

CITY COUNCIL “HYBRID”

MEETING AGENDA v2

April 11, 2022

City Council Meeting 7:00 pm

LOCATION: City Council Chambers, City Hall

60 Pleasant Street, Newburyport

Zoom details:

<https://us02web.zoom.us/j/81299990548>

Or One tap mobile:

US: +19292056099,81299990548#

Or Telephone:

US: +1 929 205 6099

Webinar ID: 812 9999 0548

1. MOMENT OF SILENCE

2. PLEDGE OF ALLEGIANCE

3. CALL TO ORDER

4. LATE FILE

- ORDR00341_04_11_2022 Blue Wave Solar Pilot Negotiation
- ORDR00342_04_11_2022 CPC-FY22-Supplementary Bartlet Mall-Historic Restoration Walkway Improv.
- COMM00395_03_14_2022 St. & Sidewalk Repair Plan (Neighborhood & City Services/COTW)

5. PUBLIC COMMENT

6. MAYOR'S COMMENT

CONSENT AGENDA

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

7. APPROVAL OF MINUTES

- March 28, 2022 (Approve)

8. COMMUNICATIONS

- COMM402_04_11_2022 12 Cushing Ave Paper St. Inquiry (GG)
- APPL00068_04_11_2022 Flag Day 5K June 11th 4-8 pm (PS)
- APPL00069_04_11_2022 Newburyport Pioneer League Tag Day May 7th 9am-1pm (PS)
- COMM00403_04_11_2022 Annual Audit of City's FY2021 Financial Statements (B&F)
- APPL00070_04_11_2022 Spring Fest Chamber of Commerce May 14th-15th 10am-8pm (PS)
- COMM00404_04_11_2022 KP Law Opinion RE: Property Disposition & Votes (GG)
- COMM00405_04_11_2022 Mayor's Strategic Plan (GG&COTW)

9. TRANSFERS

- TRAN00123_04_11_2022 Fire-Foam & Equip \$2000, Fire-New Hose Fit \$3,000, and Fire-Protective Clothing \$3,100 to Fire-Software \$8,100 (B&F)
- TRAN00124_04_11_2022 RRFA Sale of Municipal Buildings \$30K to NYS Center Schematic Design \$30K (B&F)

10. APPOINTMENTS

- APPT00308_04_11_2022 Marci Neville 16 Morin Rd. Council on Aging 4/29/2027
- APPT00309_04_11_2022 Jeanette Isabella 100 Water St. Emma Andrews Lib. Comm. 4/29/2023
- APPT00310_04_11_2022 Rebecca Regnet 25 Barton St. Trust Fund Comm. 4/15/2025
- APPT00311_04_11_2022 Nicole Whalen 12 Lafayette St. Parks Comm. 4/29/2027
- APPT00312_04_11_2022 George Aranea 19 Essex St. Cultural Council 4/29/2025

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

Ad Hoc Committee on Market Landing Park and COTW

- ORDR00326_03_14_2022 To Approve Sasaki Design Progress

BUDGET & FINANCE

- ORDR00333_03_28_2022 CPC FY22 Supplementary Nock Tennis Restoration
- ORDR00335_03_28_2022 ARPA 2.4M Streets Sidewalks

GENERAL GOVERNMENT

- ORDR00324_03_14_2022 Ad Hoc on Adaptive Reuse of Brown School
- COMM00401_03_28_2022 Ltrs. IFS Settlement
- ORDR00332_03_28_2022 Authorizing the Settlement - IFS and Planning Board Appeal (COTW)
- ORDR00337_03_28_2022 Settlement High Street Paving 150K (COTW)
-

NEIGHBORHOOD & CITY SERVICES

- ODNC00109_03_14_2022 Amendment to Sidewalks Specifying Sidewalk Materials
- COMM00395_03_14_2022 St. & Sidewalk Repair Plan (COTW)

PLANNING & DEVELOPMENT

- COMM00382_01_31_2022 Update from Global re 107 State Street
- ODNC00105_02_14_2022 Zoning Amendment Business Park Uses
- APPT00305_03_14_2022 Dan Mello 2B Fulton St. Waterfront Trust 3/31/2027

PUBLIC SAFETY

- APPL00067_03_28_2022 Newburyport Lions Club Road Race 8/2/2022
- ORDR00331_03_28_2022 Loading Zone Green Street

END OF CONSENT AGENDA

REGULAR AGENDA

9. MAYOR'S UPDATE

10. FIRST READING APPOINTMENTS

11. COMMUNICATIONS

12. TRANSFERS

13. SECOND READING APPOINTMENTS

14. ORDERS

- ORDR00338_04_11_2022 Capital Improvement Program FY2023-2027
- ORDR00339_04_11_2022 Authorizing Agreement between City and Daily News re Lot
- ORDR00340_04_11_2022 Fair Share Resolution
- ORDR00341_04_11_2022 **LATE FILE** - Blue Wave Solar Pilot Negotiation
- ORDR00342_04_11_2022 **LATE FILE** CPC-FY22-Supplementary Bartlet Mall-Historic Restoration Walkway Improvements

15. ORDINANCES

- ODNC00106_02_14_2022 2nd Reading CH2 COA Ordinance Amendment

16. COMMITTEE ITEMS

Ad Hoc Committee on Economic Development

In Committee:

Ad Hoc Committee on Market Landing Park and COTW

In Committee:

- **ORDR00326 03 14 2022 To Approve Sasaki Design Progress**

Budget & Finance

In Committee:

- **ORDR00333 03 28 2022 CPC FY22 Supplementary Nock Tennis Restoration**
- **ORDR00335 03 28 2022 ARPA 2.4M Streets Sidewalks**
- ORDR00334_03_28_2022 ARPA Sea Wall Joppa Park 100K
- ORDR00336_03_28_2022 ARPA Amesbury 250K

Education

In Committee:

General Government

In Committee:

- **ORDR00324 03 14 2022 Ad Hoc on Adaptive Reuse of Brown School**
- **COMM00401 03 28 2022 Ltrs. IFS Settlement**
- **ORDR00332 03 28 2022 Authorizing the Settlement - IFS and Planning Board Appeal (COTW)**
- **ORDR00337 03 28 2022 Settlement High Street Paving 150K (COTW)**
- ORDR00319_02_14_2022 Kelley School Funds Order

License & Permits

In Committee:

- ODNC047_01_27_2020 General Ordinance - Short Term Rental Units Rules
- COMM00385_01_31_2022 STRU Fire Sprinkler Systems
- COMM00388_01_31_2022 UPDATED STRU Fire Sprinkler Systems

Neighborhoods & City Services

In Committee:

- **ODNC00109 03 14 2022 Amendment to Sidewalks Specifying Sidewalk Materials**
- **COMM00395 03 14 2022 St. & Sidewalk Repair Plan (COTW)**
- COMM299_02_08_2021 Phillips Dr. Neighborhood Committee Ltr
- ODNC102_11_08_2021 Ch. 17 Stormwater Management Revisions
- ODNC00103_01_10_2022 Streets, Sidewalks, and Other Public Places Alterations & Maintenance

Planning & Development

In Committee:

- COMM00382 01 31 2022 Update from Global re 107 State Street
- ODNC00105 02 14 2022 Zoning Amendment Business Park Uses
- APPT00305 03 14 2022 Dan Mello 2 B Fulton St. Waterfront Trust 3/31/2027
- ODNC046_01_27_2020 Zoning Amendment Short Term Rental Unit (STRU) (COTW)
- COMM00398_03_28_2022 Memo DHCD MBTA Housing Choice Briefing (COTW)
- ORDR00330_03_28_2022 License Agreement between City and Friends of Plum Island Light

Public Safety

In Committee:

- APPL00067 03 28 2022 Newburyport Lions Club Road Race 8/2/2022
- ORDR00331 03 28 2022 Loading Zone Green Street
- COMM00396_03_14_2022 Ltr. Stephen Comley
- COMM00390_02_28_2022 Gregory Caplan Ltr-Low St./Bright Horizons access to Fuller Field

Public Utilities

In Committee:

Rules

In Committee:

- ORDR239_02_8_2021 Council Rule 7 and 10B

17. GOOD OF THE ORDER

18. ADJOURNMENT

CONSENT AGENDA

CITY COUNCIL “HYBRID”

MEETING MINUTES

March 28, 2022

Global Presentation on 107 State Street 7:00 pm

City Council Meeting 7:30 pm

LOCATION: City Council Chambers, City Hall

60 Pleasant Street, Newburyport

Zoom details:

<https://us02web.zoom.us/j/81299990548>

Or One tap mobile:

US: +19292056099,81299990548#

Or Telephone:

US: +1 929 205 6099

Webinar ID: 812 9999 0548

Global Presentation on 107 State Street 7:00 pm:

The City Council President Heather Shand called the meeting to order at 7:00 pm and asked the City Clerk, Richard B. Jones, to call the roll. The following City Councillors answered present McCauley, Preston, Vogel, Wallace, Wright, Zeid, Cameron, Donahue, Khan, Lane, and Shand. 11 present.

Jeffrey Roelofs, of the Law Offices of Jeffrey L. Roelofs, 44 Merrimac Street, Newburyport noted the presence of Global, Inc. representatives Jaclyn Harrison, Corporate Communications & PR Manager and Ryan Lawlor, Director of Real Estate. Attorney Roelofs gave an update of the progress being made in the near term, including that Global is actively in talks with Exxon Mobile, the tanks should be removed in the next 4-6 weeks, a complete 21E filing is required, and all safety standards will be followed.

After a period of discussion Council President Shand closed the meeting at 7:13 pm.

1. MOMENT OF SILENCE

Remembering Ted Norton

2. PLEDGE OF ALLEGIANCE

3. CALL TO ORDER

The City Council President Heather Shand called the 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 McCauley, Preston, Vogel, Wallace, Wright, Zeid, Cameron, Donahue, Khan, Lane, and Shand. 11 present.

4. LATE FILE

- ORDR00333_03_28_2022 CPC FY22 Supplementary Nock Tennis Restoration
- ORDR00337_03_28_2022 Settlement High Street Paving 150K
- COMM00400_03_28_2022 Ltr. Stephen Jean NYS Presentation
- COMM00401_03_28_2022 Ltrs. IFS Settlement

Motion to waive the rules and accept the late files by Councillor Zeid, seconded by Councillor Lane. So voted.

5. PUBLIC COMMENT

Richard Yeager 19 Water St.
Stephen Jean 7 Lawton Dr.
Peter Mackin 13 Prospect St.

