$12,000.00		\$12,000.00	
252.118	18 INCH CORRUGATED PLASTIC PIPE FLARED END	EA	\$1,350.00	1.00	\$1,350.00	\$1,350.00		
252.12	12 INCH CORRUGATED PLASTIC (POLYETHYLENE) PIPE	FT	\$100.00	745.00	\$74,500.00	\$74,500.00		
252.130	30 INCH CORRUGATED PLASTIC PIPE FLARED END	EA	\$1,500.000	1.00	\$1,500.00	\$1,500.00		
252.15	15 INCH CORRUGATED PLASTIC (POLYETHYLENE) PIPE	FT	\$95.00	2405.00	\$228,475.00	\$228,475.00		
252.18	18 INCH CORRUGATED PLASTIC (POLYETHYLENE) PIPE	FT	\$107.50	505.00	\$54,287.50	\$54,287.50		
252.24	24 INCH CORRUGATED PLASTIC (POLYETHYLENE) PIPE	FT	\$140.000	460.00	\$64,400.00	\$64,400.00		
252.30	30 INCH CORRUGATED PLASTIC (POLYETHYLENE) PIPE	FT	\$180.000	110.00	\$19,800.00	\$19,800.00		
252.36	36 INCH CORRUGATED PLASTIC (POLYETHYLENE) PIPE	FT	\$200.00	410.00	\$82,000.00	\$82,000.00		
269.06	6 INCH SLOT-PERFORATED CORRUGATED PLASTIC PIPE (STUB)	EA	\$500.00	40.00	\$20,000.00	\$20,000.00		
269.10	10 INCH SLOT-PERFORATED CORRUGATED PLASTIC PIPE (SUBDRAIN)	FT	\$110.00	2885.00	\$317,350.00	\$317,350.00		
302.06	6 INCH DUCTILE IRON WATER PIPE (RUBBER GASKET)	FT	\$115.00	1495.00	\$171,925.00			\$171,925.00
302.08	8 INCH DUCTILE IRON WATER PIPE (RUBBER GASKET)	FT	\$140.00	6780.00	\$949,200.00			\$949,200.00
309.	DUCTILE IRON FITTINGS FOR WATER PIPE	LB	\$7.50	3500.00	\$26,250.00			\$26,250.00
347.075	3/4 INCH COPPER TUBING TYPE K	FT	\$59.00	2025.00	\$119,475.00			\$119,475.00
350.08	8 INCH GATE VALVE AND GATE BOX	EA	\$2,500.00	23.00	\$57,500.00			\$57,500.00
350.09	6 INCH GATE VALVE AND GATE BOX	EA	\$2,000.00	8.00	\$16,000.00			\$16,000.00
363.075	3/4 INCH CORPORATION COCK	EA	\$475.00	76.00	\$36,100.00			\$36,100.00
376.	HYDRANT	EA	\$5,500.00	8.00	\$44,000.00			\$44,000.00
384.	CURB STOP	EA	\$650.00	76.00	\$49,400.00		\$90,000.00	\$49,400.00
402.	DENSE GRADED CRUSHED STONE FOR SUB-BASE (SIDEWALKS AND ROADWAY BLENDING)	CY	\$72.00	1250.00	\$90,000.00			
403.	RECLAIMED PAVEMENT FOR BASE COURSE AND/OR SUB-BASE	SY	\$3.750	16050.00	\$60,187.50		\$60,187.50	
443.	WATER FOR ROADWAY DUST CONTROL	MGL	\$75.00	100.00	\$7,500.00		\$7,500.00	
450.41	SUPERPAVE BASE COURSE - 25.0 (SBC - 25.0)	TON	\$100.00	1800.10	\$180,010.00		\$180,010.00	
470.	HOT MIX ASPHALT BERM	TON	\$275.00	150.14	\$41,287.40		\$41,287.40	
472.	TEMPORARY ASPHALT PATCHING (2 INCH APPLICATION)	TON	\$200.00	576.30	\$115,260.00	\$115,260.00		
482.3	SAWCUTTING ASPHALT PAVEMENT	FT	\$2.88	22600.00	\$65,088.00	\$32,544.00		\$32,544.00
697.1	SILT SACK	EA	\$180.00	44.00	\$7,920.00		\$7,920.00	
697.	SEDIMENTATION FENCE	LF	\$10.00	3000.00	\$30,000.00		\$30,000.00	
701.2	CEMENT CONCRETE WHEELCHAIR RAMP	SY	\$100.00	53.33	\$5,333.33		\$5,333.33	
702.	HOT MIX ASPHALT SIDEWALK	TON	\$225.00	314.93	\$70,858.13		\$70,858.13	
703.	HOT MIX ASPHALT DRIVEWAY	TON	\$225.00	77.11	\$17,350.20		\$17,350.20	
748.	MOBILIZATION	LS	\$100,000.00	1.00	\$100,000.00	\$32,330.00	\$33,330.00	\$33,330.00
751.	LOAM BORROW	CY	\$58.00	1000.00	\$58,000.00		\$58,000.00	
756.	NPDES STORMWATER POLLUTION PREVENTION PLAN	LS	\$5,000.00	1.00	\$5,000.00	\$5,000.00		
765.	SEEDING	SY	\$2.00	6500.00	\$13,000.00		\$13,000.00	
832.	WARNING - REGULATORY AND ROUTE MARKER - ALUMINUM PANEL (TYPE A)	EA	\$150.00	8.00	\$1,200.00		\$1,200.00	
847.1	SIGN SUPPORT (NOT GUIDE) AND ROUTE MARKER WITH 1 BREAKAWAY POST ASSEMBLY - STEEL	EA	\$250.00	8.00	\$2,000.00		\$2,000.00	
850.01	POLICE DETAIL	HRS	\$60.00	2400.00	\$144,000.00	\$57,600.00	\$28,800.00	\$57,600.00
859.	REFLECTORIZED DRUM	DAY	\$100.00	280.00	\$28,000.00		\$28,000.00	
860.1	CROSS WALK WHITE LINE (PAINTED)	EA	\$5.00	250.00	\$1,250.00		\$1,250.00	
860.112	12-INCH REFLECTORIZED WHITE LINE (PAINTED)	FT	\$4.00	1400.00	\$5,600.00		\$5,600.00	
SUBTOTAL =					\$3,976,921.23	\$1,574,490.67	\$765,776.56	\$1,635,644.00
CONTINGENCY (10%) =					\$397,692.12 ###	\$157,449.07	\$76,577.66	\$163,564.40
TOTAL (Rounded to nearest 1,000) =					\$4,375,000.00	\$1,732,000.00	\$843,000.00	\$1,800,000.00

NEWBURYPORT SPECIAL EVENT APPLICATION

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA
OCT 13 AM 10:39

Tel. _____

(For Parades, Road Races and Walkathons Only - Please complete page 3 of this application)

NAME OF EVENT: Pop Up Park: Non Profit Holiday Programming

Date: 11/28/21 - 12/19/21 Time: from 10 Am to 3 Pm

Rain Date: N/A Time: from _____ to _____

2. Location: In front of Info booth @ Park Space

3. Description of Property: Park Area on Merrimac Public Private _____

4. Name of Organizer: Chamber of Commerce City Sponsored Event: Yes _____ No

Contact Person: ERIN DUGGAN

Address: 38 Merrimac St Telephone: 415 577 4112

E-Mail: eduggan@newburyportchamber.org Cell Phone: _____

Day of Event Contact & Phone: Erin Duggan 415 577 4112

5. Number of Attendees Expected: 40-60 Rolling Attendance

6. MA Tax Number: 04 2384 695

7. Is the Event Being Advertised? Yes Where? Social Media

8. What Age Group is the Event Targeted to? All Ages

9. Have You Notified Neighborhood Groups or Abutters? Yes _____ No Who? _____

ACTIVITIES: (Please check where applicable.) Subject to Licenses & Permits from Relevant City Departments

A. Vending: Food _____ Beverages _____ Alcohol _____ Goods _____ Total # of Vendors _____

B. Entertainment: (Subject to City's Noise Ordinance.) Live Music DJ _____ Radio/CD _____
 Performers Dancing _____ Amplified Sound Stage

C. Games /Rides: Adult Rides _____ Kiddie Rides _____ Games _____ Raffle _____
 Other _____ Total # _____
 Name of Carnival Operator: _____
 Address: MARKET SQUARE - Bull Nose
 Telephone: _____

D. Organizer is responsible for clean-up during and after event. All trash must be collected and removed from event location immediately at the end of the event unless prior written agreement had been made with the Department of Public Services (DPS).

Will you be conducting the clean-up for this event? Yes No _____

If yes:

- a) How many trash receptacles will you be providing? Working with existing + DPS
- b) How many recycling receptacles will you be providing? "
- c) Will you be contracting for disposal of: **Trash** Yes No **Recycling** Yes No
- i. If yes, size of dumpster(s): **Trash** _____ **Recycling** _____
- ii. Name of disposal company: **Trash** _____ **Recycling** _____
- iii. If no, will you remove trash & recycling with organizers' cars or trucks? Yes No
- iv. If no, where will the trash & recycling be disposed? _____

If no:

- a) # of trash container(s) to be provided by DPS _____
- b) # of recycling container(s) to be provided by Recycling Office _____
- c) \$45.00/hr/DPS employee charge must be paid by the organizer to DPS in advance of the event (Fee for Special Events). The hours required for the event will be determined by DPS.

All fees must be paid prior to the event. Check or money order is payable to the City of Newburyport.

E. Portable Toilets: (Each cluster of portable toilets must include at least one ADA accessible toilet)

6 Standard # 0 ADA accessible

Name of company providing the portable toilets: _____

FOR PARADE, ROAD RACE AND WALKATHON EVENTS ONLY

PARADE X ROAD RACE _____ WALKATHON _____

1. Name of the Group or Person Sponsoring the Road Race, Parade, Walkathon: Greater Newburyport Chamber of Commerce & Industry
Newburyport Rotary Club

2. Name, Address & Daytime Phone Number of Organizer: DENNIS PALAZZO 978 417-6118
Edwin Duggan, Marketing Dir @ GNCCT
382 Merrimac St N15bt
415-577-4112 / eduggan@newburyportchamber.org

3. Name, Address & 24/7 Telephone Number of Person Responsible for Clean Up Same As Above

4. Date of Event: Sunday Nov 28 Expected Number of Participants: 300

5. Start Time: 3pm Expected End Time: 8pm

6. Road Race, Parade or Walkathon Route: (List street names & **attach map of route**):
Merrimac to STATE

7. Locations of Water Stops (if any): N/A

8. Will Detours for Motor Vehicles Be Required? Yes If so, where? Tircomb + STATE Intersection

9. Formation Location & Time for Participants: Market Square 3-8pm

10. Dismissal Location & Time for Participants: Market Square 8pm

11. Additional Parade Information:
- Number of Floats: 2-3 Max
 - Locations of Viewing Stations: Along Merrimac
 - Are Weapons Being Carried: Yes _____ No X
 - Are Marshalls Being Assigned to Keep Parade Moving: Yes X No _____

APPROVAL SIGNATURES REQUIRED FOR STREET CLOSURE OR ANY USE OF A PUBLIC WAY.

CITY MARSHAL [Signature] 4 Green St. FIRE CHIEF [Signature] 0 Greenleaf St.
 DEPUTY DIRECTOR [Signature] 16A Perry Way CITY CLERK _____ 60 Pleasant St.
10-7-21

DEPARTMENT APPROVAL (for Committee Member use only):

It will be necessary for you to obtain permits or certificates from the following Departments: Please note that costs for some City support services during an event are an estimate only. Some Departments may forward an invoice for services rendered at the completion of the event, and others may require advance payment.

Approval
Required

Date: _____ Signature _____

- ____ 1. Special Events: _____
- ____ 2. Police: _____
Is Police Detail Required: _____ # of Details Assigned: _____
- ____ 3. Traffic, Parking & Transportation: _____
- ____ 4. ISD/Health: _____
- ____ 5. Recycling: _____
- ____ 6. ISD/Building: _____
- ____ 7. Electrical: _____
- ____ 8. Fire: _____
Is Fire Detail Required: _____ # of Details Assigned: _____
- ____ 9. Public Works: *Fee for Special Events: \$45/hr/DPS employee for trash handling/staging etc. may apply*
 Yes: \$ _____ due on _____ No Fee for Special Events applies
Other requirements/instructions per DPS _____
- ____ 10. Recreation Department: _____
- ____ 11. License Commission _____

The Departments listed above have their own application process. Applicants are responsible for applying for and obtaining all required permits & certificates from the various individual Departments.

Limitations

- (a) *"Procedure"* All road racing, walkathon, bicycle, or swimming events shall, through that event's organizer, board of directors, charity foundation or designee apply for authorization to hold the event through the Office of the City Clerk. The City Clerk upon review of the completed form will place the application on the regular City Council agenda. Upon following the procedures of the Council, as deemed appropriated in the sole judgment of the Council, the application will be considered approved if the Council votes favorably by majority. The event will name one person responsible on the application and shall provide contact information to include name, address and telephone number.
- (b) *"Exemptions"* Each event organizer or organization shall comply with this ordinance and no exemptions will be permitted.
- (c) *"Course map"*, All applications shall be accompanied by a course map showing the event route, water stops, refreshment stops, and so-called "porta-potties". The course map shall also include any road closures, detours and parking areas. The course map shall be approved by Police, Fire, Department of Public Services, Parks Commission and Harbormasters Departments prior to submission to the City Clerk.
- (d) *"Electronic Amplifier"* Electronic amplifiers, loudspeakers and bullhorn use shall be requested at time of application. Under no circumstances will they be used for public address announcements or music before 8:00 A.M. except for Sundays when electronic amplifiers, loud speakers or bullhorns will be used for public address announcements or music before 9:00 AM. This shall be deemed a requirement for all permitted events regardless of type or location.

**APPOINTMENTS
FIRST READING**



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

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

To: President and Members of the
City Council

From: Donna D. Holaday, Mayor

Date: October 21, 2021

Subject: Appointment

I hereby appoint, subject to your approval, the following named individual as a member of Affordable Housing Trust. This term will expire on November 10, 2023.

Mary E. "Meo" Young
11 Jefferson Court
Newburyport, MA 01950

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2021 OCT 20 PM 3:32

Donna Musumeci

From: Meo <meyoung@comcast.net>
Sent: Friday, October 8, 2021 12:49 PM
To: Donna Musumeci
Subject: [Ext]Affordable Housing Trust Membership
Attachments: Mary E-10-8-21.pdf

external e-mail use caution opening

Hello Donna,

My name is Meo Young and John Feehan sent me your email regarding new members for the AHT. I am interested.

I have been on both the YWCA's Board of Directors and the YWCA's affordable housing committee for the last 6 years. I have also been on the Board of Roof Overhead for the last 8 years. During that time Newburyport housing prices have gone through the roof. This has made the need for affordable housing critical. I would love to expand my work in this area by joining the AHT.

I have attached a copy of my professional resume. I have been retired since 2012.

Thank you for your consideration

Meo Young

>

>

Mary E. Young

11 Jefferson Court Newburyport, MA 01950

Phone: 978-457-6406 E-Mail: meyounge@comcast.net

SUMMARY

Business professional with diverse experience in domestic and international environments and business partnering through cross-functional teams. With particular experience in:

- Financial Analysis
- Grant Management
- Planning/Budgeting/Forecasting
- Accounting/Bookkeeping
- New product valuation
- Capital spending/investment analysis

PROFESSIONAL EXPERIENCE

JEANNE GEIGER CRISIS CENTER, Newburyport, MA 2009- 2012

Director of Finance

Management and administration of accounting, finance, payroll, budgeting, reporting, forecasting and reporting.

COASTAL EDUCATION COLLABORATIVE, Amesbury, MA 2007-2009

Finance Manager

Management and administration of accounting, finance, payroll, HR and budgeting/reporting.

CABHAIL MOULDING, Foxboro, MA 2005-2007

Accounting Manager

Day to Day accounting, AR &AP, bank reconciliation, invoicing & payroll

ATH POWER CONSULTING CORPORATION, Andover, MA 2002-2004

Manager of Accounting and Business Reporting

AR &AP, bank reconciliation, payroll, budgeting & management reporting

THE GEM GROUP, Lawrence, MA 2000-2001

Sales & Market Analyst

Sales & Market Analysis, catalog pricing, sales territory reporting, customer analysis

CABOT CORP., Billerica, MA 1981-1999

Senior Business Analyst

Financial and Market analysis of new business opportunities. Implementation of new company wide management reporting system.

Global Services Manager

Managed day to day \$35mm export operation to over 25 different countries.

Market Analyst – Special Black's Business

Market & product profitability analysis, strategic planning & budgeting for \$190mm division

Treasury Analyst, Finance and Foreign Exchange Manager

Corporate borrowing, FX hedging, implemented world wide netting system.

EDUCATION

Masters in International Management, Thunderbird , Glendale, AZ
BA, Modern Languages, St. Michael's College, Winooski, VT

END OF CONSENT AGENDA

BEGINNING OF REGULAR AGENDA

COMMUNICATIONS

From: Pamela Kipp <pamkipp@gmail.com>
Sent: Wednesday, October 20, 2021 2:04 PM
To: christinewallace.ward4@gmail.com; mccauleyward5@gmail.com; akahn@cityofnewburyport.com; byron@byronlanenbpt.com; Barry Connell; Bruce Vogel; Sharif Zeid; Heather Shand; Charles Tontar; Joe Devlin; Jared Eigerman
Cc: Richard Jones
Subject: [Ext]Fwd: Please Reject Proposed Settlement - City of Newburyport and IFS

Dear City Councilors,

I would greatly appreciate your consideration of this matter.