6. MAYOR'S COMMENT

CONSENT AGENDA

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7. APPROVAL OF MINUTES

- March 14, 2022

(Approve)

8. COMMUNICATIONS

- COMM00398_03_28_2022 Memo DHCD MBTA Housing Choice Briefing (P&D/COTW)
- COMM00399_03_28_2022 FY23 Capital Improvement Plan and Budget Workshop Schedule (R&F)
- APPL00067_03_28_2022 Newburyport Lions Club Road Race 8/2/2022 (PS)

9. TRANSFERS

10. APPOINTMENTS

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

BUDGET & FINANCE

- TRAN00122_03_14_2022 Gen. Fund Free Cash \$250K to Compensated Absences Reserve Fund \$250K
- ORDR00327_03_14_2022 Parklet Maintenance Fund
- ORDR00328_03_14_2022 Parklet Maintenance Stabilization Fund Usage

LICENSE & PERMITS

- ORDR00329_03_14_2022 List of Applicants for Parklet Use

NEIGHBORHOOD & CITY SERVICES

- ODNC00106_02_14_2022 ***TABLED*** CH2 COA Ordinance Amendment

PLANNING & DEVELOPMENT

- APPT00306_03_14_2022 Richard Yeager 19 Water St. #2 Planning Board 3/31/2027

PUBLIC SAFETY

- COMM00397_03_14_2022 Laura Vlasuk Health Director

END OF CONSENT AGENDA

At the request of Councillor Khan the minutes are removed from the Consent Agenda.
Motion to approve the Consent Agenda as amended by Councillor Zeid, seconded by Councillor Preston.
So voted.

REGULAR AGENDA

9. PRESENTATION ON 59 LOW STREET SITE FEASIBILITY PLAN

Presentation was made by Kim Turner, Mayor’s Office Manager of Special Projects

10. MAYOR'S UPDATE

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

11. MINUTES 03_14_2022

Motion to approve the Minutes by Councillor Wright, seconded by Councillor Vogel. So voted (AK, BL recused).

12. FIRST READING APPOINTMENTS

13. COMMUNICATIONS

- COMM00400_03_28_2022 **Late File** Ltr Stephen Jean NYS Presentation
Motion to receive and file by Councillor Khan, seconded by Councillor Vogel. Roll call vote. 7 yes, 4 no (JM, CW, SZ, BL). Motion passes.
- COMM00401_03_28_2022 **Late File** Ltrs. IFS Settlement
Motion to receive and file by Councillor Vogel, seconded by Councillor Preston. Roll call vote. 7 no, 4 yes (CP, BV, MW, EC). Motion fails.
Motion to refer to General Government by Councillor McCauley, seconded by Councillor Khan. So voted.

14. TRANSFERS

15. SECOND READING APPOINTMENTS

- APPT00304_03_14_2022 Heidi Newfell 10 Orange St. Cultural Council 3/31/2025
 - APPT00307_03_14_2022 Sophie Korpics 26 Dove St. Comm. On Disabilities 3/31/2025
- Motion to approve collectively by Councillor Zeid, seconded by Councillor McCauley. Roll call vote. 11 yes.
Motion passes.

16. ORDERS

- ORDR00330_03_28_2022 License Agreement between City and Friends of Plum Island Light
Motion to refer to Planning & Development by Councillor Zeid, seconded by Councillor Cameron. So voted.
 - ORDR00331_03_28_2022 Loading Zone Green Street
Motion to refer to Public Safety by Councillor Zeid, seconded by Councillor Cameron. So voted.
 - ORDR00316_01_10_2022 Amended City Council Rules 2022 (**RECONSIDER PURUANT TO COUNCIL RULE 14**)
Motion to reconsider the motion to add Rule 20B by Councillor Vogel, seconded by Councillor Preston. Roll call vote. 6 yes, 5 no (JM, CW, MW, SZ, BL). Motion passes.
Motion on the floor to add Rule 20B by Councillor Zeid, seconded by Councillor McCauley.
Motion to move the question by Councillor Lane, seconded by Councillor McCauley. Roll call vote. 6 yes, 5 no (BV, SZ, JD, AK, HS). Motion passes.
Roll call on the motion to approve to add Rule 20B. 6 yes, 5 no (CP, BV, JD, AK, HS). Motion passes.
 - ORDR00332_03_28_2022 Authorizing the Settlement - IFS and Planning Board Appeal
Motion to refer ORDR00332 and ORDR00337 collectively to General Government by Councillor Zeid, seconded by Councillor McCauley. So voted.
Motion to waive the rules to collectively remove ORDR00332 and ORDR00337 from General Government and collectively refer back to General Government and the COTW by Councillor Zeid, seconded by Councillor McCauley. So voted.
 - ORDR00333_03_28_2022 **Late File** CPC FY22 Supplementary Nock Tennis Restoration
 - ORDR00334_03_28_2022 ARPA Sea Wall Joppa Park 100K
 - ORDR00335_03_28_2022 ARPA 2.4K Streets Sidewalks
 - ORDR00336_03_28_2022 ARPA Amesbury 250K
- Motion to refer ORDR00333, ORDR00334, ORDR00335, and ORDR00336 collectively to Budget & Finance by Councillor Zeid, seconded by Councillor Cameron. So voted.
- ORDR00337_03_28_2022 **Late File** Settlement High Street Paving 150K
Motion to refer to General Government collectively ORDR00332 and ORDR00337 by Councillor Zeid, seconded by Councillor McCauley. So voted.
Motion to waive the rules to remove from General Government and collectively refer back to General Government and the COTW ORDR00337 by Councillor Zeid, seconded by Councillor McCauley. So voted.

17. ORDINANCES

- ODNC098_10_12_2021 2nd Reading Permanent Parklets Legislation
Motion to approve on second reading by Councillor Zeid, seconded by Councillor Cameron. Roll call vote. 11 yes. Motion passes.
- ODNC00107_02_28_2022 2nd Reading 15 Minute Parking Spaces
Motion to approve on second reading by Councillor McCauley, seconded by Councillor Cameron. Roll call vote. 10 yes, 1 no (SZ). Motion passes.
- ODNC00108_02_28_2022 2nd Reading City Council Meeting Start Time to 7 pm
Motion to approve on second reading by Councillor McCauley, seconded by Councillor Cameron. Roll call vote. 9 yes, 2 no (SZ, BL). Motion passes.

18. COMMITTEE ITEMS

Ad Hoc Committee on Economic Development

In Committee:

Ad Hoc Committee on Market Landing Park and COTW

In Committee:

- ORDR00326_03_14_2022 To Approve Sasaki Design Progress

Budget & Finance

In Committee:

- **TRAN00122 03 14 2022 Gen. Fund Free Cash \$250K to Comp. Absences Reserve Fund \$250K**
Motion to approve by Councillor Zeid, seconded by Councillor McCauley. So voted.
- **ORDR00327 03 14 2022 Parklet Maintenance Fund**
Motion to approve ORDR00327 and ORDR00328 collectively by Councillor Zeid, seconded by Councillor Khan. So voted.
- **ORDR00328 03 14 2022 Parklet Maintenance Stabilization Fund Usage**
Motion to approve ORDR00327 and ORDR00328 collectively by Councillor Zeid, seconded by Councillor Khan. So voted.

Education

In Committee:

General Government

In Committee:

- ORDR00319_02_14_2022 Kelley School Funds Order
- ORDR00324_03_14_2022 Ad Hoc on Adaptive Reuse of Brown School

License & Permits

In Committee:

- **ORDR00329 03 14 2022 List of Applicants for Parklet Use**
Motion to approve by Councillor Lane, seconded by Councillor McCauley. So voted.
- ODNC047_01_27_2020 General Ordinance - Short Term Rental Units Rules
- COMM00385_01_31_2022 STRU Fire Sprinkler Systems
- COMM00388_01_31_2022 UPDATED STRU Fire Sprinkler Systems

Neighborhoods & City Services

In Committee:

- **ODNC00106 02 14 2022 *TABLED* CH2 COA Ordinance Amendment**
Motion to remove from the table by Councillor Wallace, seconded by Councillor Khan. So voted.
Motion to approve on first reading by Councillor Wallace, seconded by Councillor Khan. Roll call vote. 11 yes. Motion passes.

- COMM299_02_08_2021 Phillips Dr. Neighborhood Committee Ltr
- ODNC102_11_08_2021 Ch. 17 Stormwater Management Revisions
- ODNC00103_01_10_2022 Streets, Sidewalks, and Other Public Places Alterations & Maintenance
- ODNC00109_03_14_2022 Amendment to Sidewalks Specifying Sidewalk Materials
- COMM00395_03_14_2022 St. & Sidewalk Repair Plan (COTW)

Planning & Development

In Committee:

- **APPT00306 03 14 2022 Richard Yeager 19 Water St. #2 Planning Board 3/31/2027**
Motion to approve by Councillor Cameron, seconded by Councillor Preston. Roll call vote. 10 yes, 1 present (SZ). Motion passes.
- ODNC046_01_27_2020 Zoning Amendment Short Term Rental Unit (STRU) (COTW)
- COMM00382_01_31_2022 Update from Global re 107 State Street
- ODNC00105_02_14_2022 Zoning Amendment Business Park Uses
- APPT00305_03_14_2022 Dan Mello 2 B Fulton St. Waterfront Trust 3/31/2027

Public Safety

In Committee:

- **COMM00397 03 14 2022 Laura Vlasuk Health Director**
Motion to receive and file by Councillor McCauley, seconded by Councillor Zeid. So voted.
- COMM00396_03_14_2022 Ltr. Stephen Comley
- COMM00390_02_28_2022 Gregory Caplan Ltr-Low St./Bright Horizons access to Fuller Field

Public Utilities

In Committee:

Rules

In Committee:

- ORDR239_02_8_2021 Council Rule 7 and 10B

19. GOOD OF THE ORDER

Councillors Vogel, Lane, and Donahue spoke.

20. ADJOURNMENT

Motion to adjourn at 9:27 pm by Councillor Zeid, seconded by Councillor Vogel. So Voted.

COMMUNICATIONS

Newburyport City Council President
Heather Shand
60 Pleasant St
Newburyport, MA 01950

04 April 2022

Christopher and Renee Heath
12 Cushing Ave
Newburyport, MA 01950

President Shand and Members of the City Council:

I am writing this letter to ask for the assistance of the Council regarding a "Paper Street" adjacent to my property at 12 Cushing Ave (lot 69-47 on the diagram) and my neighbor's property at 10 Cushing Ave (lot 69-49 on the diagram) (owner: Thomas & Ilene Grady). Several months ago, I started correspondence with Councillor Christine Wallace of Ward 4 regarding the process by which a homeowner/s could acquire this type of property. After meeting with Councillor Wallace and Rich Jones, the City Clerk, it was suggested that we first determine whether the property in question is owned or not by the City of Newburyport.

My wife and I are merely asking if the City of Newburyport could execute a title search to determine ownership of the way on Cushing Ave. Once it is determined who the rightful owner of the way is, we will then move forward or not with the Memorandum from the City Clerk's office following the Checklist for Disposition of Municipal Property. I have attached 2 photos to provide a better idea of the area in question.

Please feel free to contact us at heathrc@msn.com or via cellphone at (503) 735-5470. Thank you for your assistance with this inquiry.

Sincerely,

Christopher Heath

Christopher Heath
Renee Heath



ZONING TABLE

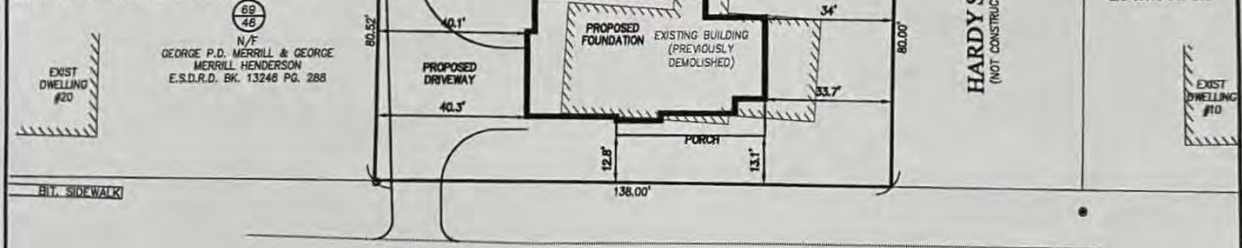
12 CUSHING AVE - ASSESSORS MAP 69 LOT 47
ZONING DISTRICT RH

	REQUIRED	EXISTING	PROPOSED
LOT AREA:	10,000 S.F.	11,076 S.F.	11,076 S.F.
LOT FRONTAGE:	80.0 FT	138.0 FT	138.0 FT
FRONT SETBACK:	25 FT	16.1 FT	12.8 FT**
SIDE SETBACK:	10 FT	19.0 FT	33.7 FT
REAR SETBACK:	25 FT	22.8 FT	29.2 FT
LOT COVERAGE:	25%	19%	18%
OPEN SPACE:	40%	75% ±	68% ±
BLDG HEIGHT:	35 FT	**	**

**PER SECTION 14-2 OF THE CITY OF NEWBURYPORT ZONING ORDINANCE, THE AVERAGE FRONT SETBACK OF THE ADJACENT DWELLINGS IS APPROXIMATELY 12 FEET. THE FRONT CORNERS OF THE DWELLING AT #10 CUSHING ST ARE 12.2 AND 13.4 FEET FROM THE FRONT PROPERTY LINE AND THE FRONT CORNERS OF THE DWELLING AT #20 CUSHING ST ARE 11.3 AND 10.8 FEET FROM THE FRONT PROPERTY LINE.

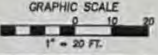
PLAN OF LAND
IN
NEWBURYPORT, MA.

SHOWING
PROPOSED BUILDING FOUNDATION
(MAP 69, LOT 47)
AS PREPARED FOR
GEORGE HASELTINE



69
46
N/F
EUGENE & DIANA GAMMONS
(UNIT ONE)
DONALD & WENDY KIMBALL MURRAY
(UNIT TWO)

69
49
N/F
THOMAS E. GRADY & ILENE
HARNCH GRADY
E.S.D.R.D.
BK. 16193 PG. 280



CUSHING AVE

HARDY STREET
(NOT CONSTRUCTED)

MILLENNIUM ENGINEERING, INC.
ENGINEERS AND LAND SURVEYORS
62 ELM ST. SALISBURY, MA 01952 (978) 463-8980
13 HAMPTON RD. EXETER, NH 03833 (603) 778-0528

SCALE: 1"=20'	CALC. BY: T.P.T.	PROJECT: M132471
DATE: MAY 23, 2013	CHKD. BY: S.J.R.	SHEET: 1 OF 1

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

NEWBURYPORT SPECIAL EVENT APPLICATION

Tel. _____

Fax: **MAR 31 PM 1:20**

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

NAME OF EVENT: Flag Day 5KDate: Saturday June 11, 2022 Time: from 4PM to 8PMRain Date: None Time: from _____ to _____2. Location*: Cashman Park

*Please Note: If the location is a public park or the rail trail, please also contact the Parks Department

3. Description of Property: Soccer Field Public Private _____4. Name of Organizer: 1st Lt. Derek Hines Soldiers Fund City Sponsored Event: Yes _____ No

Contact Person

Address: Steven Hines Telephone: 617 700-6980E-Mail: hin57@comcast.net Cell Phone: _____Day of Event Contact & Phone: Steve Hines 617 799-69805. Number of Attendees Expected: 1000-14006. MA Tax Number: #26-07527827. Is the Event Being Advertised? Yes Where? Social Media and newspaper8. What Age Group is the Event Targeted to? All ages9. Have You Notified Neighborhood Groups or Abutters? Yes No _____, Who? Residents along the route**ACTIVITIES:** (Please check where applicable.) Subject to Licenses & Permits from Relevant City DepartmentsA. Vending: Food Beverages Alcohol Goods _____ Total # of Vendors 4B. 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 _____

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: 1st Lt Derek Hines Soldiers Fund

2. Name, Address & Daytime Phone Number of Organizer: Steven Hines 54 Ferry Rd Newburyport 617 799-6980

3. Name, Address & 24/7 Telephone Number of Person Responsible for Clean Up Steven Hines Same as above

4. Date of Event: June 11 Saturday Expected Number of Participants: 1000-1400

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

6. Road Race, Parade or Walkathon Route: (List street names & attach map of route): Cashman Park, left on Merrimac St to Jefferson, up Jefferson, left on High St to Kent St, left on Kent to Washington, left on to the rail trail back to Cashman Park.

7. Locations of Water Stops (if any): Top of Jefferson St and Washington St

8. Will Detours for Motor Vehicles Be Required? No If so, where?

9. Formation Location & Time for Participants: Cashman Park 3 PM

10. Dismissal Location & Time for Participants: Cashman Park 4 PM

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.

If yes:

- a) How many trash receptacles will you be providing? 15
- b) How many recycling receptacles will you be providing? 15
- 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** Mello **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)

10 Standard # 2 ADA accessible

Name of company providing the portable toilets: Red's

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: Steve Kinis Date: 3/30/22

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: <u>NA</u>
	Is Fire Detail Required: <u>NA</u> # of Details Assigned: <u>NA</u>
_____	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

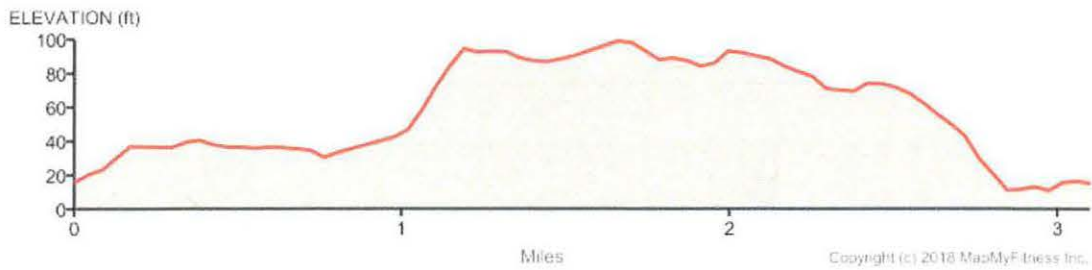
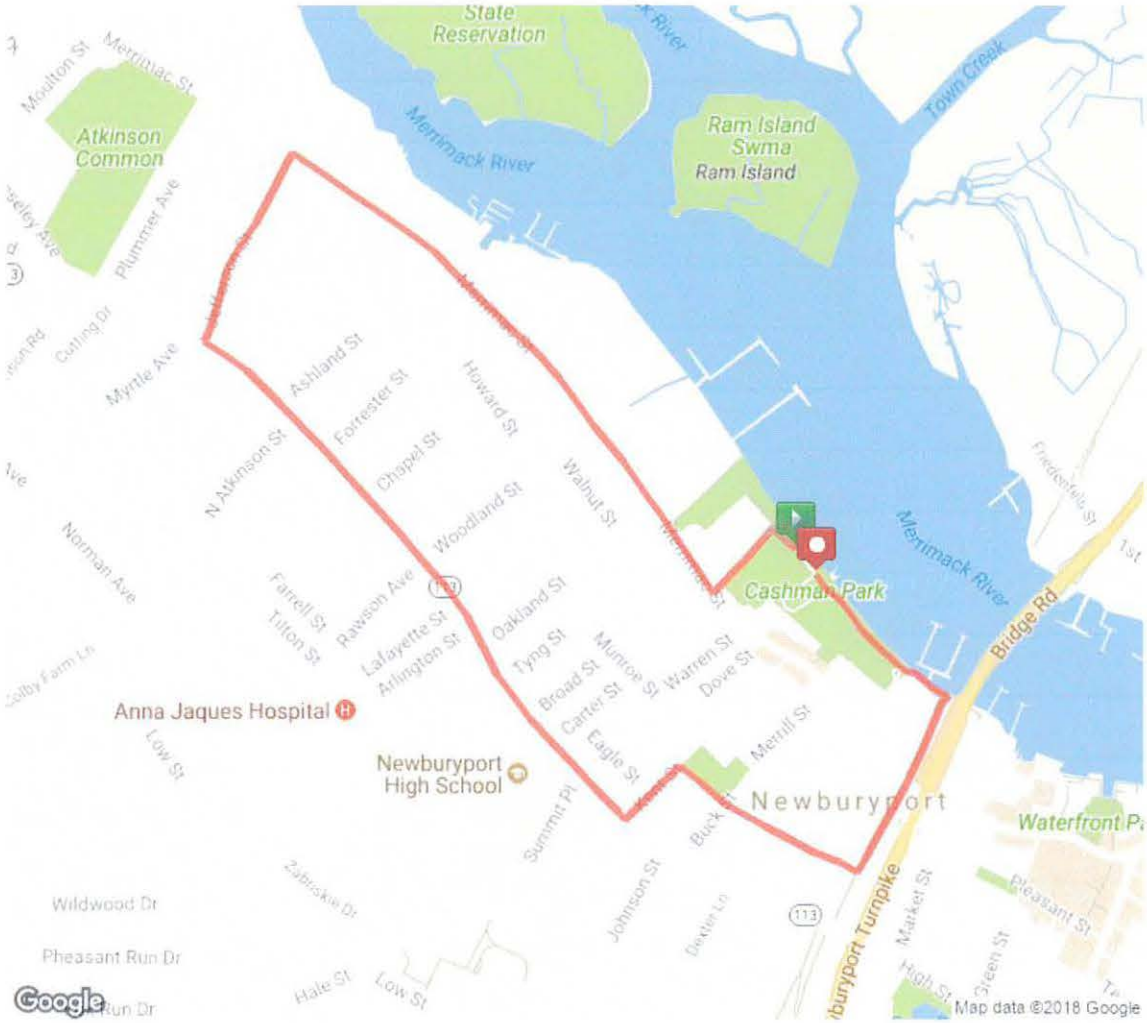
Flag Day 5K