Thank you.
 Pam Kipp
 Begin forwarded message:

From: Pamela Kipp <pamkipp@gmail.com>
Subject: Please Reject Proposed Settlement - City of Newburyport and IFS
Date: October 20, 2021 at 1:51:54 PM EDT
To: planning@cityofnewburyport.com

Dear Members of the Planning Board:

I urge the Planning Board to reject the proposed settlement between the city of Newburyport and the Institution for Savings reversing the original Planning Board's March 17 denial of the bank's addition to its State Street headquarters. We need answers to the following questions:

- Why, after 14 months of hearings, research, due diligence and denial of IFS's application by the Historical Commission and the Planning Board through votes preceded by official processes, is there a proposed settlement when nothing has changed? There were no concessions by IFS to overall size, mass, scale, height and footprint for the proposed building; these were the reasons the application was denied.
- What has transpired behind closed doors? The minutes of the Planning Board Meeting of March 17, 2021 show clearly the citizen input to that meeting. What were the negotiations that got us to this proposed settlement?
- How can the citizens of Newburyport continue to have faith in city institutions if back-room deals like this one are made?
- How will the city attract volunteers to its boards if potential members feel all their work can be disregarded when pressured by a big institution such as Institution for Savings and even the mayor, who spoke in support of IFS? As Mark Griffin stated in his letter to the Daily News of March 22, 2021 (link below) "It is the duty of Mayor Donna Holaday to support her duly appointed volunteer board members and to direct the city solicitor to defend the Planning Board's decision denying the bank's proposal. Let's hope she does just that." https://www.newburyportnews.com/opinion/letters_to_the_editor/letter-praise-for-boards-on-ifs-decision/article_1e55a9b4-145b-5a56-91b5-ee8e11462dd4.html

Please reject the proposed settlement and send this matter back to land court.

Thank you.
 Pam
 Pamela M. Kipp
 11 Tremont Street

From: steve@knipmeyer.org <steve@knipmeyer.org>
Sent: Wednesday, October 20, 2021 10:57 AM
To: Jared Eigerman
Cc: 'Sharon Knipmeyer'
Subject: [Ext]IFS Settlement

external e-mail use caution opening
Chair Eigerman,

Our family lives at 4 Otis Place where we are direct abutters to the proposed expansion of the Institution for Savings. We are writing to express our strong opposition to the settlement.

Our small house and neighborhood would be negatively impacted by the proposed building. Our house is literally in the shadow of the proposed addition, dwarfed by a structure that is far too large and inharmonious with our historic neighborhood. So many of our fellow neighbors have given thoughtful and informed opinions about the many ways the proposed design misses the mark. We agree.

We moved to Newburyport for many reasons. We were especially drawn by the beauty and architectural heritage of the city, protected by the oversight processes of the permitting boards. We trusted this commitment to historic preservation would deliver the right outcome to the proposed expansion. The Planning Board was correct in May when it denied the proposal.

So, we were greatly disappointed when the city announced a proposed settlement, reversing the thoughtful decision rendered by the Planning Board. The citizens of Newburyport deserve the right to have the IFS appeal heard and judged in Land Court where we fully expect the Planning Board decision to be validated. It is a troubling distortion of process for the city not to support the Planning Board by allowing the Land Court to hear this case.

Thank you for your consideration.

Steve and Sharon Knipmeyer
4 Otis Place
Newburyport, MA 01950

On Oct 20, 2021, at 3:02 PM, Mary Lyon <melyon59@gmail.com> wrote:

external e-mail use caution opening

The Institute for Savings is an asset to the Newburyport community. However, that does not give them the right to expand their State Street location without consideration for the historic neighborhood.

How disappointing that the town of Newburyport entered into a private settlement with the Institution for Savings to agree on an expansion plan. The abutting residents are taxpayers as well and our voices should have been included.

Maintaining the charming historic character is what has allowed Newburyport to flourish since the redevelopment began in the 1970's. If this expansion is allowed it sends the message that any business with money can come in and do what they want.

Please support the historic and quaint appearance of downtown Newburyport and disallow the current plan.

Thank you for your consideration,

Mary Lyon
23 Otis Street

From: pelwald@comcast.net <pelwald@comcast.net>

Sent: Wednesday, October 20, 2021 4:47 PM

To: Jared Eigerman; Tom Barbara Pelsue

Subject: [Ext]Opposition to IFS Proposal 10/20/21

external e-mail use caution opening

Dear Councilor Eigerman,

I am writing to state my strong opposition to the IFS expansion as proposed. It is still too dense for this historic neighborhood at a looming 16,000 square feet. Only subtle cosmetic changes were proposed by the bank since the last proposal in may 2021. Please do not support this expansion.

Thank you for your time.

Sincerely,

Barbara Oswald
158 State Street
Newburyport, MA 01950 .

From: Sean Sullivan <Sean.Sullivan@Milliken.com>
Sent: Wednesday, October 20, 2021 5:32 PM
To: Jared Eigerman
Subject: [Ext]IFS Bank Settlement Proposal

external e-mail use caution opening

Chair Eigerman,

My name is Sean Sullivan I live at 9 Prospect Street with my wife Jenn and our daughter Elle directly in the shadow of the proposed IFS Parking Garage.

It's very disheartening to hear that City Council is proposing to NOT stand behind the Planning Board's decision on the Institution for Savings expansion plans and to propose another vote on a near-identical parking garage. This action negates many months of hard thoughtful work by both the planning board and the historical commission.

The bank has every right to fight this in court, and they should if they feel they are not getting a fair deal. I also appreciate the efforts to mediate to keep things out of court.... But a closed door proposal to settle for basically the identically-sized parking garage package that was already rejected by the planning board???? Enough is enough. If that passes through, that undermines the City itself.

To me, those on city council who vote to send this back to the planning board sends 3 very clear messages to this town:

1. Those on city council who vote for this do not support the Planning Board and their hard work and efforts
2. Those on city council who vote for this do not support the Historical Commission and their hard work and efforts.
3. Those on city council who vote for this do not stand behind the Downtown Overlay District and the community's wishes. They don't stand behind the fact that we as a community have said the DOD is a key part of maintaining Newburyport's character. Moreover, you will effectively be giving the precedent and/or blueprint to get around the DOD as long as you have enough money.

Overall, a yes vote to send this same basic parking garage back to the planning board, says I care more about the Banks's money and political influence than I do about the Planning Board, the Historical Commission and the Downtown Overlay District itself. There is much more at stake here than just an ill-conceived parking garage stuck into a quiet neighborhood. The City's integrity and functionality is on the line here.

Please vote "no" on sending this proposal back to the planning board. They can fight it out publicly in land court as is their right.

Thank you for your consideration and all the hard work you have done for Ward 2 and this town regarding the creation of the DOD and preserving our town. It is very much appreciated by myself, my family, my neighborhood and most people in this town. I hear this is your last term, you will be missed. Your service to this town has made Newburyport a better town to live in.

Best Regards,

Sean Sullivan

9 Prospect Street

Newburyport

Sean Sullivan

Director Retail Sales + Marketing

M 978.973.7777

sean.sullivan@milliken.com



**APPOINTMENTS
SECOND READING**

SECOND READING APPOINTMENTS

		Re-Appointments		
• APPT281_10_12_2021	Scott Hanley	1 Milk St.	Tree Comm.	11/1/2024
• APPT282_10_12_2021	Pat Cannon	185 High St.	Cultural Council	10/15/2024
• APPT284_10_12_2021	Ted Boretti	67 Marlboro St.	Parks Comm.	10/29/2026

In City Council October 12, 2021:

Motion to approve the Consent Agenda as amended by Councillor Zeid, seconded by Councillor Lane.

Roll call vote. 9 yes, 2 absent (JD, CW).

Motion passes.

ORDERS

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

October 25, 2021

THAT the City Council of the City of Newburyport approves the Mayor's **Fiscal Year 2022 Supplemental Budget Request #2** in the total amount of \$65,000, to be appropriated as shown below, to be funded by FY2022 General Fund revenue.

Account Number	Description	Amount	Source
01151001-51102	IT SAL SUPPORT ANALYST	65,000.00	General Fund
	Total	65,000.00	

Councillor Charles F. Tontar



CITY OF NEWBURYPORT
OFFICE OF THE MAYOR
DONNA D. HOLADAY

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

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2021 OCT 19 PM 3:44

To: President and Members of the City Council
From: Mayor Donna D. Holaday
Date: October 19, 2021
Subject: Supplemental Budget Request #2

I hereby submit a second fiscal year 2022 supplemental budget request in the amount of \$65,000 to be funded by available FY2022 General Fund revenue. Funds are available for appropriation as a result of City Council reductions made to the FY2022 budget proposal totaling \$372,750, as well as, an additional \$29,490 in estimated state aid. The first supplemental budget request that was submitted on October 12, 2021 utilized \$120,256 of the available funds.

This request funds the establishment of a full-time Support Analyst in the City's Information Technology Department. Currently, the department comprises of a full-time IT Director and a part-time contractor. The need for a second full-time staff member has existed for quite some time, but has accelerated due to the pandemic as the City has worked to enhance and adopt digital processes for both citizens and staff.

Telework capabilities, online civic services and remote/hybrid meetings are all examples of technology that have been put in place and continue to evolve the way that we function and operate as a City government. In order to keep moving forward, it is imperative that we have the IT staff in place to support these efforts.

Attached is a memorandum from the City's IT Director, Mark Kavanagh, which provides additional details on the proposed Support Analyst position. I would appreciate your support in establishing this new role for the City.

Thank you for your consideration.

City of Newburyport

Information Technology Department

To: Mayor Holaday
From: Mark Kavanagh, IT Director
Date: 10/14/2021
Re: IT Support Analyst

Dear Mayor Holaday,

In following up on our recent conversations with respect to establishing an IT Support Analyst position, I would like to thank you for considering the need for the position. The pandemic has really set us back in getting the current computer and systems updated to where they need to be from a performance and security perspective. We really need more resources in my department to continue to bring these outdated systems current in a timely fashion and, although my part time contractor and I are working away as best we can, it's become evidently clear that a timely conclusion to all these necessary upgrades is a long way away from completion given how normal day-to-day support requirements are impacting and distracting from our ability to complete these system-wide upgrades.

Establishing a Support Analyst position would go a long way towards helping the IT Department in accomplishing these goals. The support analyst would create efficiency and help expedite the process and also provide added support abilities to a much larger user base that has developed during the last 10 years. Their duties would include but not be limited to the following:

- Installing & upgrading new hardware systems, software upgrades, etc.
- Responding in a timely fashion to technical support tickets will be a primary focus.
- Interacting directly with the user to determine the nature of their individual technical issues.
- Connecting to the user's computer system via remote access for support purposes.
- Onsite visits to department location for hardware and network problems.
- Resolving hardware, software, or networking issues.
- Providing a user with multiple resolution choices where possible & appropriate.
- Resolving and documenting any ongoing software or hardware issues.
- Providing technical or operational training in the use of desktop applications & website content editing and support.
- Assisting the IT Director & Administration (Mayor's Office) with all matters related to the City's telecommunications systems (e.g. phones, e-mail and social media platforms).
- Completing daily IT support logs so persistent problems and issues can be tracked.

The above-mentioned duties for this proposed support analyst position would help supplement my department's timely ability to complete the current backlog of system upgrades. It would also provide for more resources and capabilities to further improve all future support requests. The City's computer system base of users has grown greatly since 2011 when the first system wide technology upgrades were implemented and, so to better serve users and employees, we really need to address and plan for this added support resource for the IT Department.

Thank you for supporting this request.

Sincerely,

Mark Kavanagh, IT Director, City of Newburyport

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

OCTOBER 25, 2021

A ORDER ALLOWING PAVEMENT MARKINGS PURSUANT TO ORDINANCE ENTITLED ALTERATION AND MAINTENANCE OF THE PUBLIC RIGHT-OF-WAY INCLUDING, BUT NOT LIMITED TO STREETS AND SIDEWALKS ORDINANCE TO CLARIFY NEWBURYPORT'S OFF-STREET PARKING REGULATIONS

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

An Order pursuant to Section 12 - 202 as follows, with deletions ~~double-stricken and italicized~~, and additions double-underlined and italicized:

Chapter 12 – Streets, Sidewalks, and Other Public Places

Article VII – Alterations and Maintenance

Section 12-202 (1)(c) – Approval required

The City Council hereby approves the pavement markings at the intersection of Pond Street and Auburn Streets as shown on Sheet: C-1 entitles Pavement Markings, Pond Street At Auburn Street and Dated 09-3—2021 and Marked 'Attachment A'

Councillor Heather L. Shand



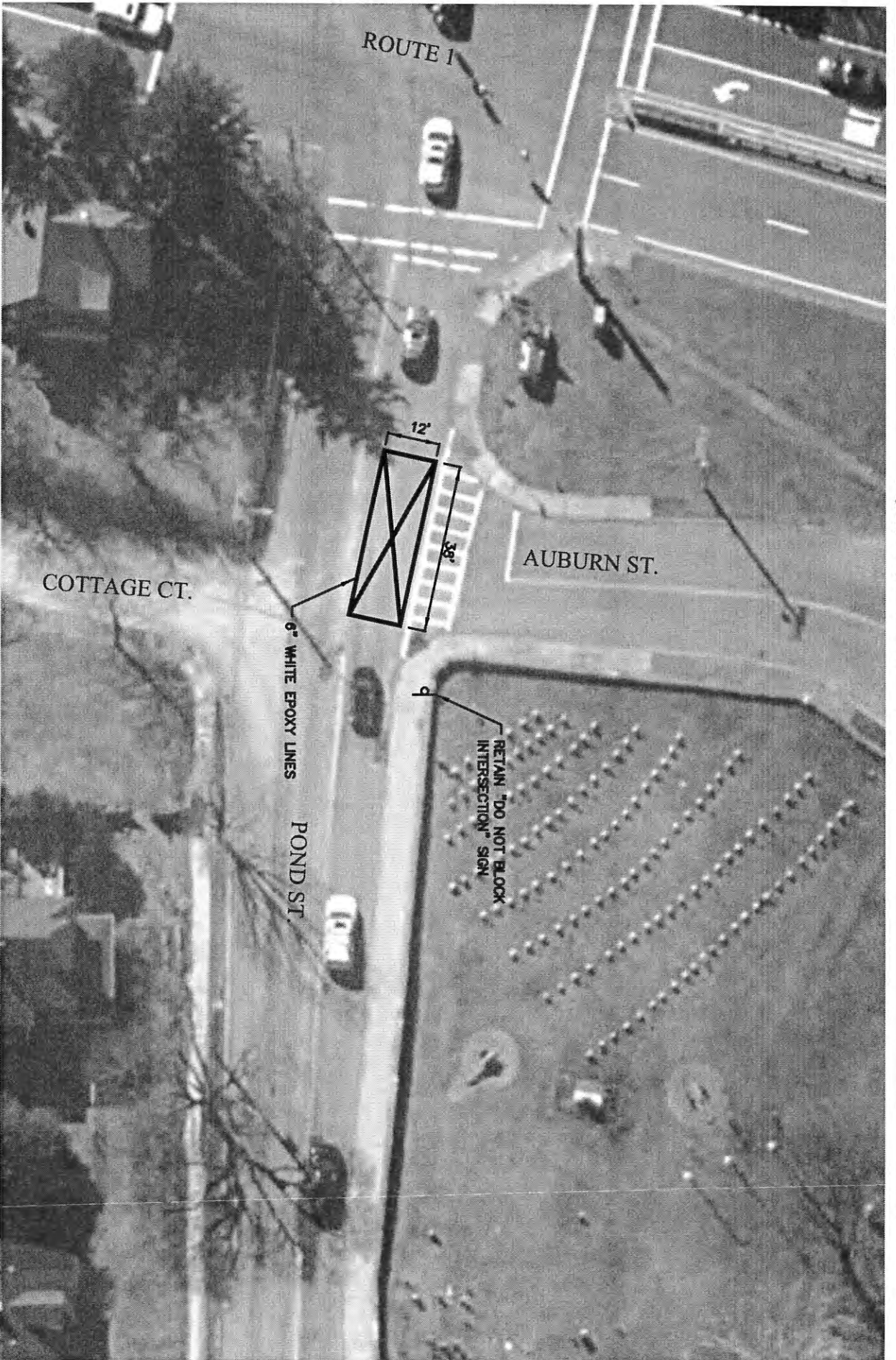
CITY OF NEWBURYPORT
 DEPARTMENT OF PUBLIC SERVICES
 16A PERRY WAY
 NEWBURYPORT, MA 01950

POND STREET AT AUBURN STREET

PAVEMENT MARKINGS

DATE ISSUED:
 09-30-2021

SHEET: C-1



ATTACHMENT A4

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

October 25, 2021

Newburyport Legal Boundary Descriptions (Wards and Precincts)

Newburyport Ward 1 Precinct 1

All of that portion of Essex County bounded and described as follows: Beginning at the point of intersection of Federal St and Atwood St, and proceeding northerly along Federal St to Water St, and proceeding easterly along Water St to Ship St, and proceeding northerly along Ship St to bank of the Merrimack River boundary, and proceeding northerly across the Merrimack River to the boundary of the Salisbury/Newburyport town/city line, and proceeding easterly in the Merrimack River along the Salisbury/Newburyport town/city line to the Newburyport census county division/city line at the mouth of the Merrimack River, and proceeding southerly on the Atlantic Ocean side of Plum Island to the Newburyport census county division/city line to the Newbury/Newburyport town/city line, and proceeding westerly along the Newbury/Newburyport town/city line to High St, and proceeding northerly along High St to Bromfield St, and proceeding northerly along Bromfield St to Milk St, and proceeding westerly along Milk St to Lime St, and proceeding northerly along Lime St to Atwood St, and proceeding westerly along Atwood St to the point of beginning.