Distance: 3.10 mi

Elevation Gain: 93 ft

Elevation Max: 100 ft

Notes



- 0.00 mi** Head northwest on Sally Snyder Way
- 0.04 mi** Turn left to stay on Sally Snyder Way
- 0.16 mi** Turn right onto Merrimac St
- 1.01 mi** Turn left onto Jefferson St
- 1.25 mi** Head south on Jefferson St toward High St
- 1.30 mi** Turn left onto High St
- 2.18 mi** Turn left onto Kent St
- 2.28 mi** Turn right onto Washington St
Destination will be on the right
- 2.32 mi** Head southeast on Washington St toward Buck St
- 2.57 mi** Turn left at Clipper City Rail Trail
- 2.59 mi** Head northeast
- 2.84 mi** Head northeast
- 2.84 mi** Turn left
- 2.93 mi** Head northwest toward Sally Snyder Way
- 3.07 mi** Continue onto Sally Snyder Way
- 3.10 mi** Destination

Certificate of Completion

This Certificate of Completion of
eTIPS On Premise 3.1
For coursework completed on March 30, 2022
provided by Health Communications, Inc.
is hereby granted to:

Derek LeClair

Certification to be sent to:

Black Cow Tap & Grill
40 Merrimac St
Newburyport MA, 01950-2533 USA



HEALTH COMMUNICATIONS, INC.





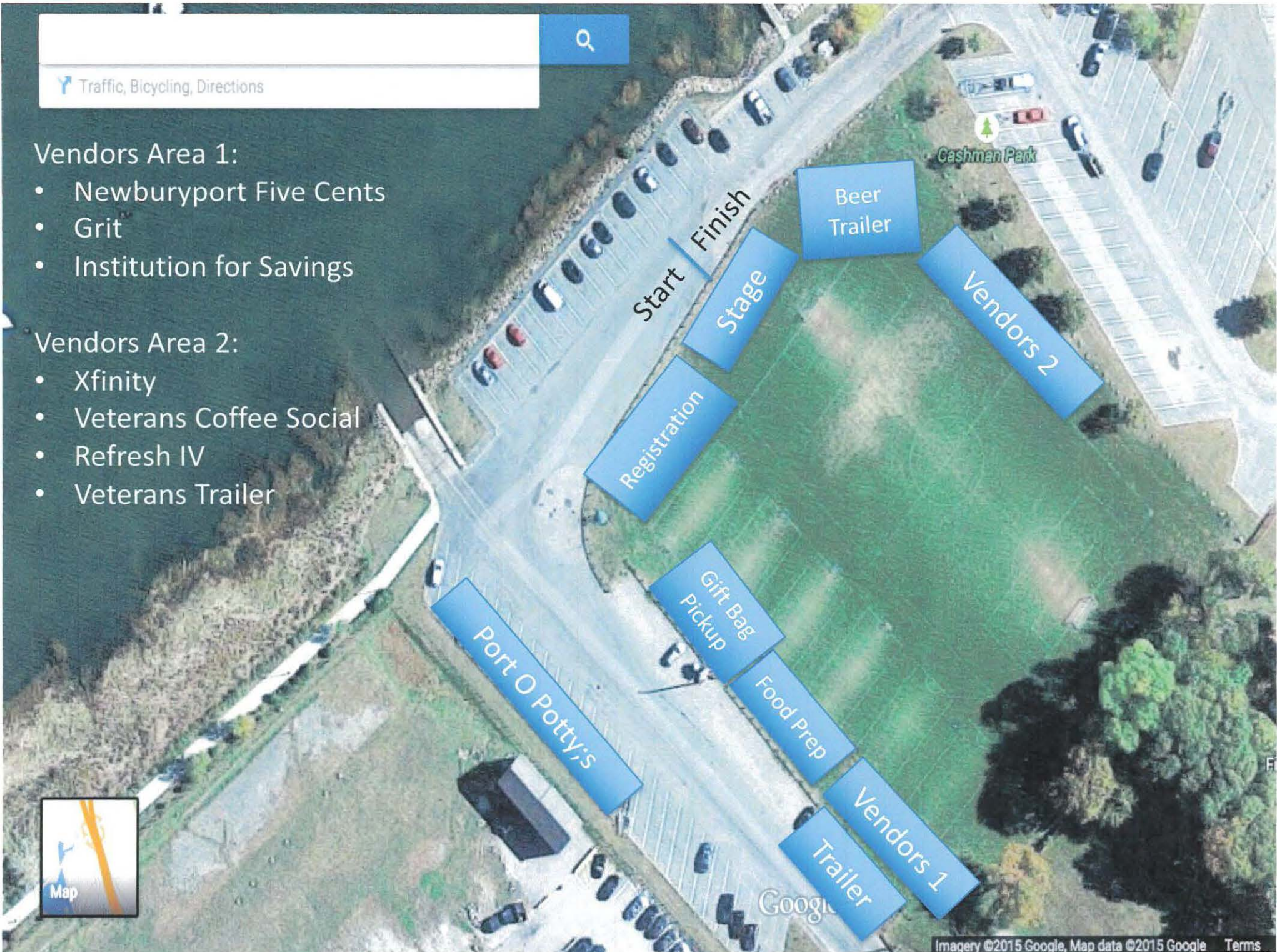
Traffic, Bicycling, Directions

Vendors Area 1:

- Newburyport Five Cents
- Grit
- Institution for Savings

Vendors Area 2:

- Xfinity
- Veterans Coffee Social
- Refresh IV
- Veterans Trailer





Applicant Information

Name of organization 1st Lt. Derek Hines Fund
Contact name Steven Hines
Address 54 Ferry Rd.
City Newburyport
State MA Zip 01950
Phone 617-799-6980 Fax _____
Email hin57@comcast.net

Scheduling Information

Date of Application 3/16/22

We request use of:

- Atkinson Common
- Atwood Park
 - Garrison Gardens
- Bartlet Mall
- Brown Square
- Cashman Park
 - Basketball Tennis Ball field Soccer
- Cherry Hill Athletic Fields
- Clipper City Rail Trail
- Cornelius Doyle Triangle
- Cushing Park

- Inn Street
- Jason Sawyer Playground
- Joppa Park
- March's Hill
- Market Square/Bullnose
- Moseley Woods Pavilion
- Moulton Square
- Newburyport Skate Park
- Patrick Tracy Square
- Perkins Park
 - Basketball Tennis Ball field
- Woodman Park
- Other _____

Dates/days requested June 11, 2022

Time slot requested 12 - 8 PM
(1 1/2 hour blocks)

Activity Road race Number of attendees 1000

Authorized Applicant Signature Steve Hines

FOR INTERNAL USE ONLY

Approval is contingent upon approval from the following authorities:

- Health Department *IF SELLING FOOD*
- Fire Department
- Police Department
- Licensing Commission *IF SELLING ALCOHOL*
- City Council *IF IMPACTING PUBLICWAY*
- Harbormaster

ADDITIONAL COMMENTS:

NO TENTS, STAKES OR VEHICLES OF ANY KIND ON FIELDS. NO EXCEPTIONS. SEE INSURANCE REQUIREMENT

ALL APPLICATIONS MUST INCLUDE A CURRENT CERTIFICATE OF INSURANCE NAMING THE CITY AS INSURED IN THE AMOUNT OF TWO MILLION DOLLARS.

Submit completed form to
Newburyport Parks Dept
60 Pleasant Street
Newburyport, MA 01950
parks@cityofnewburyport.com
978-465-4462

See page 2 for Rules and Regulations and contacts for use of other parks and recreational facilities

For Parks Commission Use	
Date reviewed	<u>9-28-22</u>
Approved	<input checked="" type="checkbox"/>
Rejected	<input type="checkbox"/>
Comments	<u>SEE ABOVE</u>
Donation received	_____

NEWBURYPORT SPECIAL EVENT APPLICATION

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

Tel. _____

Fax. _____

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

2022 APR -5 PM 2: 29

NAME OF EVENT: Newburyport Pioneer League Tag Day

Date: May 7 Time: from 9a to 1p

Rain Date: _____ Time: from _____ to _____

2. Location*: 10 local businesses

*Please Note: If the location is a public park or the rail trail, please also contact the Parks Department

3. Description of Property: Will be standing in front of local businesses Public _____ Private _____

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

Contact Person

Address: Jackie Savastra Telephone: (860) 280-7811

E-Mail: jaclyn.savastra@gmail.com Cell Phone: _____

Day of Event Contact & Phone: Jackie Savastra

5. Number of Attendees Expected: any shoppers

6. MA Tax Number: 22-2494469

7. Is the Event Being Advertised? yes Where? Pioneer League email + social media

8. What Age Group is the Event Targeted to? Any

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

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 _____ Not Necessary

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: _____

- ① Dunkin Donuts - State St - Rotary
- ② Starbucks
- ③ Olives - High St.
- ④ Market Basket
- ⑤ Shaw's
- ⑥ Port City Sandwich
- ⑦ CVS - Pond St.
- ⑧ Angie's - Pleasant St.



CITY OF NEWBURYPORT
FINANCE DEPARTMENT

60 PLEASANT STREET
NEWBURYPORT, MA 01950
PHONE: 978-465-4404

WWW.CITYOFNEWBURYPORT.COM/FINANCE

SEAN R. REARDON
MAYOR

ETHAN R. MANNING
FINANCE DIRECTOR/CITY AUDITOR

To: President and Members of the Newburyport City Council

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

Date: April 5, 2022

Subject: Annual Audit of the City's FY2021 Financial Statements

The certified public accounting firm, Melanson, has completed the annual audit of the City's FY2021 financial statements. This audit must be performed by an independent CPA firm and is required by bond rating agencies, financial institutions, local charter and various state and federal agencies. The City's financial statements, as well as, the Popular Annual Financial Report (PAFR) can be located electronically in the "Financial Reports Center" section of the Finance Department website at: <https://www.cityofnewburyport.com/financials>.

The FY2021 audit was conducted in accordance with auditing standards generally accepted in the United States and standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. These standards require that the audit is planned and performed in order to obtain a reasonable assurance that the City's financial statements are free of material misstatements. In addition, the audit assesses the accounting principles used and significant estimates made by City management.

The scope of the audit is discussed in the independent auditor's report, which prefaces the financial statements. With respect to the FY2021 financial statements, it is the opinion of the independent auditor that they "present fairly, in all material respects, the respective financial position of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of the City of Newburyport, Massachusetts, as of June 30, 2021."