Newburyport Ward 2 Precinct 1

All of that portion of Essex County bounded and described as follows: Beginning at the point of intersection of Newburyport Tpke and Pond St, and proceeding northerly along Newburyport Tpke to High St, and proceeding easterly along High St to Market St, and proceeding northerly along Market St to Merrimac St, and proceeding easterly along Merrimac St to Brown's Wharf Way boundary, and proceeding northerly along a straight line to the bank of the Merrimack River, and proceeding northerly along straight line in the Merrimack River to the Salisbury/Newburyport town/city line, and proceeding easterly along the Salisbury/Newburyport town/city line to a point opposite Ship Street, and proceeding southerly along a straight line in the Merrimack River to Ship St, and proceeding southerly along Ship St to Water St, and proceeding westerly along Water St to Federal St, and proceeding southerly along Federal St to Atwood St, and proceeding easterly along Atwood St to Lime St, and proceeding southerly along Lime St to Milk St, and proceeding easterly along Milk St to Bromfield St, and proceeding southerly along Bromfield St to High St, and proceeding southerly along High St to the Newbury/Newburyport town/city line, and proceeding westerly along the Newbury/Newburyport town/city line to Newburyport Tpke, and proceeding northerly along Newburyport Tpke to the intersection of Parker

Street and the Newburyport Tpke, and proceeding northerly along Cherry St to Bricher St, and proceeding westerly along Bricher St to Hill St, and proceeding northerly along Hill St to Pond St, and proceeding westerly along Pond St to the point of beginning.

Newburyport Ward 3 Precinct 1

All of that portion of Essex County bounded and described as follows: Beginning at the point of intersection of Plummer Spring Rd and the West Newbury/Newburyport town/city line, and proceeding easterly along Plummer Spring Rd to Turkey Hill Rd, and proceeding easterly along Turkey Hill Rd to Hale St, and proceeding easterly along Hale St to Toppans Ln, and proceeding northerly along Toppans Ln to High St, and proceeding northerly along High St to Tyng St, and proceeding easterly along Tyng St to Merrimac St, and proceeding southerly along Merrimac St to Sally Snyder Way, and proceeding easterly along Sally Snyder Way to the Merrimack River, and proceeding northerly across the Merrimack River boundary to the Salisbury/Newburyport town/city line, and proceeding southerly along the Salisbury/Newburyport town/city line to a point opposite Bown's Wharf Way and turning a proceeding , and proceeding southerly across the Merrimack River to the bank of the Merrimack River and then proceeding southerly along Brown's Wharf Way to Merrimac St, and proceeding westerly along Merrimac St to Market St, and proceeding southerly along Market St to High St, and proceeding westerly along High St to Newburyport Tpke, and proceeding southerly along Newburyport Tpke to Pond St, and proceeding easterly along Pond St to Hill St, and proceeding southerly along Hill St to Bricher St, and proceeding easterly along Bricher St to Cherry St, and proceeding southerly along Cherry St to Newburyport Tpke, and proceeding southerly along Newburyport Tpke to the Newbury/Newburyport town/city line, and proceeding westerly along the Newbury/Newburyport town/city line to the West Newbury/Newburyport town/city line, and proceeding northerly along the West Newbury/Newburyport town/city line to the point of beginning.

Newburyport Ward 4 Precinct 1

All of that portion of Essex County bounded and described as follows: Beginning at the point of intersection of the Amesbury Town/Newburyport city line and Spofford St, and proceeding easterly along the Amesbury Town/Newburyport city line to the Salisbury/Newburyport town/city line, and proceeding easterly along the Salisbury/Newburyport town/city line in the Merrimack River to a point opposite Sally Snyder Way and turning and proceeding westerly across the Merrimack River to Sally Snyder Way, and proceeding westerly along Sally Snyder Way to Merrimac St, and proceeding northerly along Merrimac St to Tyng St, and proceeding westerly along Tyng St to High St, and proceeding southerly along High St to Toppans Ln, and proceeding southerly along Toppans Ln to Low St, and proceeding westerly along Low St to Hunter Dr, and proceeding easterly along Hunter Dr to Lois St, and proceeding easterly along Lois St to Rawson Ave, and proceeding northerly along Rawson Ave to Sylvester St, and proceeding westerly along Sylvester St to the end of Sylvester St and proceeding northerly through foot path connecting Sylvester Street and Charron Dr onto to Charron Dr, and proceeding westerly along Charron Dr to N Atkinson St, and proceeding northerly along N Atkinson St to High St, and proceeding northerly along High St to Moseley Ave, and proceeding northerly along Moseley Ave to Chase St, and proceeding northerly along Chase St to Cushing Ave, and proceeding

westerly along Cushing Ave to New St, and proceeding southerly along New St to Moseley Ave, and proceeding northerly along Moseley Ave to the Round About, and proceeding northerly along the Round About to Spofford St, and proceeding northerly along Spofford St to the point of beginning.

Newburyport Ward 5 Precinct 1

All of that portion of Essex County bounded and described as follows: Beginning at the point of intersection of Storey Ave and Turkey Hill Rd, and proceeding easterly along Storey Ave to High St, and proceeding easterly along High St to N Atkinson St, and proceeding southerly along N Atkinson St to Charron Dr, and proceeding easterly along Charron Dr the end of Charron Dr and then proceeding southerly across walking path to Sylvester St, and proceeding easterly along Sylvester St to Rawson Ave, and proceeding southerly along Rawson Ave to Lois St, and proceeding westerly along Lois St to Hunter Dr, and proceeding westerly along Hunter Dr to Low St, and proceeding southerly along Low St to Hale St, and proceeding westerly along Hale St to Turkey Hill Rd, and proceeding northerly along Turkey Hill Rd to the point of beginning.

Newburyport Ward 6 Precinct 1

All of that portion of Essex County bounded and described as follows: Beginning at the point of intersection of the Amesbury Town/Newburyport city line and the West Newbury/Newburyport town/city line, and proceeding easterly along the Amesbury Town/Newburyport city line to Spofford St, and proceeding southerly along Spofford St to the Round About, and proceeding southerly along the Round About to Moseley Ave, and proceeding southerly along Moseley Ave to New St, and proceeding northerly along New St to Cushing Ave, and proceeding easterly along Cushing Ave to Chase St, and proceeding southerly along Chase St to Moseley Ave, and proceeding southerly along Moseley Ave to High St, and proceeding westerly along High St to Storey Ave, and proceeding westerly along Storey Ave to Turkey Hill Rd, and proceeding southerly along Turkey Hill Rd to Plummer Spring Rd, and proceeding westerly along Plummer Spring Rd to the West Newbury/Newburyport town/city line, and proceeding northerly along the West Newbury/Newburyport town/city line to the point of beginning.

Council President Eigerman

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

OCTOBER 25, 2021

A ORDER ALLOWING PAVEMENT MARKINGS PURSUANT TO ORDINANCE ENTITLED ALTERATION AND MAINTENANCE OF THE PUBLIC RIGHT-OF-WAY INCLUDING, BUT NOT LIMITED TO STREETS AND SIDEWALKS ORDINANCE TO CLARIFY NEWBURYPORT'S OFF-STREET PARKING REGULATIONS

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

An Order pursuant to Section 12 - 202 as follows, with deletions ~~double-stricken and italicized~~, and additions double-underlined and italicized:

Chapter 12 – Streets, Sidewalks, and Other Public Places

Article VII – Alterations and Maintenance

Section 12-202 (1)(c) – Approval required

The City Council hereby directs the Department of Public Services to paint pavement markings for a distance of thirty (30) feet north and south of the Highland Street crosswalk. Said distance of thirty feet has been restricted previously pursuant to Newburyport Code Sec. 13 – 168.

Councillor James J. McCauley

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

AN ORDER APPROPRIATING ARCHITECTURAL DESIGN FUNDS FOR MARKET LANDING PARK EXPANSION & VISITOR CENTER/BATHROOM FACILITY

WHEREAS, Order 284 included the appropriation of funds for final design of Market Landing Park Expansion (*Sasaki Contract Task 7*) using former Newburyport Redevelopment Authority (NRA) revenues transferred to the City on dissolution; and

WHEREAS, due to limited remaining NRA revenues transferred to the City, said Order 284 does not include appropriation of funds for final design of the proposed Visitor Center/Bathroom Facility; and

WHEREAS, there is value in the City proceeding on parallel track with final design for said Facility in conjunction with final design for Market Landing Park Expansion; and

WHEREAS, it is crucial that formal consensus be reached on the final architectural design of said Facility;

NOW, THEREFORE, the City Council hereby orders the following:

1. The City appropriates the sum of \$187,825 (quoted design fee plus 10% contingency) from Downtown Paid Parking Revenues for the final architectural design of such facility (*Sasaki Contract Task 7*); and
2. Authorizes Sasaki Associates to proceed to initial twenty-five (25%) schematic design of such facility in coordination with plans for the surrounding Market Landing Park Expansion, and then to return to the City Council for authorization to proceed to the remaining seventy-five percent (75%) and one hundred percent (100%) design submissions (*Sasaki Contract Task 7*).

Councillor Sharif I. Zeid

Councillor Jared J. Eigerman

ORDINANCES

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

AUGUST 9, 2021

Amendment proposed in Cmte. October 7, 2021

ORDERED:

A ZONING ORDINANCE TO CLARIFY NEWBURYPORT'S OFF-STREET PARKING REGULATIONS

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

Amend existing Section VII-A – Off-Street Parking Regulations as follows, with deletions ~~double-stricken and italicized~~, and additions double-underlined and italicized:

VII-A. - Off-street parking regulations.

New uses or development: No use of any premises shall be authorized or extended and no building or structure shall be erected or enlarged, unless on-site or off-site parking is provided for such extension, erection, or enlargement, as provided herein; provided, however, that for any use or structure both (i) lawfully existing as of December 17, 2017, and (ii) currently located within three hundred (300) feet of a municipal parking lot and/or municipal parking structure that is located within the Downtown Overlay District (DOD), any lawful deficiency in the number or dimensions of accessory, off-street parking spaces that existed on December 17, 2017, may be continued at the same lot by right, notwithstanding any lawful extension, alteration, or change of such use or structure at such lot, such that off-street parking regulations of this Ordinance shall apply only to those parking spaces newly required by such lawful extension, alteration, or change of use or structure. Any outdoor parking spaces shall be treated with a surface binder, gravel or crushed stone surface. Except as otherwise provided under section XXIV or, alternatively, through a special permit from the Planning Board as set forth below, all parking spaces shall be provided as follows:

...

Councillor Jared J. Eigerman

In City Council August 9, 2021:

Motion to refer to Planning & Development by Councillor Zeid, seconded by Councillor Connell. So voted.

In City Council October 12, 2021:

Motion to approve 1st reading as amended in Committee 10/12/2021 by Councillor Shand, seconded by Councillor Zeid. Roll call vote. 9 yes, 2 absent (JD, CW). Motion passes.

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

AN ORDINANCE TO AMEND CHAPTER 5 SEC. 5-151 FEE SCHEDULE OF THE MUNICIPAL CODE RELATING TO ELECTRICAL PERMIT FEES

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

THAT Chapter 5 Article IV of the Code of Ordinances, City of Newburyport, Massachusetts, is hereby amended to read as follows, with ~~deletions double-stricken and in italicized~~, and additions double-underlined and italicized:

	Current Newburyport Electric Fees
Residential (New Construction)	First \$50,000= \$150.00 = <u>\$180.00</u>
	Each additional \$1000.00=\$1.00
Addition/Renovation/Service not included	\$50.00 <u>\$60.00</u> permit plus \$3.00per item
Maximum Charge: add/renovations permits Including service	\$275.00 <u>\$300.00</u>
Services/New/Change/Altered	First circuit breaker \$45.00 Underground circuit breaker \$85.00 Each additional panel \$20.00 Each additional sub panel=\$20.00 <u>Single Family overhead=\$45.00</u> <u>Single Family underground= \$85.00</u> <u>Multi Family= \$85.00 plus \$20.00each additional unit panel, subpanel, or house</u>
	Temp Service= \$45.00 <u>\$50.00</u>

	Solar up to 10kw=\$100.00 >10kw use commercial rate
Generators	Manual start =\$45.00
	Automatic =\$85.00
Garages Added On	Attached = \$60.00 <u>\$80.00</u> Detached= \$100.00 <u>\$125.00</u>
Commercial/Industrial (New Construction)	First \$100,000= \$300.00 <u>350.00</u> Each Additional\$ 1,000.00=\$1.00
Additional/Renovation/Service not included	\$60.00 <u>\$70.00</u> =permit plus \$3.00 per item
Solar	98.00 <u>100kw & up \$1.00per kw plus \$100.00.</u>
Services/New/Changed/Altered	Each 200 amp or fraction=\$50.00 Each additional panel=\$20.00 Temp service= \$60.00 <u>\$65.00</u>
Miscellaneous	
Burglar/Fire Alarm Sys Resident	\$45.00 <u>\$50.00</u>
Burglar/Fire Alarm Sys Commercial	\$85.00
Central Heat/AC Resident	\$45.00 <u>\$65.00</u>
Central Heat/AC Commercial	\$85.00
Pool Above Ground	\$55.00 <u>\$65.00</u>
Pool in Ground	\$85.00 <u>\$95.00</u>
Marina Commercial	N/A <u>\$150.00</u>
Re-Inspection	

Hot Water Heater Resident	\$30.00 <u>\$40.00</u>
Hot Water Commercial	\$40.00 <u>\$50.00</u>
Utility Lighting Retrofit	\$65.00
Tel/Data System	\$85.00
Remove/Install for Siding	\$55.00
Gas Piping Grounding	\$30.00 <u>\$35.00</u>



COUNCILLOR BARRY N. CONNELL

In City Council August 9, 2021:

Motion to refer to Budget & Finance by Councillor Zeid, seconded by Councillor Tontar. So voted.

In City Council October 12, 2021:

Motion to approve on 1st reading by Councillor Zeid, seconded by Councillor Vogel. Roll call vote. 8 yes, 1 no (SZ), 2 absent (JD, CW). Motion passes.

CITY OF NEWBURYPORT



 IN CITY COUNCIL

ORDERED:

October 25, 2021

AN AMENDMENT TO AN ORDINANCE TO LIMIT ON-STREET PARKING ON UNION STREET

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

THAT Chapter 13 Article IV of the Code of Ordinances, City of Newburyport, Massachusetts, is hereby amended to read as follows, with ~~deletions double-stricken and italicized~~, and additions double-underlined and italicized:

Sec. 13-168. - Parking limited—Generally.

No person shall park any vehicle on the following streets or portions of streets as indicated below:

Street	Zones
<u>Union Street</u>	<u>Both sides, beginning at the westerly bound of 18 Union Street and running easterly for a distance of 226 feet</u>

Submitted,

 Councillor Sharif I. Zeid

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

October 25, 2021

AN AMENDMENT TO AN ORDINANCE ESTABLISHING CERTAIN BUS STOPS

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

THAT Chapter 13 Article IV of the Code of Ordinances, City of Newburyport, Massachusetts, is hereby amended to read as follows, with ~~deletions double-stricken and in-italicized~~, and additions double-underlined and italicized:

Sec. 13-169. – Bus Stops; parking restricted.

(c) The following streets or portions of streets shall be designated as a bus stop:

Street	Zones
<u>Low Street</u>	<u>North side, beginning at the easterly side of the entrance to the Fuller Field parking lot located at 40 Low Street and running easterly for a distance of 348 feet</u>

Submitted,

Councillor Heather L. Shand

COMMITTEE ITEMS

Committee Items- October 25, 2021

Budget & Finance

Budget & Finance

In Committee:

ORDR265_08_09_2021 CPC FY22 Recommendations #11

COMM353_09_27_2021 Newburyport Public Library Annual Report

TRAN111_09_27_2021 Transfer Multiple \$42,327.42 to Multiple \$42,327.42 Collective Bargaining Agreement Teamsters Union Local 170

ORDR287_10_12_2021 Approval to Pay Prior Year Bills

ORDR289_10_12_2021 FY22 Supplemental Budget Request #1

ORDR290_10_12_2021 Anna Jaques Gift Acceptance

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

August 09, 2021

That the City Council appropriates or reserves from the Community Preservation Act FY 2022 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 **\$1,366,254**. The source of funds shall be FY2021 estimated revenues in the amount of \$1,293,240.44 and the Community Preservation Fund Balance in the amount of \$126,460. 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.

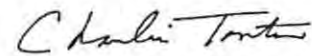
Project No.	Project Title	Applicant	Request	Recommendation
1	YWCA at Hillside	YWCA Greater Newburyport	\$50,000	\$50,000
2	Newburyport Rental Assistance	Affordable Housing Trust	\$200,000	\$200,000
3	Custom House Door Restoration	Newburyport Maritime Society, Inc.	\$43,832	\$43,832
4	Cushing House Landscape Restoration Phase III	Historical Society of Old Newbury	\$45,717	\$45,717
5	Garrison Birthplace Signage	Newburyport Preservation Trust	\$1,800	\$1,800
6	Open Space Reserve Fund	Open Space Committee	\$100,000	\$100,000
7	Market Landing Park Expansion	Newburyport Office of Planning & Development	\$250,000	\$250,000
8	Lower Atkinson Master Plan Amendment	Newburyport Parks Department	\$3,850	\$3,850
9	Bartlet Mall Frog Pond Improvements	Newburyport Parks Department & Commission	\$186,035	\$186,035

10	Restoration of Swan Fountain at Bartlet Mall	Newburyport Parks Department & Commission	\$126,000	\$126,000
11	Restoration of Nock Middle School Tennis Courts	Newburyport Parks Department and Friends	\$175,000	\$175,000
12	Atwood Park Lighting Improvements	Newburyport Parks Department & Commission	\$33,000	\$33,000

Total: \$1,215,234 \$1,215,234

13	NHS Stadium Bond Payment	127,080
14	Cherry Hill Soccer Field Bond Payment	\$11,940
15	Administrative Costs	\$12,000

Total: \$151,020



Councillor Charles F. Tontar

In City Council August 9, 2021:

Motion to refer to Budget & Finance by Councillor Tontar, seconded by Councillor Zeid. So voted.

In City Council September 13, 2021:

Councillor Connell assumes the Chair as President Pro Tempore. Councillor Eigerman joins the Council on the floor.

#1 Motion to approve by Councillor Zeid, seconded Councillor Khan. Motion withdrawn. Motion to refer back to Budget & Finance (6:30 pm 9/16/21 meeting) by Councillor Zeid, seconded by Councillor Khan. Roll call vote. 11 yes. Motion passes.

Councillor Eigerman returns as City Council President.

#2 Motion to approve by Councillor Zeid, seconded Councillor Khan. So voted.

#3 Motion to approve by Councillor Zeid, seconded Councillor Khan. Roll call vote, 7 yes, 4 no (SZ, BC, JD, JE). Motion passes.

#4 Motion to approve Councillor Zeid, seconded Councillor Khan. So voted.

#5 Councillor Connell assumes the Chair as President Pro Tempore. Councillor Eigerman recused. Motion to approve by Councillor Zeid, seconded Councillor Khan. 10 yes, 1 recused (JE). Motion passes.

Councillor Eigerman returns as Council President.

#6 Motion to approve by Councillor Zeid, seconded Councillor Khan. So voted.

#7 Motion to approve by Councillor Zeid, seconded Councillor Khan. So voted.

#8 Motion to approve by Councillor Zeid, seconded Councillor Khan. Roll call vote. 11 no. Motion fails.

#9, #10 Motion to approve collectively by Councillor Zeid, seconded Councillor Khan. So voted.
#11 Councillor Zeid noted this will not be coming out of committee at this meeting.
#12 Motion to approve by Councillor Zeid, seconded by Councillor Khan. 10 yes, 1 no (JM).
Motion passes.
#13, #14, #15 Motion to approve collectively by Councillor Zeid, seconded Councillor Khan. So
voted.

In City Council September 27, 2021:

Motion to approve # 1 as amended in committee and attached hereto as eight conditions and in
section five after Newburyport Housing Authority to insert “and Newburyport Affordable
Housing Trust” by Councillor Zeid, seconded by Councillor Khan. Roll call vote. 10 yes, 1 no
(JM). Motion passes.

Approve: _____
Donna D. Holaday, Mayor

Attest: _____
Richard B. Jones, City Clerk

Date: _____

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

NEWBURYPORT 2021 SEP 16 AM 7:39

NEWBURYPORT PUBLIC LIBRARY ANNUAL REPORT FY 2021 July 1, 2020 – June 30, 2021

Board of Directors

Kathleen Carey	Stephen Moore
James Connolly	Susan Shefte
Marcia Edson	Sarah Spalding
Gary Gorski	Elizabeth Valeriani
Christian Hansen	Donna Holaday, <i>Mayor (ex-officio)</i>
Sarah Holden	Jared Eigerman, <i>City Council President (ex-officio)</i>
Giselle Stevens, <i>Head Librarian</i>	

No changes to the membership of the Board of Directors in FY21.

Library Staff

Senior Librarians:

Jessica Atherton, Reference Services
Allison Driscoll, Children's Services
Jane Lemuth, Tech Services
Lynn Marks, Circulation Services
Sharon Spieldenner, Archival Services

Staff Librarians:

Frazier Arets – resigned July 2020
Julia Bald
Dana Echelberger
Becky Geller – hired March 2021
Becca Lemos
Emely MacIntosh – resigned November 2020
Diane Oxton
Sally Rubinstein
Maddy Willwerth – hired May 2021

Library Technicians:

Paula Biscardi – retired September 2020
Elise Jansson
Anna McGrath
Chris McKernan
Naomi Needle
Beth Sceery – retired May 2021
Joyce Senior

Library Admin Assistant:

Mary Perry

Assistant Head Librarian:

Sara Kelso

The COVID-19 pandemic health crisis dominated this fiscal year. A phased re-opening plan continued to be implemented by the Library in conjunction with the Governor's and Massachusetts Library System (MLS)/Massachusetts Board of Library Commissioners (MBLC) guidelines, as well as in coordination with the Mayor, the City Health Department, and other MVLC libraries. Most public libraries across the Commonwealth began FY21 with their buildings closed to the public.

BSP

In Newburyport, Patio Pickup service for reserved items commenced on June 3rd, 2020 (FY20) and ended May 28, 2021. The building opened August 3, 2020 for limited browsing and by appointment for the Archival Center, public computers, printing, scanning, faxing and reader's advisory. The building was closed to the public (Patio Pickup was available) December 24, 2020 for six weeks in response to a surge in COVID cases and re-opened February 8, 2021. The staff worked their regular 35 hour weekly schedules the entire year and were in the Library available to serve patrons from 9:00 am through 8:00pm Monday – Thursday and 9:00am to 5:00 pm Friday and Saturday.

Safety procedures and protocols for staff were implemented, including procedures for quarantining and handling returned library materials. Staff worked at relocated and reconfigured work stations in order to maintain social distancing, and all public service desks had plexiglass screens. Staff and library visitors were required to wear a mask at all times in the building and at the patio. No seating was available to patrons, meeting rooms were closed, and the Children's Room remained closed June 2020 through May 2021.

A pickup window at the Harris Street patio and mobile staff work station provided the public access of requested items without needing to enter the building. Patio pickup service was available 50 hours per week. The building was open to the public for walk-in browsing, with visits limited to one half hour per day, 10 items per checkout, and self-checkout. The Archival Center was available for one-hour visits by appointment. Public computers, faxing, copying and printing were available for one half hour visit per day by appointment. The building was open 35-50 hours per week during FY21. Virtual services and staff assistance by phone, email and online chat were available 60 hours per week. In June 2021 most limitations were lifted.

Newburyport Public Library Mission Statement

Newburyport Public Library is a community hub that inspires and empowers all to access knowledge, culture and social connections.

Library statistics for FY21 were impacted by limitations caused by the COVID-19 pandemic.

Hours

The library building was staffed 324 days. The building was open to the public 231 days, for a total of 1,814 hours. The patio pickup service was open 324 days, for a total of 2,346 hours. The Library is closed on Sundays.

Building open:

July 2020: Monday through Thursday 9:30am to 4:30pm, Friday and Saturday 9:30am to 1:00pm

August 2020 through March 2021: Monday through Friday 9:30am to 4:30pm, Saturday 9:30am to 1:00pm (building closed January 2020)

April 2021 through May 2021: Monday through Friday 9am to 4:30pm, Saturday 9am to 1:00pm

June 2021: Monday through Thursday 9:00am to 8:00pm, Saturday 9:00am to 5:00pm

Patio Pickup hours:

June 2020 through July 2020: Monday through Thursday 9:30am to 6:30pm, Friday and Saturday 9:30am to 4:30pm

August 2020 through October 2020: Monday through Thursday 9:30am to 8:00pm, Friday and Saturday 9:30am to 4:30pm

November 2020 through March 2021: Monday through Thursday 9:30am to 6:30pm, Friday and Saturday 9:30am to 4:30pm

April 2021 through May 2021: Monday through Thursday 9am to 6:30pm, Friday and Saturday 9:00am to 4:30pm

Patrons

Active resident borrowers	10,171
Non-resident borrowers	310
New library cards issued	350

Patio pickup attendance	22,631
Building attendance	16,235
Total attendance	38,866
Archival Center appointments	310

Volunteer hours	0
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Holdings

Book volumes	94,189	
Print periodicals	579	
Audio materials	6,500	
Video materials	4,193	
Microfilm reels	504	
Materials in electronic format	694	
E-books	38,593	
Downloadable audio	9,920	
Downloadable video	196	
Miscellaneous materials		194

Total holdings	155,562
Items cataloged	9,921

Local NPL Subscriptions

Databases	14
E-newspapers	2
Newspapers	7
Magazines	100
Museum Passes	16

Circulation

Books	129,895
Print periodicals	4,969
Audio	6,182
Video	20,462
E-book	15,973
Downloadable audio/video	12,105

Electronic materials	2,220
Microfilm	0
Miscellaneous materials	436
Museum passes	276
Inter-Library loan received	49,109
Inter-Library loan sent	33,659
Non-resident circulation	28,310
Total circulation	192,242
Total collection use	272,375

While overall circulation remained steady, circulation details were impacted by COVID. Inter-library loan increased by 77% with the addition of patio pickup service. Circulation by non-residents decreased by 22%. Many museums were closed during all or part of the fiscal year, reflected by a 69% decrease in museum pass usage. With limited browsing, DVD (-25%) and physical audio book (-33%) circulation decreased significantly. The popularity of library hotspots accounts for a 700% increase in circulation of miscellaneous materials.

Programming

Virtual programs offered	126
Virtual program attendance	2,242
In-person offsite programs	5
In-person offsite attendance	36
Total programs offered	131
Total program attendance	2,278
Youth craft kit pick-up	4,465

Offered weekly Take-and-Make craft kits for children and teens. Provided virtual programs for adults and families, including monthly book groups. Continued collaboration with the Senior Community Center to provide a librarian to facilitate a virtual monthly Next Chapter Book Club.

Services

Public PC usage	1,381
Website visits	99,785
Reference questions	8,707
Public meeting room use	43
Homebound visits	

Added digital subscriptions to the *New York Times* and the *Wall Street Journal*. New Kanopy video streaming service proved to be very popular. Added online chat. The 43% decrease in reference questions and a 91% decrease in public computer use is a result of limits in time, hours and access to the building for much of FY21.

Resumed limited homebound delivery in April 2021; resumed Study Room and Conference Room use in June 2021.

Building

38,304 square feet

Built 1771, renovated and expanded 2001

On May 6, 2021 celebrated the 20th anniversary of the opening of the renovated and expanded building with anniversary bookmarks, a display in the Archival Center lobby and a story walk of signs in front of the Library.

Replacement of lighting with LED fixtures continued, including the Teen Loft area. Continued repair of the HVAC system.

Technology

Purchased additional laptops for mobile staff work. High circulation of four public internet hot spots.

Budget

Municipal budget	\$1,430,665
Trust funds	\$7,412
State Aid	\$29,925
Donations and fees	\$4,964
Friends of the Library	\$23,700
IFS grant	\$10,890
CPA grant	\$127,575
Total budget	\$1,635,131

The FY21 municipal budget reflected cuts made at the onset of the COVID crisis during FY20, including eliminating Sunday hours, eliminating Library Page positions, minimal On-Call Substitute hours, reduced funding for programs, and the addition of custodian hours in order to meet the (Municipal Appropriations Requirement) MAR. The MBLC waived minimum hours open requirements for FY21, and a record number of State Aid awards were made to public libraries. Trust Fund monies were approved in FY21 for materials expenditure. The Library was awarded a Community Preservation Act (CPA) grant to fund replacement of the Archival Center HVAC system. This HVAC project will be implemented in FY22.

MVLC suspended billing for lost items in FY21 and limits to public computers resulted in a 76% decrease in the collection of printing fees, and donations also decreased.

Friends of the Library

The Friends of the Library pledged to supplement the Library's municipal budget by \$23,700 to support the museum pass program; programming for children, teens and adults; the purchase of library materials; and the purchase of databases and collection materials for the Archival Center. With the closure of many museums, only \$20,700 was spent of the pledged budget.

The Friends also applied for and were awarded, on behalf of the Library, a \$10,890 grant from the Institution for Savings Charitable Foundation to fund the completion of phase six (6) of our historical newspaper microfilm digitization project. Library staff and patrons can now access digitized copies of the Newburyport *Daily News* through 1985.

The Friends, in collaboration with the Newburyport Horticultural Society, cancelled the annual spring Books in Bloom event because of the COVID-19 pandemic. The Friends also cancelled

the fall 2020 and spring 2021 book sale, but were able to hold a successful small pop-up book sale event in June 2021 under the tent at the Senior Community Center.

Friends of the Library Board FY21

Officers:

Stacey Brandon	President
Rita Moore	Vice President
Jane O'Hearn	Treasurer
Matthew Zeller	Assistant Treasurer
Diantha Brown	Corresponding Secretary
Christina Bellinger	Membership

Ex Officio Member:

Giselle Stevens, Head Librarian

Directors:

Madeleine Arcovio
Becky Caudill
Dick Monahan
Sherry Moore
Myron Moss
Kathie O'Neil
Nancy Peace
Paula Sable
Eugene Wintner

Submitted by the Head Librarian to the Library Board of Directors – September 15, 2021



CITY OF NEWBURYPORT FY 2022 TRANSFER/APPROPRIATION REQUEST

Department: Mayor's Office
Submitted by: Donna D. Holaday, Mayor **Date Submitted:** 9/27/2021

Transfer From:

Account Name:	<u>Multiple - See attached</u>	Balance:	<u>\$ -</u>
Account Number:	<u>Multiple - See attached</u>	Category:	<u>\$ -</u>
Amount:	<u>\$42,327.42</u>	Trans I/O:	<u>\$ -</u>

Why Funds Are Available:


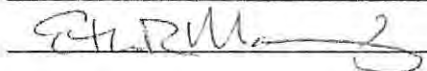
The City budgets an annual contingency for expiring collective bargaining agreements.

Transfer To:

Account Name:	<u>Multiple - See attached</u>	Balance:	<u>\$ -</u>
Account Number:	<u>Multiple - See attached</u>	Category:	<u>\$ -</u>
Amount:	<u>\$42,327.42</u>	Trans I/O:	<u>\$ -</u>

Why Funds Are Needed:

To fund FY2022 cost items in the the newly settled collective bargaining agreement between the City of Newburyport and the Teamster's Union Local 170 effective July 1, 2021. See attached memo and tentative agreement.

Donna D. Holaday, Mayor:  Date: _____
 Ethan R. Manning, Auditor:  Date: 9/21/21

Sponsor: Charles F. Tontar, Councillor At-Large

City Council Approval:

RECEIVED
 CITY CLERK'S OFFICE
 NEWBURYPORT, MA
 2021 SEP 21 PM 1:36

BST

Teamster's Union Local 170 - FY2022 Funding
Transfer Submitted September 27, 2021

Transfer From:

Transfer To:

<u>Account Name</u>	<u>Org</u>	<u>Object</u>	<u>Amount</u>	<u>Account Name</u>	<u>Org</u>	<u>Object</u>	<u>Amount</u>
BUC BUDGET CONTINGENCY	01132007	57805	\$20,426.58	ASR SAL ASSESSOR	01141001	51101	\$1,806.67
				ASR TECHNOLOGY STIPEND	01141001	51403	\$1,250.00
				TRS SAL TREASURER	01145001	51101	\$1,789.69
				IT SAL DIRECTOR	01151001	51101	\$4,322.21
				OPD SAL PLANNING DIRECTOR	01182001	51101	\$3,934.33
				DPS SAL DEPUTY DIRECTOR	01421001	51102	\$778.78
				DPS SAL ASST ENGINEER	01421001	51117	\$803.08
				DPS SAL CITY ENGINEER	01421001	51119	\$1,165.74
				HLH SAL HEALTH DIR	01510001	51101	\$1,618.16
				COA SAL COA DIRECTOR	01541001	51101	\$1,465.67
				VET SAL VETERAN DIRECTOR	01543001	51101	\$1,492.25
WAT BUDGET CONTINGENCY	60450007	57805	\$7,440.68	DPS SAL DEPUTY DIRECTOR	60450001	51102	\$778.78
				DPS SAL ASST ENGINEER	60450001	51117	\$803.08
				WAT SAL TREATMENT OPS SUPT	60450001	51118	\$3,084.23
				DPS SAL CITY ENGINEER	60450001	51119	\$1,165.74
				WAT SAL DISTRIBUTION MNGR	60450001	51134	\$1,608.85
SEW BUDGET CONTINGENCY	61440007	57805	\$7,716.04	DPS SAL DEPUTY DIRECTOR	61440001	51102	\$778.78
				SEW SAL CHIEF OPERATOR	61440001	51116	\$3,088.52
				DPS SAL ASST ENGINEER	61440001	51117	\$803.08
				SEW SAL SUPT OF COLLECTIONS	61440001	51122	\$1,879.92
				DPS SAL CITY ENGINEER	61440001	51119	\$1,165.74
HBR BUDGET CONTINGENCY	652007	57805	\$1,827.57	HBR SAL HARBORMASTER	652001	51101	\$6,744.12
HBR LIFEGUARDS	652001	51183	\$4,916.55				
Total			<u>\$42,327.42</u>	Total			<u>\$42,327.42</u>



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: September 21, 2021

Subject: Teamsters Union Local #170 Collective Bargaining Agreement

The Administration has agreed to terms for a new, three-year collective bargaining agreement with the Teamsters Union Local 170 (Managers/Department Heads) Bargaining Unit. The contract would go into effect retroactively from July 1, 2021 through June 30, 2024, subject to appropriation by the City Council. The Local 170 have voted to ratify the terms of this agreement.