The audit also includes a management report that contains recommendations for strengthening internal controls and operating efficiency. Significant progress has been made by the City in implementing the recommendations of the independent auditors. For FY2021, one prior year recommendation was resolved and one new recommendation was added. Below is a summary of the recommendations that appear in the FY2021 management letter:

1) Improve Compensated Absences Accounting (Prior Year)

The auditors recommend that the City centralize and automate the accounting for employee compensated absences (i.e. vacation, sick time), which will increase the accuracy, efficiency, and controls over the payment of compensated absences.

The City continues to review time and attendance platforms that would automate the approval and tracking of employee compensated absences. Such platforms have been rolled out departmentally, however the City is working to streamline into one platform that could be used City-wide (with the exception of the schools).

Human Resources and Finance are currently working on testing a platform called “EasyWorkforce” that has been used by DPS for tracking employees’ time and can integrate with the City’s payroll system.

2) Improve Bank Account Reconciliations (Prior Year)

The auditors recommend that the City continue to address some lingering prior year reconciling items despite the overall number of items and the time outstanding decreasing over the past several years.

The Treasurer’s and Auditor’s offices have made strides in the current fiscal year to identify and remove prior year adjustments from bank reconciliations and continue to meet regularly to address issues. We are mindful of the need to simplify the process and have streamlined bank accounts to scale down the lengthy process of reconciling accounts. We have since implemented tailings processes and reconciling procedures into the City’s Financial Policies.

3) Consider Improving Segregation of Human Resources and Payroll Duties (Prior Year)

In the prior year, the auditors recommended the City review control activities and related monitoring activities to ensure that fundamental controls are implemented over payroll processing.

Changes to departmental processes and reporting structure were made based on this recommendation and the auditors consider this matter to be sufficiently resolved.

4) Reconcile and Maintain Investment Accounts at Fair Value (New)

With respect to the City's trust funds, the auditors recommend that all investment accounts are reported at fair value on both the accounting records (general ledger) and treasury records (bank accounts). Currently, adjustments are required to reflect the fair value of investments at year-end.

This recommendation is based on Governmental Accounting Standards Board Statement (GASB) No. 72, *Fair Value Measurement and Application*. The City Treasurer is working with the auditors and investment advisors to recognize, implement and monitor the investment portfolio at fair value. Accounting and treasury will continue to coordinate on the regular reconciliation of trust funds to avoid having to make adjustments at year-end to reflect any differences.

5) Reconcile and Maintain Investment Accounts at Fair Value (Informational)

GASB has issued Statement No. 87, *Leases*, that will apply to the City's FY2022 financial statements; a change to the way certain leases are to be accounted for. The auditors recommend that the City prepare to implement this new statement. The Finance Department is aware of this statement and is working to ensure compliance with the new guidance.

As always, please do not hesitate to contact me with any questions.

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

NEWBURYPORT SPECIAL EVENT APPLICATION AM 11:28

Tel.

Fax.

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

NAME OF EVENT: Spring Fest 2022

Date: MAY 14 + 15, 2022 Time: from 10AM to 8pm

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

2. Location: Waterfront Park, Bullnose, Inn Street Fountain Area

3. Description of Property: Arts + Culture Festival Public Private

4. Name of Organizer: Civic Nbrpt Chamber City Sponsored Event: Yes No

Contact Person: Erin Duggan

Address: 388 Pherrimac 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: 800-1000

6. MA Tax Number: _____

7. Is the Event Being Advertised? Yes Where? social media, local papers

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

9. Have You Notified Neighborhood Groups or Abutters? Yes No Who? _____
Not yet. We will notify as instructed.

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

A. Vending: Food Beverages Alcohol NO Goods Total # of Vendors 20-30

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 _____ N/A
Other _____ Total # _____

Name of Carnival Operator: N/A

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? TBD @ 20 DPS
- b) How many recycling receptacles will you be providing? TBD @ 20 DPS
- c) Will you be contracting for disposal of : Trash Yes No Recycling Yes No
- i. If yes, size of dumpster(s): Trash _____ Recycling _____ TBD
- 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 ? TBD

*Recycling
DPS
Topmide*

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 N/A

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:

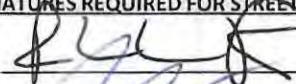
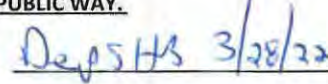
• Number of Floats: _____

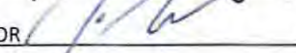
• Locations of Viewing Stations: _____

• 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.

- (e) "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 ten (10) days in advance that neighborhood roads will be closed if no alternate route is available to those residents.
- (f) "Insurance" All events shall have an insurance policy or rider in effect for the event naming the "City of Newburyport" as an insured. The policy shall be no less than two million dollars (\$2,000,000.00).
- (g) "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.
- (h) "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 oversee the safety and security of the event. All special duty assignments will be paid by the event organizers.
- (i) "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.

13-101 Enforcement

- (a) "Regulations" Consistent with this ordinance, the city shall promulgate regulations to enforce and otherwise implement the provisions of this ordinance upon passage by the City Council. Any event previously approved by City Council shall be deemed permitted.
- (b) "Warning" In the circumstance that this ordinance 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.
- (c) "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 Subsection 1-17 of Chapter 1 of the Code or Ordinances of the City of Newburyport in the amounts set herein in 13-101(d)
- (d) "Violation" The non-criminal violation shall be \$100.00 for the first offense and \$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.

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:  Date: 2/9/22



Newburyport Parks

One-Day Use Permit Application

Applicant Information

Name of organization Greater Newburyport Chamber of Commerce
Contact name ERIN DOGGAN
Address 508 MERIMAC ST
City NBPT
State MA Zip 01950
Phone 415 577 4112 Fax N/A
Email edoggan@newburyportchamber.org

Scheduling Information

Date of Application February 9th, 2022

We request use of:

- Atkinson Common
Atwood Park
Bartlet Mall
Brown Square
Cashman Park
Cherry Hill Athletic Fields
Clipper City Rail Trail
Cornellus Doyle Triangle
Cushing Park
Inn Street
Jason Sawyer Playground
Joppa Park
March's Hill
Market Square/Bullnose
Moseley Woods Pavilion
Moulton Square
Newburyport Skate Park
Patrick Tracy Square
Perkins Park
Woodman Park
Other WATERFRONT PARK

Dates/days requested May 14 + 15, Set up MAY 13

Time slot requested 8AM - 10PM MAY 13 - 15

Activity ARTS + Culture Festival Number of attendees 800 - 1000

Authorized Applicant Signature

FOR INTERNAL USE ONLY

Approval is contingent upon approval from the following authorities: ADDITIONAL COMMENTS:

- Health Department
Fire Department
Police Department
Licensing Commission
City Council
Harbormaster

ALL APPLICATIONS MUST INCLUDE A CURRENT CERTIFICATE OF INSURANCE NAMING THE CITY AS INSURED IN THE AMOUNT OF TWO MILLION DOLLARS.

Submit completed form to
Newburyport Parks Dept
60 Pleasant Street
Newburyport, MA 01950
parks@cityofnewburyport.com
978-465-4462

See page 2 for Rules and Regulations and contacts for use of other parks and recreational facilities

For Parks Commission Use
Date reviewed
Approved
Rejected
Comments
Donation received



Spring Festival 2022 DRAFT PROGRAM OVERVIEW

Overview

The Greater Newburyport Chamber of Commerce, in partnership with the Newburyport Arts Collaborative is working to develop an interactive arts & culture program in May 2022. This 2 day program will highlight Newburyport's rich culture through the arts and will in turn have a significant economic impact.

Now more than ever, our arts and culture members need our support. We will support these organizations through storytelling, and interactive, unforgettable experiences.

Program Details

Dates:	Saturday May 14 th & Sunday May 15 th
Main Stage:	10AM – 8PM behind Sea Level in Waterfront Park
All Day:	Various programs throughout Newburyport in NAC Member based spaces
Afternoon/Evening:	Performing Arts in Parks Info booths and art vending opportunities

Location Preferences

- Waterfront Parks
 - Behind the firehouse
 - Next to Harbor Master Headquarters
- Inn Street near fountain
- Bull Nose/Market Square
- Along riverfront
- Within existing businesses

Involvement

1. Become a sponsor
2. Host a live performance
 - a. On Main Stage
 - b. Within your own or shared space
3. Host an information table

What is the benefit of being involved?

- Marketing, Exposure and Increasing foot traffic
- Opportunity to showcase support and integration with NAC & GNCCI

Next Steps: Be In Touch [HERE](#)

- Participate with a Performance or as a Vendor
- Sponsor the 2 Day Festival: EMAIL ERIN DUGGAN: eduggan@newburyportchamber.org
- Volunteer to help organized, execute or market the festival

**2022 Newburyport Spring Festival
Preliminary NAC Participation
Updated 1/21/22**

Outdoor Entertainment/Demonstration/Interactive Events

Dance, *The Dance Place*. They will need about a 20x20 or larger space to dance safely.

Children's Theater, *Acting Out*.

Children's Choir, Musical Theater Vocals, *The Performing Project*

Theater, *Theater in the Open*

Music Performance/Demonstration, *Zach Fields Studios*

Adult and Children's Craft Making, *Tinkerhaus*

Children's Craft Making and promotion of services, *Newburyport Youth Services*

Visual Artists Working and Selling Wares (perhaps using shanties), *Newburyport Art Association*

Children's Chorus (3 age groups) and individual youth performances, *Greater Newburyport Childrens Chorus*

Musical Theater Performances or Short Play Performances, *Firehouse Center for the Arts*

Take-Away Craft and library card sign-up, *Newburyport Public Library*

Possible Merchandises Sales/Raffle (depending on staff availability), *The Documentary Film Festival*

Added or Existing Free or Ticketed Events in Member Venues the Weekend 5/14-5/15

The Firehouse has existing events

The Screening Room will add a film during the festival weekend

The Actor's Studio of Newburyport will add an event that weekend

Paula Estey Gallery has an existing exhibit but will add a special closing reception

The Newburyport Art Association will add special events in their venue that weekend

Newburyport Youth Services will add an event, possibly a dance party.

The Custom House will participate but does not have details at this time

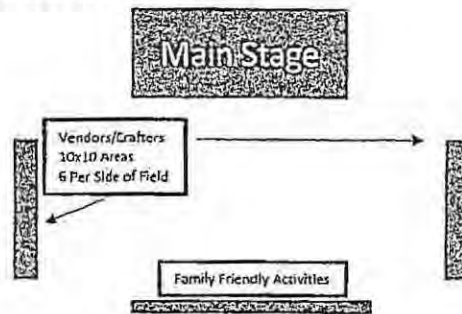
The Newburyport Public Library will likely have events



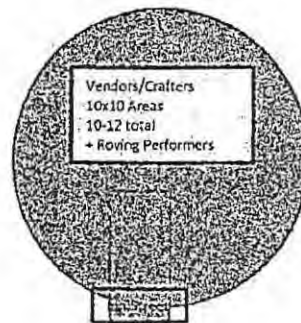
Greater Newburyport Chamber of Commerce & Industry is collaborating with Newburyport Arts Collective to bring Arts & Culture celebration for 2 days this May 14 & 15 2022.