Included with this memo is a transfer request that appropriates funding for the first year of the contract by the City Council, as well as, a summary of the agreed changes to the contract. A redlined version showing the changes from the expired to the new contract will be provided electronically.

The Administration worked diligently and collaboratively with the Local 170 to agree to terms for a new contract. My staff is available if you require any additional information regarding the appropriation request or terms of the new contract.

Thank you for your consideration.

MEMORANDUM OF AGREEMENT

Between

CITY OF NEWBURYPORT

And

TEAMSTERS UNION LOCAL 170 (Department Heads)

9/2/21

Article I: Recognition and the Bargaining Unit. PG. 2

Following positions shall be added to the bargaining unit.

Add: Water Distribution Superintendent

Change: Sewer Chief Operator to Water Pollution Control Facility Superintendent

(On EPA/DEP permit)

Article VI: Union Dues and Agency Fee. PG 4

The city agrees to deduct, Local 170 dues, initiation and uniformed assessments from the Local 170 Members who agree in writing to have their dues, initiation fees and other uniformed assessments deducted and to mail said dues with a list of names from whom dues have been deducted to Local 170. In accordance with M.G.L. 150E, the City agrees to deduct an agency fee from those who agree to pay such fee in writing from all employees who elect to remain non-members and mail said fee with a list of names from whom the fee has been deducted to Local 170. The Agency Fee for non-members shall be no less than 2.25% of their hourly wage, paid once a month.

Article X Non-Reappointment and Discipline. PG 7

Management reserves and retains its right to discharge, suspend, or otherwise discipline for just cause, employees covered by this agreement. The mayor shall provide an informal hearing to the employee prior to discharging for just cause any non-probationary employee.

Article XVII: Holidays. PG 14

Add: Juneteenth (June 19) to list of Holidays

Revise Sentence: If a holiday falls on a Saturday, the employee shall have Friday as the holiday as per state statute. If a holiday falls on a Sunday, the employee shall have Monday as the holiday.

Article XIX: Longevity. PG 15.

Delete section and appendix B.

Article XXII: Salaries. PG 17

July 1, 2021 2% Cola

July 1, 2022 3% Cola

July 1, 2023 3% Cola

Salary Adjustments for the following positions:

	<u>FY22</u>
Harbormaster	\$5,000
Building Commissioner	\$3,000
Planning Director	\$2,000
City Engineer	\$1,500
Assessor	\$1,250 (Tech Stipend Increase)
Assistant City Engineer	\$1,000
IT Director	\$2,250
Sewer Superintendent of Collections	\$1,000
Water Pollution Control Facility Superintendent	\$1,000
Superintendent for water treatment operations	\$1,000

Article XXV: Miscellaneous. PG 17-18.

Section 1: Add Water Distribution Superintendent to list of employees that shall have use of a City vehicle 24 hours a day, 7 days/week.

Add IT Director to second paragraph (department Heads who use their own vehicle on a daily basis).

Delete third paragraph (Department Heads who use their vehicle twice per week seasonally).

Add: Harbormaster to list of employees who have access to Vehicle 24/7

Add paragraph at end of section 1: Payment of monthly vehicle allowance shall end should any Department Heads be assigned a city-owned vehicle.

Section 2: Clothing allowance to remain at FY21 amounts (700.00/year).

Add: Water Distribution Superintendent receiving a clothing allowance.

Article XXVII: Duration of Agreement. PG 19.

Modify Dates to reflect the new term agreement. 7/1/21 – 6/30/24

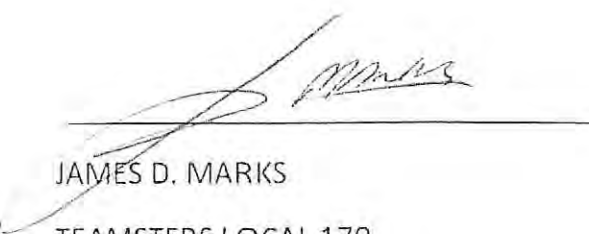
All employees shall be paid Retro pay from 7/1/21

New - Credit union Language:

The city agrees to deduct certain amounts each week from the wages of those employees who shall have given the city written authorization to make such deductions. The amounts so deducted shall be remitted to the New England Teamsters Federal Credit Union or personal bank of the employee Bi-weekly. The city shall not make deductions and shall not be responsible for remittance to the New England Teamsters Federal Credit Union or personal bank for any deductions for those weeks in which the employee's earnings shall be less than the amount authorizes for deduction.

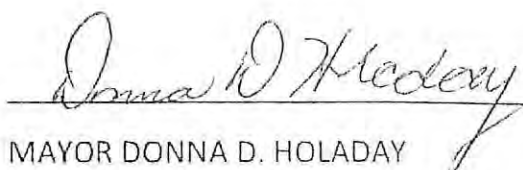
New Section 6 - Personal Protective Equipment (PPE)

As a result of the COVID-19 pandemic, The City of Newburyport agrees to continue to provide, at no cost to all bargaining unit employees, all personal protective equipment (PPE), personal sanitizing agents, and any other materials to safeguard the health and well-being of the bargaining unit members, as directed by or set forth in safety guidelines by the Center for Disease Control (CDC), the Massachusetts Department of Public Health (DPH) and/or any other state or federal regulating agency.


JAMES D. MARKS

TEAMSTERS LOCAL 170

DATE: 9/21/21


MAYOR DONNA D. HOLADAY

CITY OF NEWBURYPORT

DATE: 9/21/21

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

October 12, 2021

THAT the City Council of the City of Newburyport authorizes the payment of the following prior year bills in accordance with M.G.L. Chapter 44, Section 64:

Department	Vendor	Amount
Parking Clerk	Waterfront Trust (May 2021)	\$1,635.56
Parking Clerk	Waterfront Trust (June 2021)	\$2,173.16
	Total:	\$3,808.72

Councillor Sharif I. Zeid

In City Council October 12, 2021:

Motion to refer collectively with ORDR289_10_12_2021 and ORDR290_10_12_2021 to Budget & Finance by Councillor Zeid, seconded by Councillor McCauley. Roll call vote. 9 yes, 2 absent (JD, CW). Motion passes.

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

October 12, 2021

THAT the City Council of the City of Newburyport approves the Mayor's **Fiscal Year 2022 Supplemental Budget Request** in the total amount of \$128,020, to be appropriated as shown below, with \$120,256 funded by FY2022 General Fund revenue and \$7,764 funded from the Downtown Paid Parking Fund.

Account Number	Description	Amount	Source
01132007-57805	BUDGET CONTINGENCY	96,500.00	General Fund
01152002-53011	ASSESSMENT CENTER	8,500.00	General Fund
01161001-51166	CLK SAL PT ADMIN ASST	7,764.00	Parking Fund
01161001-51167	CLK SAL ADMIN ASST/PASSPORT	9,256.00	General Fund
01182002-53001	OPD OPEN SPACE MANAGEMENT	6,000.00	General Fund
	Total	128,020.00	

Councillor Charles F. Tontar

In City Council October 12, 2021:

Motion to refer collectively with ORDR287_10_12_2021 and ORDR290_10_12_2021 to Budget & Finance by Councillor Zeid, seconded by Councillor McCauley. Roll call vote. 9 yes, 2 absent (JD, CW). Motion passes.



CITY OF NEWBURYPORT
OFFICE OF THE MAYOR

DONNA D. HOLADAY

60 PLEASANT STREET • P.O. BOX 550

NEWBURYPORT, MA 01950

(978) 465-4413 • (978) 465-4402 (FAX)

WWW.CITYOFNEWBURYPORT.COM

To: President and Members of the City Council

From: Mayor Donna D. Holaday

Date: October 5, 2021

Subject: Supplemental Budget Request #1

I hereby submit a fiscal year 2022 supplemental budget in the amount of \$128,020. This request is funded by \$120,256 in available FY2022 General Fund revenue and \$7,764 from the Downtown Paid Parking Fund. Funds are available for appropriation as a result of City Council reductions made to the FY2022 budget proposal totaling \$372,750, as well as, an additional \$29,490 in estimated state aid. Listed below are the proposed expenditures that comprise this supplemental budget request.

Purpose	Amount	Justification
BUDGET CONTINGENCY	\$96,500	In the FY2022 budget, a contingency was put in place for collective bargaining agreements that were expired or expiring at the end of FY2021; this included the two Police unions, AFSCME, Teamsters and the Firefighters. In order to complete these negotiations, the Administration anticipates an additional \$96,500 in budget contingency will be needed.
ASSESSMENT CENTER	\$8,500	One or more Police Sergeant vacancies are anticipated over the next year. To assist with the assessment process and ensure compliance with the requirements of the MA Human Resources Division, it is recommended that the City engage an outside expert to conduct the Assessment Center. This was last done in 2016 for the Marshal position.
CLK SAL PT ADMIN ASST	\$7,764	The Administrative Assistant in the City Clerk's office is a 20 hour benefit-eligible position. To meet increased demands on the City Clerk's office, funding for an additional 5 hours per week is requested. Like the other staff in the office, this position performs administrative duties for the parking program. As such, the additional funding for these hours would be derived from Downtown Paid Parking revenue.

CLK SAL ADMIN ASST/PASSPORT AGENT	\$9,256	The FY2022 budget restored funding for the Passport Agent position that was left vacant due to the pandemic. An estimate of \$35,000 was used to build the FY22 budget. An additional \$9,256 is requested for a total appropriation of \$44,256 bringing this to a full 35 hour per week position. This position is fully funded by passport fees that come in as revenue to the General Fund. Estimated FY22 passport revenue is \$50,000-\$60,000.
OPD OPEN SPACE MANAGEMENT	\$6,000	This request funds a consultant to oversee Open Space Management on behalf of the City, including, but not limited to, conservation restriction (CR) monitoring, CR oversight, management/maintenance of City-owned open space, oversight of contracts with outside entities (as needed), trails management, public engagement, as well as, advising relevant boards and commissions on matters pertaining to open space.
Total	\$128,020	

I kindly request your review of this supplemental budget request prior to the setting of the FY2022 tax rate. My Finance Team is working with the Department of Revenue on certifying values and anticipates submitting a FY2022 tax rate proposal for the City Council's first meeting in November.

Thank you for your consideration.

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

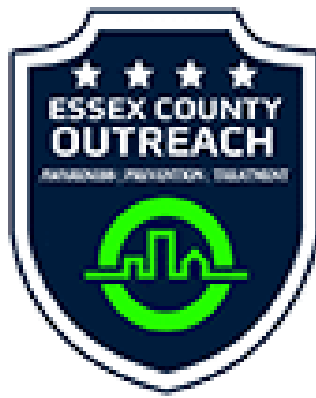
October 12, 2021

THAT, The CITY COUNCIL of the City of Newburyport accepts with gratitude a gift from Anna Jaques Hospital, in the amount of \$2,000.00 to be appropriated for the purpose of hosting programming through the Essex County Outreach (ECO) program. Said funds are accepted in accordance with M.G.L. Chapter 44, Section 53A.

Councillor Sharif I. Zeid

In City Council October 12, 2021:

Motion to refer collectively with ORDR287_10_12_2021 and ORDR289_10_12_2021 to Budget & Finance by Councillor Zeid, seconded by Councillor McCauley. Roll call vote. 9 yes, 2 absent (JD, CW). Motion passes.



Essex County Outreach

2021 Partnership with Anna Jaques Hospital

About Essex County Outreach (ECO)

The Essex County Outreach is a collaborative effort involving all 34 police departments within Essex County, as well as the sheriff's department, partnering with social service agencies, peer specialists, and other community supports to assist with:

- Substance Use Disorder (SUD)
- Mental or Behavioral Health needs
- High risk (of overdosing) referrals
- Harm Reduction Strategies
- Additional supports to families and children impacted by SUD
- Supports for those that have lost a loved one to SUD

After identifying the need(s), the goal is to have law enforcement partners, SUD professionals, licensed clinicians, social workers, and/or Recovery Coaches (both with and without lived experience) coordinate through the CIMS database reach out to the individual ideally within 72 hours to navigate to the appropriate services.

Anna Jaques Hospital (AJH) Support

AJH will support ECO's community educational materials, brochures and activation aimed at increasing awareness and access to necessary services related to substance use, mental or behavioral health needs and access. (See brochure below)

TOTAL: \$2,000

About Essex County Outreach:

ECO is a collaborative of law enforcement and community partners to combat Substance Use Disorders and Mental Health matters.

We offer support and resources after an overdose occurs to individuals and/or family members.

ECO also aims to help individuals who may be misusing a substance and are at-risk of an overdose, or would like assistance navigating treatment options.

This includes individuals in recovery who may want to explore a different pathway or access additional resources. An at-risk individual can be identified through self-disclosure, referral by a family member or loved one, or upon release from jail and looking for additional supports and services.

ECO partners with the community to promote awareness to de-stigmatize Substance Use Disorder. We host events that will include Resources, Harm Reduction Strategies, and/or Narcan training and distribution.

If you or a loved one is looking for assistance from ECO, you can do so by contacting us through our website at www.essexcountyoutreach.com or Facebook page @essexcountyoutreach and a coordinator will be connecting back with you.

Additional Resources:

SAMHSA's National Helpline:

1-800-662-HELP (4357)

TTY: 1-800-487-4889

samhsa.gov/find-help/national-helpline

Massachusetts Substance Use Helpline. Call: **800-327-5050** or Helpline **MA.org** for Treatment Search or Free Transportation:

If you live in the Merrimack Valley and have a spot at a detox, residential treatment program, or sober housing, or if you need to access or continue medication for addiction treatment (MAT), Wheels of Hope can provide you with free, safe, and confidential transportation.

www.alcoholicsanonymous.com

24/7 Helpline: **800-839-1686 (AA)**

24/7 Helpline: **888-414-2036 (NA)**

MA Organization for Addiction Recovery (MOAR)

1-877-423-6627

www.moar-recovery.org

National Suicide Prevention Hotline:

800-273-TALK (8255)

Learn to Cope: www.learn2cope.org

or 508-738-5148

Never Use Alone: 800-972-0590



Awareness + Prevention + Treatment

Substance Use Disorders and Mental Health

Find us on:

www.essexcountyoutreach.com

Facebook: EssexCountyOutreach



For up-to-date listings on open detox beds, visit: www.marsi.org (MA Addiction Recovery, Inc.)

Arbour Health (IOP, PHP, counseling, comm. services)
116 Summer St. Haverhill **978-373-7010**

BayRidge Hospital (Inpatient, dual diagnosis programs)
Beverly **978-816-2812** Lynn **781-477-6940**

Baystate Recovery Services (IOP, PHP, recovery coaches, family support)
Cummings Center, Beverly **800-270-2302**

Beverly Hospital (In/Out patient, dual diagnosis, Recovery Coaches)
978-922-3000

Clean Slate (MOUD alcohol & opiates, Outpatient services)
Lawrence **978-802-7331** Lynn **781-731-6804**

Center for Behavioral Health & Addiction Treatment
(MOUD, Indiv/Group support, recovery coaches)
110 Haverhill Rd. Amesbury **978-834-6583**

Comprehensive Treatment Center (MOUD, Outpatient treatment)
Lawrence **978-620-9745** Lynn **781-346-9941**

Danvers Treatment Center/Lahey Behavioral (In or Outpatient programs, MOUD Indiv/Group therapy, family services)
978-777-2121

Eliot Center (Outpatient, therapies, youth and family services)
Lynn **781-581-4402** Danvers **978-619-6850**



STOP AN OVERDOSE

TAKE THESE STEPS:

- 1 Check for overdose
- 2 Call 9-1-1
- 3 Give Narcan®
- 4 Give breaths
- 5 Stay until help arrives

1 CHECK FOR OVERDOSE

- Signs of overdosing:
- Not breathing well
 - Turning blue/gray
 - Not reacting when you rub your knuckles on their chest



2 CALL 9-1-1

- Call 9-1-1
- Say "someone isn't breathing" and/or "I think it's an overdose"
- Stay until help arrives, even if they seem better*

3 GIVE NARCAN®

- Push pump only after tip is in nose
- Go to Step 4
- If no response in 3 minutes, give another dose



4 GIVE BREATHS/CPR

- Make sure mouth is clear
- Tilt head back, lift chin, pinch nose
- Give 1 breath every 5 seconds
- Try CPR if you've been trained

5 STAY UNTIL HELP ARRIVES

- If breathing well, put on side
- If not breathing well, repeat Steps 3 and 4
- Stay until help arrives*



MAKE SURE CHEST RISES WITH EACH BREATH.



HAND SUPPORTS HEAD
KNEE STOPS BODY FROM ROLLING ONTO STOMACH

GOOD SAMARITAN LAW:
Protects people who overdose or seek help for someone overdosing, from charges or prosecution for simple drug possession
MGL 94C. Section 34A



MA General Brigham/Salem Hospital (MOUD, outpatient, dual diagnosis, therapy, recovery coaches)
55 Highland Ave. Salem **978-825-6220**

Middlesex Recovery Center (MOUD, alcohol treatment, counseling)
61 Prospect St. Gloucester **978-515-7664**

Recovery Centers of America (In/Out patient programs, MOUD, alcohol)
75 Lindall St. Danvers **978-767-2847**

Serenity at Summit (Comprehensive inpatient treatment plans, MOUD, family programs)
61 Brown St. Haverhill **978-312-9830**

Additional Services:

Addison Gilbert Hospital, Gloucester **978-283-4000**
For Seniors 65+ psych symptoms and/or SUDs

Citizens Inn Transition (sober living shelter, social services) Peabody **978-531-9951**

Link House Newburyport **978-462-7341**
Residential home for men in recovery

Mobile Crisis Intervention (youth and all ages):
Haverhill **978-521-7777** Lawrence **978-620-1250**
Salem **978-744-1585**

Healthy Streets (Overdose Prevention/Outreach Services) **339-440-5633**

One-Stop Center (Outreach, Needle Exchange, Sex health, Testing, Overdose Prevention))
978-381-3170

Pettengill House Inc. (Comprehensive wrap around services, basic needs, counseling) **978-463-8801**

for a more extensive list, please visit our website at www.essexcountyoutreach.com

**Committee Items
October 25, 2021
General Government**

COMM359_10_12_2021 Late File

City Solicitor opinion on residency requirements

From: Mark R. Reich <MReich@k-plaw.com>
Sent: Thursday, October 7, 2021 2:19 PM
To: Donna Musumeci
Cc: Donna Holaday; Jared Eigerman
Subject: [Ext]RE: [Ext]RE: Cultural council requirements

external e-mail use caution opening

Donna –

Thank you for this information.

The provision you cite with respect to residency requirements is found in the City's Code of Ordinances in Article III, Boards, Committees, Commissions, and states as follows:

Sec. 2-62. - Residency requirement.

Unless otherwise allowed by law, regulation, ordinance, or by this charter, all members of multiple member bodies must be residents of the city at all times during their entire term of office. If a member of a multiple member body moves from the city during the term for which appointed, such seat shall immediately be deemed vacant and filled in the manner provided for in section 3-3 of the Charter.

This language may be deemed permissive as opposed to restrictive, in that non-resident appointments are permitted if allowed by law. Please note with respect to appointments generally, the provisions of G.L. c. 41, sec. 109 state in pertinent part as follows:

Unless otherwise provided by general or special law, ordinance or by-law, a person need not, in order to accept appointment to a public office in a town or district, be a resident of such town or district; provided, however, that if an appointed town or district officer is required to become a resident within a period of time specified at the time of his appointment by the board or officer making the appointment but fails to do so within the time specified, or if an elected or appointed town or district officer removes from the town or district in which he holds his office, he shall be deemed to have vacated his office.

In my opinion notwithstanding the reference to towns, this provisions will also apply to cities (See G.L. c. 4, sec. 7, clause 34).

The provisions of G.L. c. 10, sec. 58, which allows for establishment of a local cultural council, does not require that members of such a council be residents of the city or town. The statute simply states with respect to membership, "Members of the local and regional cultural council shall be appointed for staggered terms of three years and any such member shall not be appointed to more than two consecutive terms. Members shall have demonstrated scholarship or creativity in, or distinguished service to, the arts, humanities, or interpretive sciences." Therefore, in my opinion, pursuant to the provisions of G.L. c. 41, sec. 109, a non-resident may be allowed by law to serve on a local cultural council.

In my opinion, however, the intent of the local ordinance regarding residency for appointees must be determined by the legislative body, being the City Council, as to whether the application of the provisions of G.L. c. 41, sec. 109 satisfies the permissive language of Ordinance Section 2.62. If it was the legislative intent to allow non-resident appointees only if a statute specifically allowed for such, then the provisions of G.L. c. 41, sec. 109 allowing for such appointments unless otherwise provided by law would not be sufficient in this case, as there is no specific authorization for non-resident appointees. If the intent

GEM 6/11

was instead to allow non-resident appointees in the manner provided by the provisions of G.L. c. 41, sec. 109, such non-resident appointees to the Cultural Council would be permissible. In this case, where non-resident members of the cultural council were appointed, there may be some suggestion that the latter interpretation applies. However, it is uncertain whether members of the City Council were aware of this issue when they voted to approve those appointees. Either outcome may be acceptable based upon the interplay of the ordinance and the statute. Where there is a matter of ambiguity, it would be important to determine the intent of the City Council, with respect to the meaning of the ordinance.

It would be useful to review any documentation related to the establishment of the City's Cultural Council to determine whether there is any additional guidance in this regard. I have only been informed that the Cultural Council was established pursuant to G.L. c. 10, sec. 58, with no authorizing order of the City Council provided for review, and I have been unable to find any additional information. Thus, in my opinion, given the ambiguity in the ordinance and the uncertainty of the applicability of G.L. c. 41, sec. 109 in regards to residency of appointees, the City Council should determine the intent of the ordinance or consider enacting an order or ordinance governing appointments to the Cultural Council so as to clarify the residency issue.

I recognize that the above comments do not provide a definitive opinion on this matter. Unfortunately, there is no clear legal determination in this matter absent a court decision. Please note that a court would, given the statutory and ordinance ambiguity, also look to the legislative intent of the ordinance and its application. For that reason, I suggest that this issue be referred back to the City Council for further consideration, taking into account the issues raised above.

Please contact me with any further questions

Thank you.

Mark

Mark R. Reich, Esq.

KP | LAW

101 Arch Street, 12th Floor

Boston, MA 02110

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F: (617) 654 1735

mreich@k-plaw.com

www.k-plaw.com

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Committee Items-October 25, 2021

Neighborhood & City Services

ODNC084_07_12_2021 Late File	Streets, Sidewalks, and Other Public Places Alterations and Maintenance
COMM343_08_30_2021	Congregation Ahavas Achim replacement sign at High & Olive Sts.
ORDR276_08_30_2021	Crosswalk Pleasant St

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

AN ORDINANCE REGARDING ALTERATION AND MAINTENANCE OF THE PUBLIC RIGHT-OF-WAY INCLUDING, BUT NOT LIMITED TO STREETS AND SIDEWALKS

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

THE Code of Ordinances, City of Newburyport, Massachusetts, is amended to add the following:

Chapter 12 – Streets, Sidewalks, and Other Public Places

Article VII – Alterations and Maintenance

Section 12-200 – Definitions.

The following definitions allow to this Article VII:

- 1) **“Alteration”** shall be defined consistently with applicable U.S. Department of Justice and U.S. Department Transportation regulations to mean a change that affects or could affect the usability of all or part of a public street, sidewalk, or within the right-of-way. Alterations include activities such as construction, reconstruction, rehabilitation, resurfacing, widening, grade changes, and projects of similar scale and effect. Replacement or relocation of drainage and underground utilities shall also be considered alterations.
- 2) **“Maintenance”** shall be defined consistently with applicable U.S. Department of Justice and U.S. Department Transportation regulations to mean as activities on public streets, sidewalks, or within the right-of-way that do not significantly affect the public's access to or usability of the road. Maintenance includes smaller scale repairs such as pavement patching, crack filling and sealing, sidewalk or curb repairs, minor drainage and utility repairs, re-painting of existing markings, and projects of similar scale and effect.

Section 12-201 – Purpose.

Whereas the City of Newburyport Home Rule Charter provides at Section 2-5 that, except as otherwise provided by general law or by the charter, all powers of the City shall be vested in the City Council which shall provide for their exercise and for the performance of all duties and obligations imposed upon the City by law, and at Section 2-7 that the City Council may make investigations into the affairs of the city and into the conduct and performance of any city agency; and whereas the Newburyport Code provides at

Section 12-30 that the surveying and laying out, relocation or altering of a street, highway, or private way, or part thereof, shall be done under the supervision of the City Council and at Section 13-46 that the City Council is authorized, and as to those signs and signals required under such code it shall be its duty, to place and maintain or cause to be placed and maintained all official traffic signs, signals, markings and safety zones, the purposes of this Article VII include:

- 1) to provide a process for public participation and notification in the planning, design, and construction for work involving public ways;
- 2) to clarify the instances in which approval by the City Council is required for work involving public ways;
- 3) to standardize the timing and scope of information that city agencies must provide to the City Council annually about the planning, funding, and undertaking of work involving public ways;
- 4) to set minimum requirements for applications for design review; and
- 5) to ensure the public availability of all such information and design review applications.

Section 12-202 – Approval required.

- 1) Alteration of a public street, sidewalk, or right-of-way requires approval of an Order by the City Council. Types of projects that require approval include but are not limited to:
 - a) Street resurfacing or reconstruction, curb and sidewalk installation or reconstruction, drainage and utility installation or reconstruction;
 - b) Crosswalk changes, intersection improvements, complete streets projects or traffic calming retrofits;
 - c) Changes in signage, signals, pavement markings, or anything that changes traffic flow or on-street parking patterns.
- 2) Maintenance of a public street, sidewalk or within the right-of-way does not require City Council approval. Additionally, the following types of projects do not need approval under this section:
 - a) Sidewalk or curb reconstruction as part of the city sidewalk partnership replacement program;
 - b) Right-of-way, utility, trench work or driveway opening permits approved separately by the Department of Public Services.

Section 12-203– Project reporting and planning.

By November 1 of each year, the Department of Public Services, the Planning Department, and any other applicable city department shall submit in writing to the City Clerk the following information:

- 1) A list of street and sidewalk projects completed in the preceding fiscal year that includes scopes of work, total funds expended broken down by source, resources used (such as external or internal engineering services, contractor services, or in-house resources), and any other relevant details;
- 2) Any request-for-proposals and bid documents generated during the preceding fiscal year;
- 3) Any grant submissions or award documents generated or received during the preceding fiscal year; and
- 4) An up-to-date, street and sidewalk five-(5-) year project plan for the subsequent five calendar years that includes approximate scopes of work, schedules, costs, and funding sources.

Section 12-204– Project design submittals and review.

Prior to any alteration of a public street, sidewalk or within the right-of-way, the applicant (including, without limitation, when a City agency or officer is the applicant) shall submit in writing to the City Clerk the following:

- 1) Project Concept Plan that shows at a minimum:
 - a) To-scale, existing conditions base plan (surveyed or recent aerial) with property lines (surveyed or approximate GIS-based); and
 - b) Locations of proposed curb, sidewalk, limits of paving, materials, pavement markings, crosswalks, ADA ramps, signage, traffic controls, utilities (including if being relocated or replaced), trees and vegetated areas.

- 2) Project Summary that describes at a minimum:
 - a) Scope of work, project schedule, and project manager;
 - b) Project cost estimates and funding sources;
 - c) Compliance with MassDOT standards and City of Newburyport "Construction and Traffic Standard Details";
 - d) Compliance with the American Disabilities Act (ADA);
 - e) Compliance with the Complete Streets Policy adopted by order of the City Council on January 29, 2018, as it may be amended from time to time;
 - f) Traffic-calming elements;
 - g) Construction abutter notification and public communication methods;
 - h) Construction staging areas, pedestrian safety near work zones, detour routes and signage, and police details; and
 - i) City Engineer approval (whether designed in-house or outsourced).

Section 12-205 – Transparency requirement.

Upon receipt, the City Clerk shall forthwith submit the information referenced in Sections 12-203 and 12-204 to the City Council in the form of a communication and to post the same to the City's Website.

Councillor Christine Wallace, Ward 4

Councillor James McCauley, Ward 5

In City Council July 12, 2021:

Motion to refer to Neighborhood & City Services by Councillor Tontar, seconded by Councillor McCauley. So voted.

August 9, 2021

Richard Jones, City Clerk
City Hall
Newburyport, MA

Dear Mr. Jones,

I am writing from Congregation Ahavas Achim (Jewish synagogue on Washington Street) for information on the procedure for getting city approval for a permanent sign at the corner of High and Olive Streets.

The Congregation had a sign at that location for many years until it was knocked down about 15-20 years ago, and we never took the steps to have it replaced.

I understand from your office that we need to apply to the City Council for permission to replace it. I also need information on what size is allowed and any restrictions that might apply.

Thank you very much,



Ron Rutchick
Congregation Ahavas Achim
Chairman of Building Committee
53½ Washington St., Newburyport

Cell: 978-869-4058
ronrutchick@gmail.com

Home address:
82 Bromfield St.
Newburyport, MA

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

August 30, 2021

THAT the CITY COUNCIL of the CITY OF NEWBURYPORT hereby amends the existing list of crosswalks as identified by the Department of Public Services and marked throughout the City of Newburyport by adding the following:

1. Pleasant Street at Inn Street

AND that the City Clerk and Department of Public Services shall maintain this list and make the same available to the public.

AND furthermore the City Clerk shall post this list on the appropriate City website.

Councillor Jared J. Eigerman

In City Council August 30, 2021:

Motion to refer ORDR276_08_30_2021 to Neighborhood & City Services by Councillor Zeid, seconded by Councillor Wallace. Roll call vote. 11 yes. Motion passes.

Hi Jim,

For business to city council regarding this crosswalk work -

TSAC Recommendation re: Crosswalk options on Pleasant Street

1. First Option - Install a crosswalk on Pleasant Street at Inn Street exit across Pleasant and end to the right of the entrance into Tracy Place. The crosswalk will be constructed at an angle in front of Oregon's outdoor dining space, and end curbside abutting the last parking space on Pleasant. Crosswalk will be constructed to be ADA compliant for safe transition from the street to curbed sidewalks. There will be no changes needed to existing parking spaces, the water drain and signage on the left side of Pleasant. Added component will be better compliance with trucks not able to use space on Pleasant as a loading dock.
2. Second Option – Install a crosswalk further down the street at 43 Pleasant. Location not conducive to proximity of pedestrians exiting Inn Street (an option but not optimal as pedestrians will not automatically see the crosswalk further located down the street).

Work to be planned for FY22.

Feel free to tweak the language.

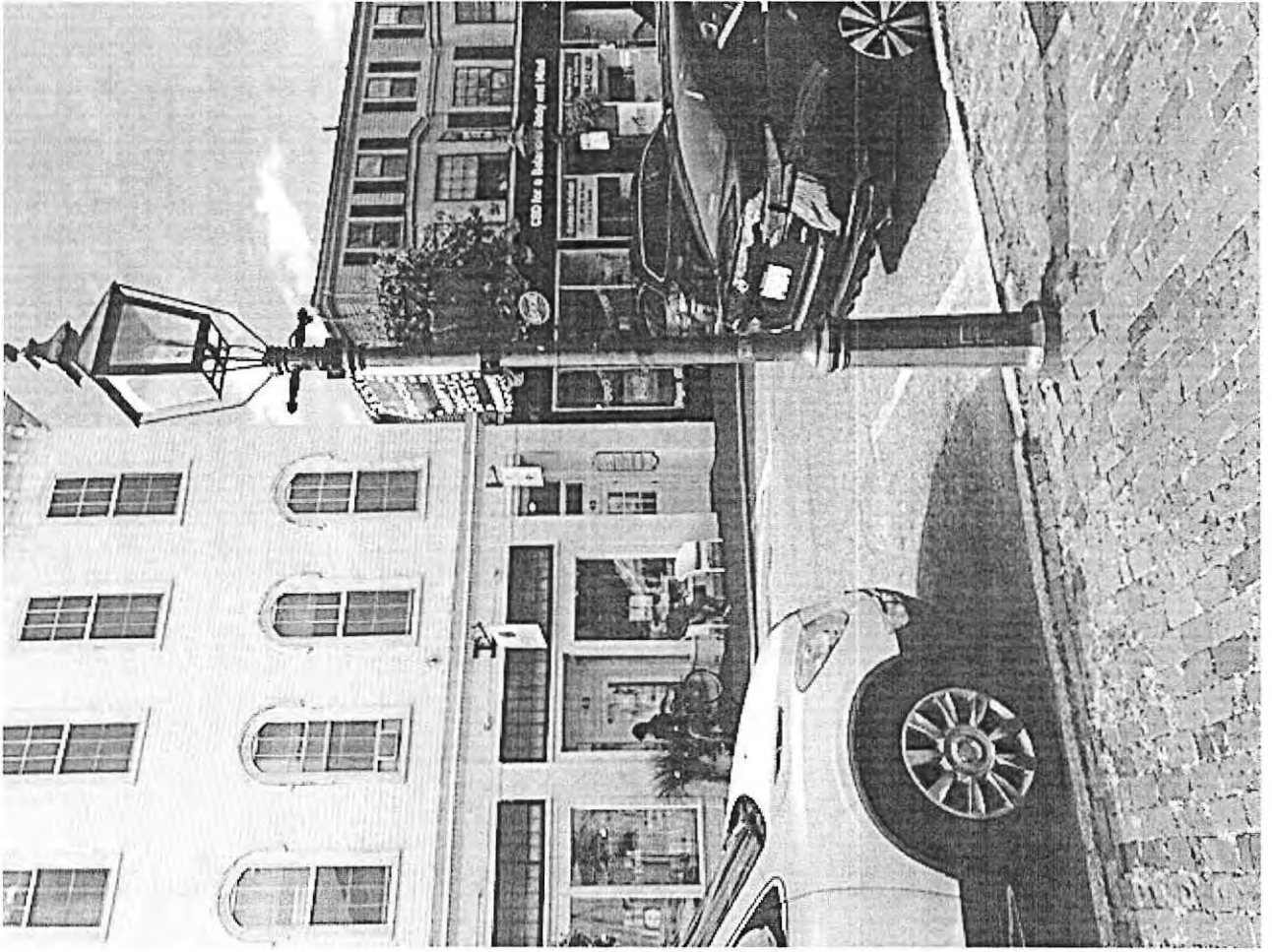
Best regards,
Donna

Donna Musumeci
Chief of Staff
City of Newburyport
60 Pleasant Street
Newburyport, MA 01950
978-465-4413, ext.1202 – Office
dmusumeci@cityofnewburyport.com
Sign up for e-alerts and general City information on CityofNewburyport.com









**Committee Items-
October 25, 2021
Planning & Development**

In Committee:

ODNC097_09_13_2021 Proposed Zoning Clarifications re Public Purpose Takings

APPT283_10_12_2021

Robert Currier

Affordable Housing Trust

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

September 13, 2021

ORDERED:

A ZONING ORDINANCE TO CLARIFY THE EFFECT OF PUBLIC PURPOSE TAKINGS

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

Amend (1) existing Section VI-A – General regulations, and (2) existing Section VI-B – Lot areas, as follows, with deletions ~~double-stricken and italicized~~, and additions double-underlined and italicized:

VI-A. – General regulations.