Day	Time	Action Item
Friday May 13 th	All Day	Stage, Sound, Vendor Load In Mapping for Vendors
Saturday & Sunday May 14 & 15	<ol style="list-style-type: none"> 1. 8AM 2. 10AM – 12PM 3. 12PM – 3PM 4. 5PM – 8PM 	<ol style="list-style-type: none"> 1. Vendor and Talent Load In 2. Main Stage Youth Programming 3. NAC Performances 4. Local Bands
Sunday & Monday	All Day	Clean Up/Equipment Removal

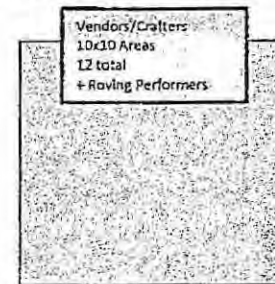
Waterfront Park



Market Square/Bullnose



Inn Street Fountain Area



NEWBURYPORT CHAMBER OF
COMMERCE PRESENTS

SPRING FEST 2022

OUR ANNUAL SPRING FESTIVAL!



MAY 14 + 15, 2022

10 AM TO 8 PM

NEWBURYPORT WATERFRONT

*Join us for a weekend jam-packed with arts,
culture, and entertainment!*

#NBPTSOARTSY

Learn more at
newburyportchamber.org/events

Greater
Newburyport
Chamber
Commerce & Industry



NAC



Volunteers Needed

Please join us as we celebrate Arts & Culture along the Mighty Merrimac.

This May 14 & 15 we will host artisans, crafters and performers throughout the weekend.

In celebration of all that Newburyport and the Region has to offer.

Please help us bring this interactive program back to Newburyport.

Scan:



Or Visit:

<https://www.signupgenius.com/go/10c0e4ca4a92da6f8c25-spring>

For more information on Spring Fest 2022:

business.newburyportchamber.org/events/details/gncci-nac-spring-fest-2022-85034

#NBPTSOARTSY

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:

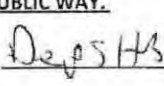
• Number of Floats: _____

• 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  3/28/22 0 Greenleaf St.

DEPUTY DIRECTOR _____ 16A Perry Way CITY CLERK _____ 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.

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: NA _____
 Is Fire Detail Required: NA _____ # of Details Assigned: NA _____

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

From: Mark R. Reich <MReich@k-plaw.com>
Sent: Thursday, March 31, 2022 1:30 PM
To: Heather Shand
Cc: Ethan Manning; Richard Jones; Sean Reardon
Subject: RE: MGL Ch 44, Sec 63 - Sale of real estate proceeds

Councilor –

As I understand the circumstances, the City Council approved ORDR074_08_29_16, which addressed the disposition of the former Kelley School. The Ordinance included provisions of the transfer of the care, custody, and control of the former school property from its then-current use to the purpose of disposition by the Mayor. Please be aware that the provisions of G.L. c. 40, sec. 15A address the process for transferring municipal property, and specify a two-thirds vote requirement for such transfer. It is my understanding that this Ordinance was approved with the requisite two-thirds vote by the City Council.

As the City's Chief Financial Officer points out in the below e-mail, the proceeds derived from sale of municipal property are to be used in accordance with the provisions of G.L. c. 44, sec. 63. The intent of ORDR319_02_14_2022 is to revise the allowable use of those sale proceeds. I have not been asked to examine those uses in the context of G.L. c. 44, sec. 63, which I believe have been reviewed by the Chief Financial Officer, but have been specifically asked if passage of ORDR319_02_14_2022 requires a two-thirds vote of the City Council in the same manner as was required for passage of ORDR074_08_29_16.

In my opinion, the passage of ORDR074_08_29_16 was subject to the two-thirds vote requirement as the Ordinance involved the transfer of property from one use to another, in accordance with the provisions of G.L. c. 40, sec. 15A. The subsequent ORDR319_02_14_2022 does not address the issue of property disposition and the transfer of interests, but instead deals with the use of proceeds obtained from the disposition of the subject property. In my opinion, the transfer of property was appropriately addressed through passage of ORDR074_08_29_16 by a two-thirds majority vote. In my further opinion, ORDR319_02_14_2022, addressing and amending the use of proceeds, does not itself involve the transfer of the subject property and so is subject to a simple majority vote requirement for passage.

I hope this discussion is helpful in resolving this issue. Please let me know if you have any further questions or concerns.

Thank you.

Mark

Mark R. Reich, Esq.

KP | LAW

[101 Arch Street, 12th Floor](#)

[Boston, MA 02110](#)

O: [\(617\) 556 0007](tel:(617)5560007)

F: [\(617\) 654 1735](tel:(617)6541735)

mreich@k-plaw.com

www.k-plaw.com



City of Newburyport: Strategic Plan

4/5/2022

Mission and Key Objectives

Position Newburyport to continue thriving as a strong, vibrant community that is a welcoming and desirable place for residents, businesses, and visitors.

Secure and Invest in
City's Infrastructure

Provide High Quality
Public Services

Guide Future
Development of the
City

Lead in Building a
Collaborative and
Engaged City

Secure and Invest in City's Infrastructure

Improve quality and maintenance of roadways and sidewalks across the City

Increase funding to address the state of streets and sidewalks and institute a new planning and outreach cycle through a five-year rolling plan.

Work with Traffic Safety Advisory Committee to improve traffic issues across City.

Together with state partners, find ways to address the most dangerous intersections.

Find opportunities for multimodal transportation, with more access to cycling and public transit.

Respond to immediate needs for critical City infrastructure

Invest in the the long-term security of our water infrastructure.

Identify funding for and begin repair of Central Bulkhead.

Address key neighborhoods with failing infrastructure, beginning with Phillips Drive.

Work with the Parks Department and Department of Public Services to meet critical needs for Parks and for the Highway and Waste Water Divisions.

Invest in medium to long-term capital assets to meet City's needs

Create a Capital Facilities Plan that catalogues all City needs.

Work with the Newburyport Public Schools to understand their facility needs.

Use the Capital Improvement Planning process to identify funding for assets in need of replacement.

Research opportunities for savings or regionalization by comparing to facilities plans of similar communities.

Position the City's assets to reduce energy use and mitigate risks of climate change

Integrate net-zero goals into all public building construction and promote incentives and consider for energy efficient private buildings.

Use Green Communities Grants and other sources to improve energy efficiency of current buildings.

Begin planning for the upgrade of city vehicles to energy efficient models.

Study and begin to implement strategies for securing city assets from effects of climate change.

Provide High Quality Public Services

Support the City's budget and capital assets to provide excellent public and community services

Support Newburyport Youth Services and help them find a new home.

Continue to support Newburyport Public Schools to provide a first-rate educational experience.

Work with the Department of Public Services to improve the year-round customer service experience for residents.

Maintain a high level of service and maintenance in parks and find a new facility for the Department's headquarters.

Maintain the City's financial position

Creatively use available debt sources and financial tools like DIF to reduce liability.

Apply for and use all available grant sources to reduce debt.

Look for ways to increase government efficiency to keep spending level.

Commit to making the City a desirable employer to reduce staff turnover and improve hiring.

Maintain excellence in Public Safety and security services

Provide updated equipment and facilities for the Fire Department, including a new Fire Station 2 and renovated Headquarters.

Meet the needs of the Police Department, including station upgrades.

Support the Harbormaster's office and promote continued State and Federal partnerships for harbor safety.

Keep the City's Information Technology well-funded and work to prevent against cyber-attacks.

Look for ways to serve more vulnerable populations

Advance the City's Diversity, Equity, and Inclusion initiatives through hiring, contracting, and convening abilities.

Grow the outreach and programming offerings of the Council on Aging to support the city's elderly population.

Find opportunities to support mental health in the community as we deal with the next stages of the pandemic.

Use the Building and Health Departments to ensure safety standards are met for all.

Guide Future Development of the City

Work with Planning Department and others to reach best outcomes in major development opportunities

Convene a fair process at Waterfront West that leads to a project that furthers the City's goals and responds to the residents' interests.

Work with the City Council and the community to find the best use for the former Brown School.

Continue to look for high quality projects in the Smart Growth District.

Find other re-use opportunities for large public and private sites.

Promote Affordable Housing and respond to demand for housing locally

Follow and renew the Housing Production Plan to stay above 40B requirement of 10% affordable housing.

Update zoning to allow for more housing in priority areas and to comply with state's MBTA Communities Policy.

Work with developers to have new housing exceed the 12% affordability requirement.

Look to make the best use of city-owned land that could be used for new housing.

Achieve an effective economic development strategy in the city

Create an economic development master plan.

Look for workforce development opportunities to create more high-quality jobs of all skill levels for Newburyport residents.

Support local small businesses through targeted initiatives and strategic partnerships with the Chamber of Commerce and others.

Look for ways to further the City's identity as a historic, environmental, and arts and culture hub to drive tourism and increased visits to the city.

Protect open space and promote sustainability efforts

Preserve open space and conservation areas in priority sites.

Work with the Resiliency Committee to plan for future sea level rise and protect City assets.

Protect the waterfront by investing in the bulkhead, docks, and long-term sea level rise mitigation.

Work with the Harbormaster, DPS, US Army Corps of Engineers and others to mitigate Plum Island erosion through jetty adjustments and dredging.

Lead in Building a Collaborative and Engaged City

Provide transparent communication on City functions to residents

Improve the City website so it is engaging and easy to maintain.

Use social media, email lists, and other technology effectively to reach audiences where they are.

Work with partners like Newburyport Community Media to provide new ways of presenting information to engage more deeply on important topics.

Continue to meet all public records and open meeting law requirements and practices, including in the offering of hybrid and virtual public meetings.

Engage more residents in local government

Fill the City's Boards and Commissions and look for opportunities to bring in new volunteers.

Educate residents on the role and activities of our Boards and Commissions.

Increase the visibility of the City Council's activity and agendas, and make more people aware of how to get involved.

Increase the number of residents voting in municipal elections.

Find new opportunities for resident feedback and build it into City processes

Hold Office Hours every month to engage with residents.

Use new tools, including surveys and other options to receive resident feedback on City actions.

Hold public charrettes around large projects in non-traditional formats to reach more residents.

Work with youth and other groups that are not typically engaged by government.