Any structure hereafter altered, constructed, erected, placed, or converted for any use in any district shall be located on a lot only in conformance with the minimum requirements listed on the Table of Dimensional Requirements, below, and the other regulations under this Section VI~~dimensional controls table and regulations in section VI-B~~ unless specifically allowed by special permit or variance under the provisions of M.G.L. c. 40A, §§ 9 and 10 and of this Zoning Ordinance~~the special permit granting authority under a variance procedure~~ or, in the case of nonconforming uses, structures or lots, in accordance with the provisions of M.G.L.A. c. 40A, § 6 and of this Zoning Ordinance~~section IX of the ordinance~~.

Minimum lot area, street frontage, setbacks, heights, lot coverage, and useable open space shall be as set forth in Table of Dimensional Requirements, below, which is hereby made part of this ordinance. In the case of a dimensional requirement under this Zoning Ordinance that conflicts with that set forth in such Table, the more restrictive shall apply.

No building, structure, or part thereof shall be constructed, altered, moved, added, or reconstructed, except in accordance with the Table of Dimensional Requirements, below, or as exempt therefrom by other provisions of this ordinance, and no buildable or built-upon lot shall be subdivided, altered, or reduced, except by taking by eminent domain or conveyance for a public purpose for which a taking by eminent domain could have been made, so as to

~~result in a violation of the requirements of such Table. No lot upon which any building or structure stands in conformance with this ordinance shall be changed for any reason in size or shape so as to violate the provisions of this ordinance.~~

...

...

VI-B. – Lot areas.

- A. The lot or yard areas required for any new building or use may not include any part of a lot that is required by any other building or use to comply with any provisions of this ordinance, nor may these areas include any property of which the ownership has been transferred subsequent to the effective date of this ordinance if such property was a part of the area required for compliance with the dimensional regulations applicable to the lot from which such transfer was made.
- B. Lots shall not be separated or transferred in ownership with the result that they no longer so as not to comply with the provisions of this ordinance, except by taking by eminent domain or conveyance for a public purpose for which a taking by eminent domain could have been made.
- C. In addition to the minimum lot area and frontage requirements, lots shall be laid out in such a manner so that a square, with sides equal to eighty (80) percent of the minimum frontage requirement for the zoning district in which it is located, can be placed within the lot with at least one point of the square lying on the front lot line with no portion of the square extending beyond the boundaries of the lot.

Councillor Jared J. Eigerman

In City Council September 13, 2021:

Motion to Planning & Development by Councillor Zeid, seconded by Councillor Connell. So voted.



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

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

To: President and Members of the
City Council

From: Donna D. Holaday, Mayor

Date: October 4, 2021

Subject: Appointment

Donna D. Holaday
Donna

I hereby appoint, subject to your approval, the following named individual
as a member of Affordable Housing Trust. This term will expire on
October 29, 2023.

Robert Currier
3 Summit Place
Newburyport, MA 01950

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2021 OCT -4 PM 2:46

Mayor Donna Holaday
60 Pleasant Street
Newburyport, Massachusetts 01950

September 21, 2021

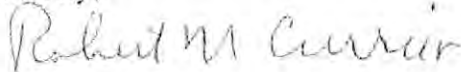
Dear Mayor Holaday,

I am writing with great interest to request to be considered for an appointment on the Affordable Housing Trust for the City of Newburyport. Please find my abbreviated resume for your review. Although I am currently retired, I spent the last ten years or so consulting with the Affordable Housing Division of a successful private equity firm. My primary responsibility was scouting potential real estate parcels for development. I have also made lasting contributions to the historic preservation of our beautiful Clipper City.

I was approached by M.J. Verde at a local political gathering and after our discussion about the need for affordable housing in our city, she encouraged me to apply. I have been passionate about affordable housing throughout my career, and I remain informed of the regulations and funding sources to bring projects to completion.

I thank you in advance for your consideration in this manner. I look forward to the opportunity of presenting my qualifications in a personal interview.

Sincerely,



Robert M. Currier

Robert M. Currier
3 Summit Place
Newburyport, Mass. 01950
robertmcurrier@gmail.com
978-270-3555

Objective:

To obtain an appointment with the Affordable Housing Committee for the City of Newburyport

Summary:

I have proven experience in municipal development, affordable housing, and historic preservation. I currently hold a Massachusetts Commercial Real Estate License

Experience:

Newburyport Historic Commission 1980-1982

Assisted in compiling information for a survey of the historic homes in Newburyport. This survey is still referenced today.

Newburyport Redevelopment Authority 1982-1992

An active member of the Board instrumental in the rehabilitation of downtown Newburyport and the RFP for the current The Firehouse Center for the Arts

Stratford Capital Group 2009-2020

Hired consultant to find real estate parcels and opportunities to develop into affordable housing.

Committee Items-October 25, 2021

Public Safety

In Committee:

COMM243_05_11_2020

COMM216_01_13_2020

APPL052_10_12_2021

APPL053_10_12_2021

Ltr from Jane Rascal

Ltr re: Ban the Use of Glyphosate

Youth Hockey League Tag Day 11/20/2021 8am-2pm

Greater Newburyport Children's Chorus Candy Shop Sing

ps

To The Newburyport City Council,

I respectfully submit this letter to ask that the City Council reconsider its upcoming contract with the Northeast Massachusetts Mosquito Control District. As the annual budget approval process begins, please note that the cost to the City will be \$46,347 for a service that is not squarely focused on protecting Newburyport residents from a possible threat of EEE or West Nile Virus.

The three main tasks that NEMMC performs for the City are:

1. Larviciding the Plum Island salt marsh by helicopter to reduce the population of nuisance mosquitoes. NEMMC describes this as a quality of life issue. Species of mosquitoes known to carry and transmit arbovirus do not live or breed in this habitat. A list of mosquitoes associated with arboviral activity compiled by the Massachusetts Department of Public Health accompanies this letter. At the very least, larviciding disturbs the ecological balance of the salt marsh and, consequently, The Parker River Wildlife Refuge, extending from Newbury to Ipswich, has consistently requested an exemption from these applications.
2. Surveillance of a single dual-purpose trap located at the DPS facility. Just 256 mosquitoes were collected there last year, none testing positive for either EEE or WNV.
3. Larviciding catch basins and assisting Newburyport DPS in cleaning culverts to reduce WNV mosquito populations. Would a substantial cost savings be expected if DPS did this work itself?

While some of these activities are helpful, NEMMC misses the mark by not prioritizing measures that are proven to be most effective in containing a threat of arbovirus. These measures include source reduction whereby mosquito breeding sites are identified and eliminated as well as public outreach to encourage personal protection in order to avoid mosquito bites. Maximizing the impact of these proactive measures, along with surveillance and targeted larviciding, would suppress the population of mosquitoes capable of transmitting disease and avoid the need to spray adulticides.

Another important point to consider: NEMMC broke protocol without accountability when it decided to broadcast spray the entire City of Amesbury late last fall, giving just six-hours notice to residents on a Friday afternoon. According to the IPM response plan set out by MDPH, it only should have been a targeted spray in a remote corner of the City, at best.

I strongly encourage the City Council to vote to defund the FY21 contract with NEMMC and instead authorize a committee to research and propose a more cautious and considered mosquito control policy for the City. It's a complicated issue. We can find a smarter, safer and less expensive solution.

Thank you,

Jane Rascal
EcoHealth Advocates
jane@ecohealth.buzz
978-992-7064

Appendix 1: Mosquitoes Associated with Arboviral Activity in Massachusetts

Aedes vexans – Is a common nuisance mosquito. Temporary flooded areas such as woodland pools and natural depressions are the preferred larval habitat of this mosquito. It feeds on mammals and is an aggressive human biter. This species is typically collected from May to October. *Ae vexans* is an epizootic (bridge) vector of eastern equine encephalitis (EEE) virus.

Coquillettidia perturbans - Caltail marshes are the primary larval habitat of this mosquito. It feeds on both birds and mammals. It is a persistent human biter and one of the most common mosquitoes in Massachusetts. This species is typically collected from June to September. *Cq perturbans* is an epizootic (bridge) vector of EEE virus.

Culex pipiens – Artificial containers are the preferred larval habitat of this mosquito. It feeds mainly on birds and occasionally on mammals. It will bite humans, typically from dusk into the evening. This species is regularly collected from May to October but can be found year round as it readily overwinters in man-made structures. *Cx pipiens* is the primary vector of West Nile Virus (WNV).

Culex restuans – Natural and artificial containers are the preferred larval habitat of this mosquito. It feeds almost primarily on birds but has been known to bite humans on occasion. This species is typically collected from May to October but can be found year round as it readily overwinters in man-made structures. *Cx restuans* has been implicated as a vector of WNV.

Culex salinarius – Brackish and freshwater wetlands are the preferred habitat of this mosquito. It feeds on birds, mammals, and amphibians and is well known for biting humans. This species is typically collected from May to October but can be found year round as it readily overwinters in natural and man-made structures. *Cx salinarius* may be involved in the transmission of both WNV and EEE.

Culiseta melanura –White cedar and red maple swamps are the preferred larval habitat of this mosquito. It feeds almost exclusively on birds. This species is typically collected from May to October. *Cs melanura* is the primary enzootic vector of EEE.

Ochlerotatus canadensis – Shaded woodland pools are the preferred larval habitat of this mosquito. It feeds mainly on birds and mammals but is also known to take blood meals from amphibians and reptiles. This mosquito can be a fierce human biter near its larval habitat. This species is typically collected from May to October. *Oc canadensis* is an epizootic (bridge) vector of eastern equine encephalitis EEE virus.

Ochlerotatus japonicus – Natural and artificial containers such as tires, catch basins, and rock pools are the preferred larval habitat of this mosquito. It feeds mainly on mammals and is an aggressive human biter. This species is typically collected from May to October. *Oc japonicus* may be involved in the transmission of both WNV and EEE.

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

PS

January 6, 2020

From: Julie Masis, 2 Wildwood Drive, Newburyport. 978 573 6498 2020 JAN -7 PM 3: 34

Subject: Ban the use of Roundup and other herbicides that contain Glyphosate by commercial lawn care companies and on private land

Dear city councilors,

In June, the Newburyport City Council voted to ban the carcinogenic herbicide Glyphosate on all city land. Now we need to go further and ban the use of Glyphosate (the active ingredient in the Roundup weed killer) by commercial lawn care companies and on private land here in Newburyport.

Glyphosate was classified as "probably a carcinogen to humans" by the World Health Organization's International Agency for Research on Cancer in 2015. Since then, the weed killer has been banned in Austria, France, Italy and Denmark, as well as in some cities in the United States, including Seattle, Miami, and Austin, Texas. Here in Massachusetts, an increasing number of cities and towns, such as Marblehead, Wellesley, and Chatham, are also imposing bans on Glyphosate. In the town of Warwick, the ban does not allow people to spray glyphosate on any land within the town.

Given that cancer is the leading cause of death in Massachusetts, we should act now to decrease the risk of this deadly disease in our city. In particular, glyphosate and Roundup increase the risk of non-Hodgkin lymphoma, a cancer of the lymphatic system. This is according to a CNN story, that states that exposure to Glyphosate raises the risk of cancer by 41 percent (www.cnn.com/2019/02/14/health/us-glyphosate-cancer-study-scli-intl/index.html). My grandmother, who has loved gardening all her life, is currently living with lymphoma.

Glyphosate and Roundup is not only bad for butterflies. It is dangerous to human health.

This is why I am calling on the City Council of Newburyport to ban the application of the herbicide Roundup and other herbicides that contain Glyphosate by commercial lawn-care companies, as well as by individual homeowners, and, if possible, also ban the sale of Roundup in Newburyport and to impose a fine for its use.

We can have beautiful lawns and gardens without using a dangerous weed killer that was only developed in 1973.

Best regards,

-Julie Masis

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

NEWBURYPORT SPECIAL EVENT APPLICATION
2021 OCT -5 AM 10:55

Tel.

Fax.

(For Street Closure or Any Use of a Public Way - Please complete page 3 of this application)

NAME OF EVENT: Newburyport Youth Hockey League Tag Day

Date: November 20, 2021 Time: from 8:00am to 2:00pm

Rain Date: _____ Time: from _____ to _____

2. Location*: Downtown (in front of stores/shops with permission)
*Please Note: If the location is a public park or the rail trail, please also contact the Parks Department

3. Description of Property: Downtown / sidewalks Public Private _____

4. Name of Organizer: Newburyport Youth Hockey League City Sponsored Event: Yes _____ No

Contact Person Ellen Benson

Address: 7 Upland Road, Newburyport Telephone: 207 931 7875 (cell)

E-Mail: evbenson@yahoo.com Cell Phone: _____

Day of Event Contact & Phone: same

5. Number of Attendees Expected: 70-90 kids will participate

6. MA Tax Number: _____

7. Is the Event Being Advertised? Yes Where? NYHL website + social media

8. What Age Group is the Event Targeted to? all ages

9. Have You Notified Neighborhood Groups or Abutters? Yes _____ No *, Who? _____

* we will obtain permission before standing in front of any business.

ACTIVITIES: (Please check where applicable.) Subject to Licenses & Permits from Relevant City Departments

A. Vending: Food _____ Beverages _____ Alcohol _____ Goods _____ Total # of Vendors _____

B. Entertainment: (Subject to City's Noise Ordinance.) Live Music _____ DJ _____ Radio/CD _____
Performers _____ Dancing _____ Amplified Sound _____ Stage _____

C. Games /Rides: Adult Rides _____ Kiddie Rides _____ Games _____ Raffle _____
Other _____ Total # _____

Name of Carnival Operator: _____

Address: _____

Telephone: _____

D. Organizer is responsible for clean-up during and after event. All trash must be collected and removed from event location immediately at the end of the event unless prior written agreement had been made with the Department of Public Services (DPS).

Will you be conducting the clean-up for this event? Yes No (no trash event)

If yes:

- a) How many trash receptacles will you be providing? _____
- b) How many recycling receptacles will you be providing? _____
- c) Will you be contracting for disposal of : **Trash** Yes ____ No ____ **Recycling** Yes ____ No ____
 - i. If yes, size of dumpster(s): **Trash** _____ **Recycling** _____
 - ii. Name of disposal company: **Trash** _____ **Recycling** _____
 - iii. If no, will you remove trash & recycling with organizers' cars or trucks? Yes ____ No ____
 - iv. If no, where will the trash & recycling be disposed ? _____

If no:

- a) # of trash container(s) to be provided by DPS _____
- b) # of recycling container(s) to be provided by Recycling Office _____
- c) \$45.00/hr/DPS employee charge must be paid by the organizer to DPS in advance of the event (Fee for Special Events). The hours required for the event will be determined by DPS.