Make City Hall more accessible

Look for opportunities to bring more processes and government functions online and easier to complete.

Hold more events and activities outside of City Hall to meet the community in different environments.

Complete an audit of building technology and physical appearance to consider the visitor experience.

Convene non-profit partners to find ways to work together on key issues.

Five Strategic Priorities: Year 1

Streets and
Sidewalks

Waterfront
West

Capital
Facilities
Planning

Affordable
Housing

Resiliency and
Sustainability

TRANSFERS



CITY OF NEWBURYPORT FY 2022

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

TRANSFER/APPROPRIATION REQUEST

2022 APR -5 PM 3: 53

Department: Fire Department

Submitted by: Christopher J. LeClaire, Fire Chief

Date Submitted: 4/11/2022

Transfer From:

Account Name:	<u>Fire-Foam & Equipment</u>	Balance:	<u>\$ 2,000.00</u>
Account Number:	<u>01220004-54319</u>	Category:	<u>\$ 55,413.28</u>
Amount:	<u>\$2,000.00</u>	Trans I/O:	<u>\$ -</u>

Why Funds Are Available:

A surplus is anticipated in this line item at year-end.

Transfer From:

Account Name:	<u>Fire -New Hose-Fittings</u>	Balance:	<u>\$ 3,000.00</u>
Account Number:	<u>01220004-54316</u>	Category:	<u>\$ 55,413.28</u>
Amount:	<u>\$3,000.00</u>	Trans I/O:	<u>\$ -</u>

Why Funds Are Available:

A surplus is anticipated in this line item at year-end.

Transfer From:

Account Name:	<u>Fire-Protective Clothing</u>	Balance:	<u>\$ 30,000.00</u>
Account Number:	<u>01220004-54317</u>	Category:	<u>\$ 55,413.28</u>
Amount:	<u>\$3,100.00</u>	Trans I/O:	<u>\$ -</u>

Why Funds Are Available:

A surplus is anticipated in this line item at year-end.

Transfer To:

Account Name:	<u>Fire-Software</u>	Balance:	<u>\$ -</u>
Account Number:	<u>New account</u>	Category:	<u>\$ 49,120.22</u>
Amount:	<u>\$8,100.00</u>	Trans I/O:	<u>\$ -</u>

Why Funds Are Needed:

To fund the initial costs of implementing the First Due software in the Newburyport Fire Department. See attached explanatory memorandum including a summary of costs for FY22, as well as, future budget years.

Sean R. Reardon, Mayor:



Date:

4/5/22

Ethan R. Manning, Auditor:



Date:

4/5/22

City Council Action:

Newburyport Fire Department

Office of the Fire Chief

To: Mayor Reardon & the Newburyport City Council
From: Chief Christopher J. LeClaire
Date: April 5, 2022
Re: **First Due Software/Related Hardware**

The Newburyport Fire Department's data collection and generation program is hindered by the lack of 21st Century technology both in our apparatus and in our fire stations. We need to update our data collection systems so that we can improve pre-fire planning, hazard recognition and emergency response to the varied properties within our community. We currently have no way of accessing property GPS data, building plans, hazardous materials information and special information unless it is accessed by dispatch. Even there, our abilities are limited.

The FD has been researching software to assist us with day-to-day operations, emergency response, pre-planning, inspections and reports, scheduling and training. The firefighters assigned to this project have identified a program known as [First Due](#). This program is specifically designed for fire department operations and is used in many departments throughout Massachusetts, including: Peabody, Salem, Danvers, Saugus, Salisbury, Gloucester, Groveland, Georgetown, Reading, North Reading, Nahant, Haverhill, Lynn, Belmont, Arlington, Weymouth, Shrewsbury and Westborough. Other communities, such as Amesbury, Foxborough, Mansfield, Easton, Norton and Worcester are in the enrollment process.

The First Due software will allow us to have better response plans and response tactics due to immediate access to building and occupancy related data. The software allows for easy access to vital information regarding building use, hazardous materials/processes contained therein.

This software will allow us to:

- Have instant access to critical structure and occupant data at the time of response
- Pre-plan hazardous occupancies
- Update and have access to inspection records
- Track and report on fire/EMS training hours and continuing education credits

- Track and report fire prevention activity, including: inspections, permits, investigations, violations, etc.
- Track inventory
- Track apparatus and equipment maintenance records; provides work order system
- Provide access to the National Fire Incident Reporting System (NFIRS) to meet mandatory reporting requirements
- Schedule and manage personnel hours and staffing levels
- Receive real-time alerts for emergency incidents in our city and area
- Provide community access to the FD through the Community Connect program, which allows residents and business owners to interact with us through the program
- Have interoperability with neighboring departments utilizing the same software
- Access mapping and hydrant locations through GPS

This software is accessed through tablets (in the apparatus) and desktop computers (in the stations). The initial expense will be the initial partial-year agreement, the purchase of five (5) iPads with mounting hardware and monthly data plans and two (2) desktop computers. As shown on the attached cost summary, this initial investment is approximately \$8,100 for FY22. For FY23 and beyond, the estimated annual cost is \$22,200, which includes an annual subscription fee of \$20,400 plus \$1,800 for the five (5) monthly data plans through the City's existing wireless contract.

Thank you for your consideration.

**Fire Response Technology
Cost Summary**

<u>Equipment</u>	<u>Qty</u>	<u>Cost</u>	<u>Total</u>
iPads	5	\$ 800.00	\$ 4,000.00
Desktop PCs/monitors	2	\$ 1,000.00	\$ 2,000.00
Mounting hardware	5	\$ 500.00	\$ 2,500.00
Total Equipment			\$ 6,000.00
Data Plan for iPads	5	\$ 360.00	\$ 1,800.00
Start-up cost			\$ 1,650.00
Annual Fee			\$ 20,400.00
<u>FY22 Funding Need</u>			
Equipment			\$ 6,000.00
Data Plan for 3 months			\$ 450.00
Start-up cost			\$ 1,650.00
Total FY22			\$ 8,100.00
<hr/>			
<u>FY23 Funding Need</u>			
Data Plan for iPads			\$ 1,800.00
Annual Fee			\$ 20,400.00
Total FY23			\$ 22,200.00
<hr/>			
Total FY22 + FY23			\$ 30,300.00
<hr/>			



CITY OF NEWBURYPORT FY 2022

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

TRANSFER/APPROPRIATION REQUEST

APR 11 3:52 PM

Department: Mayor's Office

Submitted by: Sean R. Reardon, Mayor

Date Submitted: 4/11/2022

Transfer From:

Account Name:	<u>RRFA Sale of Municipal Buildings</u>	Balance:	<u>\$ 693,500.00</u>
Account Number:	<u>2760-59630</u>	Category:	<u>\$ -</u>
Amount:	<u>\$30,000.00</u>	Trans I/O:	<u>\$ -</u>

Why Funds Are Available:

Proceeds from the sale of the former Kelley School.

Transfer To:

Account Name:	<u>NYS Center Schematic Design</u>	Balance:	<u>\$ -</u>
Account Number:	<u>3907-49700</u>	Category:	<u>\$ -</u>
Amount:	<u>\$30,000.00</u>	Trans I/O:	<u>\$ -</u>

Why Funds Are Needed:

To fund schematic design services for a proposed Newburyport Youth Services Center at 59 Low Street, as well as, a conceptual design for space at the Brown School. See attached explanatory memorandum and proposed scope of work.

Sean R. Reardon, Mayor:

Sean R. Reardon

Date:

4/5/2022

Ethan R. Manning, Auditor:

Ethan R. Manning

Date:

4/5/22

City Council Action:



CITY OF NEWBURYPORT
OFFICE OF THE MAYOR
SEAN R. REARDON, MAYOR

To: President and Members of the City Council
From: Mayor Sean R. Reardon
Date: April 5, 2022
Subject: Transfer for 59 Low Street and Brown School Cost Estimates

My administration is moving forward with the selection of a site and early formation of a plan for Newburyport Youth Services. We have been proceeding in accordance with the Council's January 31, 2022 order, which authorized the purchase of 59 Low Street. That order asked for the City Engineer to complete an engineering site plan for the property to guide future decisions on the final use of the property. It also stated that a plan and associated costs are needed for the Brown School and that there may be public value in restoring the gym for use.

As discussed at the most recent City Council meeting, our engineering staff has completed an engineering site plan for 59 Low Street to determine whether that property could fit a Youth Services facility consisting of administrative offices, programming space, and a modular gym. The site plan showed that the components could be arranged to fit on-site within the parameters of wetland restrictions and parking requirements. The presentation to the Council discussed that the next step was to select an architect to create an architectural plan and estimate for re-use of the existing building for NYS, including a modular gym. This would lead to a phased plan with associated costs for the site. At the same time, we would request a review of a Parks Facility location and cost estimates for the Brown School.

At this time, I am requesting a transfer of funds to pay for an architectural consultant. My office obtained three quotes from local architects, with a scope of services to include a preliminary code analysis, HVAC engineering analysis, conceptual architectural design and associated costs for gut renovating the 59 Low St building and adding a modular gym. The consultant will also include a schematic design for the Brown School gymnasium as both: 1. a standalone public asset as well as, 2. a satellite property for NYS with limited admin space, so we can better understand the costs associated with either option. We are recommending proceeding with EGA Architects, who can complete the work for \$30,000.

This work will help answer many questions about detailed feasibility, as well as, associated costs for this project. We are asking that these funds be transferred from the proceeds of the sale of the Kelley School. From the \$30,000 request, roughly \$7,000 is for the Brown School and \$23,000 is for 59 Low Street. We feel this is an appropriate use of these funds, as the information obtained will be critical in moving both projects forward and determining the best use of the remainder of the Kelley School funds.

The funds requested for the schematic design and cost estimates at the Brown School follows two other significant studies already completed by Winter Street Architects and studioMLA Architects. Those studies were completed as part of early feasibility analyses that looked at whether the building could fit all NYS activities, as well as, to evaluate the building's suitability for uses such as artists studios, senior living apartments, and other community uses, including NYS. The most recent analysis by studioMLA estimated the costs of converting the entire first floor to NYS space. We are looking for a narrower scope that will give us a schematic design and an updated idea of costs for the gym as a satellite space rather than a headquarters. NYS will no longer be on the first floor of the Brown School, which changes the cost estimates. This updated information is crucial for deciding how to move forward on the NYS headquarters and the suitability of the Brown School gym as a community facility, including potentially for NYS.

We appreciate the Council's consideration of this work and look forward to the completion of the budget transfer, which will unlock the next steps for the NYS site selection.