All fees must be paid prior to the event. Check or money order is payable to the City

of Newburyport. E. Portable Toilets: (Each cluster of portable toilets must include at least one ADA accessible toilet)

_____ Standard # _____ ADA accessible

Name of company providing the portable toilets: _____

FOR STREET CLOSURE OR ANY USE OF A PUBLIC WAY

PARADE _____ ROAD RACE _____ WALKATHON _____

1. Name of the Group or Person Sponsoring the Road Race, Parade, Walkathon:

2. Name, Address & Daytime Phone Number of Organizer: _____

3. Name, Address & 24/7 Telephone Number of Person Responsible for Clean Up _____

4. Date of Event: _____ Expected Number of Participants: _____

5. Start Time: _____ Expected End Time: _____

6. Road Race, Parade or Walkathon Route: (List street names & attach map of route): _____

7. Locations of Water Stops (if any): _____

8. Will Detours for Motor Vehicles Be Required? _____ If so, where? _____

9. Formation Location & Time for Participants: _____

10. Dismissal Location & Time for Participants: _____

11. Additional Parade Information:

• Number of Floats: _____

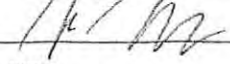

• Locations of Viewing Stations: _____

• Are Weapons Being Carried: Yes _____ No _____

• Are Marshalls Being Assigned to Keep Parade Moving: Yes _____ No _____

APPROVAL SIGNATURES REQUIRED FOR STREET CLOSURE OR ANY USE OF A PUBLIC WAY.

CITY MARSHAL  4 Green St. FIRE CHIEF  0 Greenleaf St.

DEPUTY DIRECTOR  16A Perry Way CITY CLERK  60 Pleasant St.

Updated March 14, 2019

DEPARTMENT APPROVAL (for Committee Member use only):

It will be necessary for you to obtain permits or certificates from the following Departments: Please note that costs for some City support services during an event are an estimate only. Some Departments may forward an invoice for services rendered at the completion of the event, and others may require advance payment.

Approval _____ Date: _____ Signature _____
Required _____

1. Special Events: _____
2. Police: _____
 Is Police Detail Required: _____ # of Details Assigned: _____
3. Traffic, Parking & Transportation: _____
4. ISD/Health: _____
5. Recycling: _____
6. ISD/Building: _____
7. Electrical: _____
8. Fire: _____
 Is Fire Detail Required: _____ # of Details Assigned: _____
9. Public Works: *Fee for Special Events: \$45/hr/DPS employee for trash handling/staging etc. may apply*
 Yes: \$ _____ due on _____ No Fee for Special Events applies
 Other requirements/instructions per DPS _____
10. Parks Department: _____
11. License Commission _____

The departments listed above have their own application process. Applicants are responsible for applying for and obtaining all required permits & certificates from the various individual departments

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

NEWBURYPORT SPECIAL EVENT APPLICATION **OCT 12 PM 2:58**

Tel.

Fax.

(For Street Closure or Any Use of a Public Way - Please complete page 3 of this application)

- NAME OF EVENT: Candy Shop Sing - Greater Newburyport Children's Chorus
- Date: 10/26/2021 Time: from 4:00pm to 5:00pm
 Rain Date: — Time: from — to —
2. Location*: Inn Street (near Pleasant St. between Oregano's + Candy Man)
 *Please Note: If the location is a public park or the rail trail, please also contact the Parks Department
3. Description of Property: Inn Street Public Private
4. Name of Organizer: Gina McKeown City Sponsored Event: Yes No
 Contact Person
 Address: 3 Hallisey Drive, Nbp+ Telephone: 781-710-3825
 E-Mail: info@gncchorus.org Cell Phone: —
 Day of Event Contact & Phone: 781-710-3825
5. Number of Attendees Expected: 25
6. MA Tax Number: 47-4387531
7. Is the Event Being Advertised? yes Where? social media
8. What Age Group is the Event Targeted to? all ages
9. Have You Notified Neighborhood Groups or Abutters? Yes No Who? —

ACTIVITIES: (Please check where applicable.) Subject to Licenses & Permits from Relevant City Departments

- A. Vending: Food Beverages Alcohol Goods Total # of Vendors —
- B. Entertainment: (Subject to City's Noise Ordinance.) Live Music DJ Radio/CD
 Performers Dancing Amplified Sound Stage
- C. Games /Rides: Adult Rides Kiddie Rides Games Raffle
 Other Total # —
 Name of Carnival Operator: —
 Address: —
 Telephone: —
- D. Organizer is responsible for clean-up during and after event. All trash must be collected and removed from event location immediately at the end of the event unless prior written agreement had been made with the Department of Public Services (DPS).

Will you be conducting the clean-up for this event? Yes No

If yes:

- a) How many trash receptacles will you be providing? 1
- b) How many recycling receptacles will you be providing? 0
- c) Will you be contracting for disposal of: **Trash** Yes _____ No **Recycling** Yes _____ No
- i. If yes, size of dumpster(s): **Trash** _____ **Recycling** _____
- ii. Name of disposal company: **Trash** _____ **Recycling** _____
- iii. If no, will you remove trash & recycling with organizers' cars or trucks? Yes No _____
- iv. If no, where will the trash & recycling be disposed? _____

If no:

- a) # of trash container(s) to be provided by DPS _____
- b) # of recycling container(s) to be provided by Recycling Office _____
- c) \$45.00/hr/DPS employee charge must be paid by the organizer to DPS in advance of the event (Fee for Special Events). The hours required for the event will be determined by DPS.

All fees must be paid prior to the event. Check or money order is payable to the City

of Newburyport. E. Portable Toilets: (Each cluster of portable toilets must include at least one ADA accessible toilet)

_____ Standard # _____ ADA accessible

Name of company providing the portable toilets: _____

FOR STREET CLOSURE OR ANY USE OF A PUBLIC WAY

PARADE _____ ROAD RACE _____ WALKATHON _____

1. Name of the Group or Person Sponsoring the Road Race, Parade, Walkathon:
Greater Newburyport Children's Chorus

2. Name, Address & Daytime Phone Number of Organizer: Gina McKeown
3 Hallisey Drive, Nbpt. 781-710-3825

3. Name, Address & 24/7 Telephone Number of Person Responsible for Clean Up _____
same as above.

4. Date of Event: 10/26/2021 Expected Number of Participants: 25

5. Start Time: 4pm Expected End Time: 5pm

6. Road Race, Parade or Walkathon Route: (List street names & **attach map of route**): _____
Inn Street between Oregano's + Candy Man Shop

7. Locations of Water Stops (if any): _____

8. Will Detours for Motor Vehicles Be Required? _____ If so, where? _____

9. Formation Location & Time for Participants: _____

10. Dismissal Location & Time for Participants: _____

11. Additional Parade Information:
- Number of Floats: _____
 - Locations of Viewing Stations: _____
 - Are Weapons Being Carried: Yes _____ No _____
 - Are Marshalls Being Assigned to Keep Parade Moving: Yes _____ No _____

APPROVAL SIGNATURES REQUIRED FOR STREET CLOSURE OR ANY USE OF A PUBLIC WAY.

CITY MARSHAL [Signature] 4 Green St. FIRE CHIEF [Signature] 0 Greenleaf St.

DEPUTY DIRECTOR [Signature] 16A Perry Way CITY CLERK [Signature] 60 Pleasant St.

DEPARTMENT APPROVAL (for Committee Member use only):

It will be necessary for you to obtain permits or certificates from the following Departments: Please note that costs for some City support services during an event are an estimate only. Some Departments may forward an invoice for services rendered at the completion of the event, and others may require advance payment.

<i>Approval Required</i>	Date: _____	Signature _____
___	1. Special Events:	_____
___	2. Police:	_____
	Is Police Detail Required:	_____ # of Details Assigned: _____
___	3. Traffic, Parking & Transportation:	_____
___	4. ISD/Health:	_____
___	5. Recycling:	_____
___	6. ISD/Building:	_____
___	7. Electrical:	_____
___	8. Fire:	_____
	Is Fire Detail Required:	_____ # of Details Assigned: _____
___	9. Public Works: <i>Fee for Special Events: \$45/hr/DPS employee for trash handling/staging etc. may apply</i>	
	Yes: \$_____ due on _____	No Fee for Special Events applies
	Other requirements/instructions per DPS _____	
___	10. Parks Department:	_____
___	11. License Commission	_____

**The departments listed above have their own application process.
Applicants are responsible for applying for and obtaining all required
permits & certificates from the various individual departments**

Sec. 13-97. - Road races, walkathons, bicycle and other multidisciplined events.

(a) *Short title.* This section may be cited as the "road races, walkathons and bicycle events."

(b) *Purpose and intent.* The use of city streets and sidewalks for the purpose of road races, walkathons or bicycle tours are positive events that promote exercise, general good health and Newburyport as a destination. These events do from time to time create hardships, impacting neighborhoods and traffic. To create a balance between conflicting interests, by safeguarding participants, residents, visitors and the City of Newburyport, this section will define and codify the procedure for the benefit of all.

(c) *Definitions.*

(1) *Road race.* A competitive or non-competitive running event that utilizes the streets, sidewalks and/or crosses over streets or sidewalks within city limits and in which an entry fee is required or charitable donation is solicited or suggested.

(2) *Walkathon.* A competitive or non-competitive walk event that utilizes the streets, sidewalks and/or crosses over streets or sidewalks within city limits and in which an entry fee is required or charitable donation is solicited or suggested.

(3) *Bicycle race.* A competitive or non-competitive bicycling event that utilizes the streets, sidewalks and/or crosses over streets or sidewalks within city limits and in which an entry fee is required or charitable donation is solicited or suggested.

(4) *Multidisciplined event.* A competitive or non-competitive event requiring or offering running, walking, biking, swimming or any combination thereof in which an entry fee is required or a charitable donation is solicited or suggested.

(5) *Event.* Any road race, walkathon, bicycle race, multi-disciplined event as defined above.

(d) *Limitations.*

(1) *Procedure.* All events shall, through that event's organizer, board of directors, charity foundation or designee ("organizer") apply for city council authorization to hold the event through the office of the city clerk no later than sixty (60) days before the event's proposed date. There shall be a grace period through December 31, 2017, during which applications will be accepted beyond the prescribed due date. Prior to application with the city council, the event shall file and receive approval from all applicable city departments, boards, and commissions. Copies of such approved applications, including along with documentation of any fees, donations, in-kind donations paid as part of said application(s), shall be included as part of the city council application.

The date of application is the date a completed application is submitted to the city clerk's office and stamped by the same. The city clerk, upon review of the completed form, will place the application on the next regular city council agenda, even if such submission is a late file. Upon following the procedures of the council, as deemed appropriated in the sole judgment of the council, the application will be considered approved if the council votes favorably by majority. The application shall name one (1) person responsible on the application and shall provide contact information to include name, address, email address, and telephone number.

(2) *Exemptions.* Each event organizer or organization shall comply with this ordinance and no exemptions will be permitted.

(3) *Course map.* All applications shall be accompanied by a legible, precise course map showing the event route, water stops, refreshment stops, and so-called "port-a-potties". The course map shall also include any road closures, detours and parking areas. The course map shall be approved by police, fire, department of public services, parks commission and harbor masters departments prior to submission to the city clerk.

(4) *Electronic amplifier.* Electronic amplifiers, loudspeakers and bullhorn use shall be requested at time of application. Under no circumstances will they be used for public address announcements or music before 8:00 a.m., except for Sundays when electronic amplifiers, loud speakers or bullhorns will not be used for public address announcements or music before 9:00 a.m.

(5) *Road closure.* No ways, public or private, boat ramps or parking lots controlled or patrolled by the city shall be closed without authorization. Authorization shall be considered granted only if said closure(s) are contained in the approved permit. It is the sole responsibility of the race organizers to notify residents fourteen (14) days in advance that neighborhood roads will be closed if no alternate route is available to those residents. Notification shall be made by race organizers by informational packet drop-off at all residences that may be impacted, including, but not limited to, road closures, restricted driveway access, parking restrictions, or noise. In the case of multi-family residences with so-called security doors, notification will be sufficient at said security door. A copy of the notification shall be provided to the city clerk and, when possible, posted on the city website and distributed via email. Further,

a list of all streets notified shall be provided to the city clerk to be date stamped and appended to the application record. Press releases and other media type notifications are encouraged.

(6) *Insurance.* All events shall have an insurance policy or rider in effect for the event naming the "City of Newburyport" as an additional insured. The policy shall be no less than two million dollars (\$2,000,000.00).

(7) *Event termination.* If in the judgment of the city marshal, fire chief or department of public services (DPS) director or designees thereof determine that an event is unsafe due to existing conditions, that event may be stopped, terminated or suspended. In the case of a multidiscipline event such as a triathlon, the harbormaster or his/her designee may likewise stop, terminate or suspend the swimming portion for cause.

(8) *Event and traffic security.* The city marshal, fire chief, DPS director or in the case of a triathlon, the harbormaster can require special duty personnel to assist in the organizing and coordinating the safety and security of the event. All special duty assignments will be paid by the event organizers.

(9) *Clean-up.* The event organizers shall be responsible for post event trash collection, removal of signage, directional arrows, advertisements or other promotional material associated with the event.

(10) *Parking.* The event organizers shall be responsible for including parking instructions in materials disseminated to event participants. If the event is happening within one-half mile of municipal parking, then participants shall be asked to park at such parking facilities.

(11) *Notification of previous event organizers.* To the extent reasonably possible, the city clerk shall notify all event organizers from events held from 2014—2016, inclusive, by a one-time phone, email, or letter of the new application timeline and other requirements.

(12) *Simplification.* Departments are encouraged to unify their respective applications into a singular application, managed and distributed by the city clerk's office.

(13) *Americans with Disabilities Act.* Event organizers are reminded of the importance of and expectation of adherence to the Americans with Disabilities Act of 1990 (42 U.S.C § 12101) and subsequent applicable amendments.

(e) *Enforcement.*

(1) *Regulations.* Consistent with this section, the city shall promulgate regulations to enforce and otherwise implement the provisions of this section upon passage by the city council. Any event previously approved by city council shall be deemed permitted.

(2) *Warning.* In the circumstance that this section is violated, the enforcement may consist of a warning. Any warnings issued for violation(s) will be reported to the city clerk and city council and may be used as a factor in future application approvals and denials.

(3) *Noncriminal disposition.* If the city determines that a violation has occurred in which a noncriminal violation is issued, the named event organizer shall be penalized by a non-criminal disposition as provided in Massachusetts General Law as adopted by the City of Newburyport as a general ordinance in section 1-17 of chapter 1 of the Code or Ordinances of the City of Newburyport in the amounts set herein in subsection (e)(4) below.

(4) *Violation.* The non-criminal violation shall be one hundred dollars (\$100.00) for the first offense and two hundred fifty dollars (\$250.00) for second and subsequent offenses. Any non-criminal citations issued for violation(s) will be reported to the city clerk and city council and shall be used as a factor in future application approvals and denials.

(5) *Failure to notify.* If the event fails to notify residents and provide documentation to the city clerk, pursuant to subsection (d)(5) above, shall render that organization ineligible to receive an event permit for a period of twelve (12) months unless special leave is granted by two-thirds supervote of the city council.

I fully understand and agree to all the terms set forth in this application. The information that I have provided is truthful and accurate. I accept all responsibility related to this event.

Signed: Christine H. Bowen Date: 10/12/2021
GNCC Director

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I fully understand and agree to all the terms set forth in this application. The information that I have provided is truthful and accurate. I accept all responsibility related to this event.

Signed: _____

Christine R. Bauer
GNCC Director

Date: _____

10/12/2021



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

10/13/2021

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

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

PRODUCER Eastern Insurance Group LLC 233 West Central St Natick MA 01760	CONTACT NAME: Select Department	
	PHONE (A/C, No, Ext): 800-333-7234	FAX (A/C, No): 781-586-8244
E-MAIL ADDRESS: selectwork@easterninsurance.com		
INSURER(S) AFFORDING COVERAGE		NAIC #
INSURER A: Philadelphia Indemnity Insurance Company		18058
INSURER B:		
INSURER C:		
INSURER D:		
INSURER E:		
INSURER F:		

INSURED GREANEW-05
 Greater Newburyport Children's Chorus
 Gina McKeown
 3 Hallisey Drive
 Newburyport MA 01950

COVERAGES **CERTIFICATE NUMBER:** 1024231182 **REVISION NUMBER:**

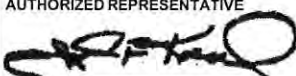
THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE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

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC <input type="checkbox"/> OTHER:			PHPK2285506	5/7/2021	5/7/2022	EACH OCCURRENCE	\$ 1,000,000
							DAMAGE TO RENTED PREMISES (Ea occurrence)	\$ 100,000
							MED EXP (Any one person)	\$ 5,000
							PERSONAL & ADV INJURY	\$ 1,000,000
							GENERAL AGGREGATE	\$ 2,000,000
							PRODUCTS - COMP/OP AGG	\$ 2,000,000
								\$
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident)	\$
							BODILY INJURY (Per person)	\$
							BODILY INJURY (Per accident)	\$
							PROPERTY DAMAGE (Per accident)	\$
								\$
	UMBRELLA LIAB <input type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> DED <input type="checkbox"/> RETENTION \$						EACH OCCURRENCE	\$
							AGGREGATE	\$
								\$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below						PER STATUTE	OTH-ER
							E.L. EACH ACCIDENT	\$
							E.L. DISEASE - EA EMPLOYEE	\$
							E.L. DISEASE - POLICY LIMIT	\$

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

City Of Newburyport is named as additional insured.

CERTIFICATE HOLDER **CANCELLATION**

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