April 4th, 2022

Kim D Turner
Manager of Special Projects
City of Newburyport
60 Pleasant Street
Newburyport, MA 01950

Re: City of Newburyport – 59 Low Street Youth Services

Dear Kim,

Thank you for considering us and please find attached our proposal for the Newburyport Youth Services Center at 59 Low Street. It is our understanding that you would like us to provide schematic design services for the proposed building as well as for a Brown School option.

Our services will include a preliminary code analysis and schematic design plans based upon the site plan option A we discussed the other day (see attached). The fee also includes MEP and structural narratives to describe alternatives for the proposed design. The proposed fee for these services is \$30,000. We have attached additional information on the following pages that describe the full scope of services in greater detail.

If you have any questions or concerns, please do not hesitate to call me at 978-500-3738. We thank you for the opportunity to submit this proposal and we look forward to working with you on this exciting project.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Scott Hall', written over a light blue horizontal line.

Scott Hall, Principal
Registered Architect, P.E.
EGA Architects, P.C.

Cc: Scott Hall, Katie Flaherty



SCOPE OF SERVICES

- **Included Services**

The base design services shall include the following:

- Preliminary Code Analysis
- Schematic plans based upon Option A site plan (see attached).
- Options for Brown School Alternative noted below
- Schematic design shall include MEP and structural narratives of options

- **Schematic Design**

- Review of historical info on the project site, including reports on environmental contaminants, and review of program needs of the department
- A concept design for the (gut) renovation of the existing structure at 59 Low St, maintaining its shell, and adding a modular gym and possible administrative space (max 1000 sf)
- Selection of a preferred concept design and development of site plan, elevations, floor plans, and perspectives
- Cost estimation for construction of the above, including an OPM, testing, and contingencies
- Associated meetings including 2-3 with City Staff and 1-2 public meetings
- A conceptual design of an alternative scenario that utilizes gym/locker room/bathroom space at the Brown School (Milk St) both with and without associated administrative space for NYS (plus associated costs)
- Preliminary structural review and schematic design options in narrative form
- Preliminary MEP review and schematic design options in narrative form

ASSUMPTIONS

- The proposed fee includes 2-3 meetings with city staff and 1-2 public meetings.
- The proposed fee does not include any work by Civil, Structural, MEP or Interior Design consultants for this package (These can be added if needed)
- Cost estimate shall be prepared by PM&C. We have included their fee in our proposal.



REIMBURSABLES

- Reimbursable expenses such as travel, printing and postage shall be billed on a monthly basis in accordance with Schedule A attached.

ADDITIONAL SERVICES

- Additional services, if needed, shall be performed on an hourly basis in accordance with Schedule A attached. EGA shall receive written approval from the Owner prior to performing any additional services.
- The contract for the project shall be the AIA Document B101 – 2017 edition.

INVOICES

- EGA shall invoice on the first of each month for all work completed in the prior month.

AGREEMENT

If you are in agreement with this proposal, please indicate by signing below and returning one copy of this document to our office.

Sincerely,

A handwritten signature in blue ink, appearing to read "Scott Hall".

Scott Hall, President
Registered Architect, P.E.
EGA Architects, P.C.

Agreed to:

Kim D Turner, Manager of Special Projects

Date



**SCHEDULE A
SCHEDULE OF HOURLY RATES**

CLASSIFICATION	HOURLY RATES
CEO/President	\$ 220.00
Officer	183.00
Senior Project Manager	150.00
Project Manager	135.00
Project Architect/Designer	125.00
Intern Architect	110.00
Architectural Drafter	92.00
Graphic Design	90.00
Executive Administration	73.00
Clerical	61.00



**SCHEDULE A
REIMBURSABLE EXPENSES**

Long distance communications, express delivery services, travel and subsistence associated with travel, copies and reproductions, will be expensed as follows:

ITEM	EXPENSED RATE
Travel/Meals/Lodging	Cost
Mileage (IRS Allowed)	IRS Rate
Black and White Copies/Prints (8 ½ x 11 and 8 ½ x 14)	\$.10/copy
Long Distance Telephone	\$.05/minute
In House Printing:	
Color Copies/Prints (8 ½ x 11 and 8 ½ x 14)	\$.70/copy
Black and White Copies/Prints (11 x 17)	\$.30/copy
Color Prints and Copies (11 x 17)	\$1.78/copy
Large Format Color Plots	\$.75/ sq. ft.
Large Format Copies (per plot):	
24" x 18"	\$2.83/plot
24" x 36"	\$3.50/plot
30" x 42"	\$4.38/plot
36" x 48"	\$5.00/plot
Other sizes will be billed at \$0.50 per sq. ft.	

*In the event printing needs to be sent out of the office (due to time and/or volume limitations, etc.) the Architect will invoice the vendor's cost of the printing.



Partnering for quality results

March 12, 2022

Scott Hall, Registered Architect, P.E.
CFO
EGA, P.C.
One Vernon Street
Newburyport, MA 01950

Re: Youth Center, Newburyport, MA

Dear Scott,

Thank you for the opportunity to submit this proposal for the youth center project.

We understand that the project involves the renovation of an existing 5,800 SF building with a new 4,150 SF gym addition and a new 1,000 GSF administration wing addition.

Our fee for cost estimating services is as follows:

SD Estimate: **\$4,500**

Thank you again for asking PM&C to submit a proposal on this project.

If this proposal is agreeable, please sign and send back to this office.

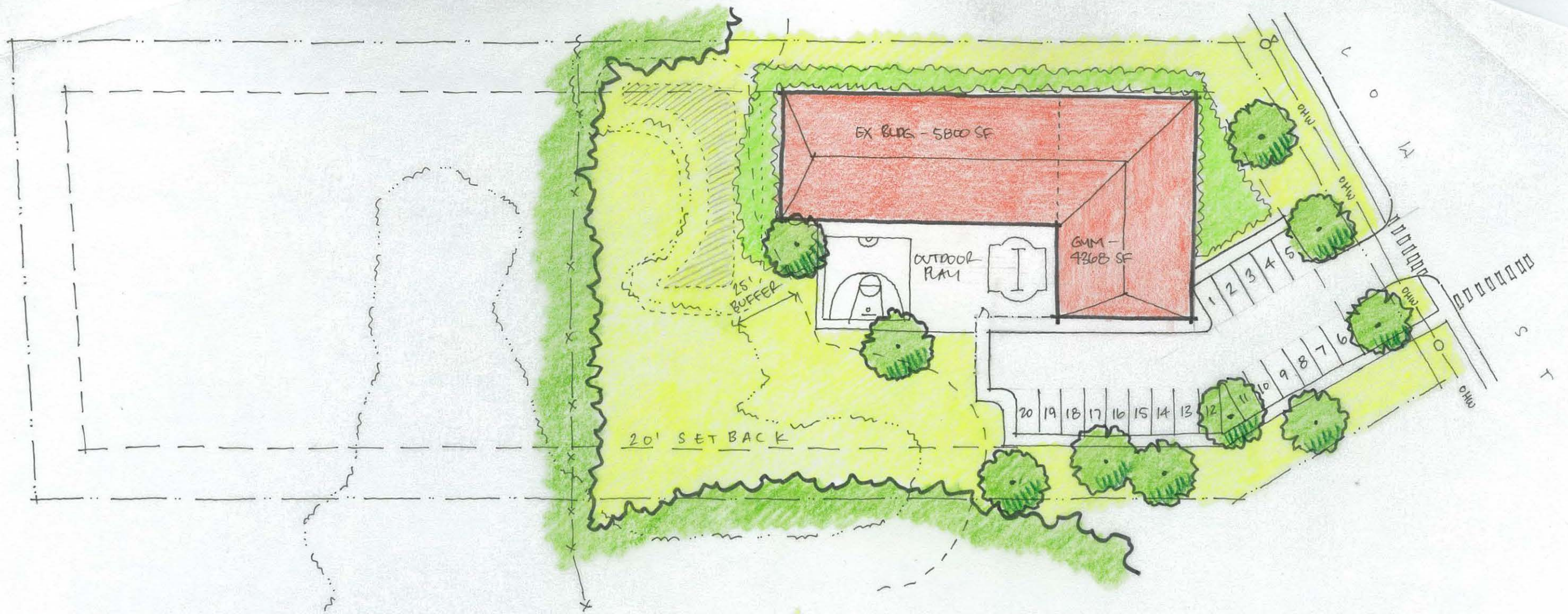
Sincerely,

Accepted By:

Peter Bradley BSC Q.S.; LEED AP
President

Name

Date



NOTES:

- 20' MIN SETBACKS INTACT
- 52' x 84' MODULAR GYM
- SURFACE DETENTION POND
- 1:500 SF PARKING - 20 SPACES
- NO ADDITIONAL ADMIN SPACE
- NO DROP-OFF
- ASSUMES ORIGINAL WETLAND DELINEATION

*2' BUFFER TO 15' FROM SF ADJACENT
 10' BUFFER TO 15' FROM ADJACENT*

59 LOW ST

OPTION A.

3-8-22

1"=40'

CITY OF NEWBURYPORT

**APPOINTMENTS
FIRST READING**



CITY OF NEWBURYPORT
OFFICE OF THE MAYOR
SEAN R. REARDON, MAYOR

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2022 APR -5 AM 8:00

60 PLEASANT STREET - P.O. BOX 550
NEWBURYPORT, MA 01950
978-465-4413 PHONE
MAYOR@CITYOFNEWBURYPORT.COM

To: President and Members of the City Council
From: Sean R. Reardon, Mayor
Date: April 5, 2022
Subject: Appointment

I hereby appoint, subject to your approval the following named individual as a member of the Council on Aging. This term will expire on April 29, 2027.

Marci Neville
16 Morin Road
Newburyport, MA 01950

Sean Reardon, Mayors Office

City Hall, 60 Pleasant Street

Newburyport MA 01950

Dear Mr. Reardon,

Through your social media post, I saw there was a need for volunteers for Newburyport Boards and Commissions. I am very interested in volunteering my time for the Council on Aging. While I have only lived in Newburyport for about 10 years, we have felt so lucky to have the opportunity to live here and do not take for granted how truly great this town is.

Just about 3 years ago, my parents did something they swore they would never do....leave NH (after 40 years) and move to Massachusetts, and here to Newburyport. It was after seeing this town through my husband Mark and I that they fell in love with it. Now in their 70's, renting a tiny apartment on Dove Street (after leaving a large home in NH), I have never seen them happier. Before Covid they took advantage of so much this town has to offer and they did so much in such a short amount of time before things started to shut down. I want to make sure other seniors have the opportunity for these experiences and to ensure there are programs and resources in place for seniors to do so.

We know the above would not be possible without the hard work of volunteers and many others. Now that I work remotely (I was commuting to Boston) I do feel like I have the time back in my life to finally be able to volunteer more. It is something I am passionate about and something I have always wanted to do.

While I do not have direct experience with seniors, I would love to learn, and I would be honored to become more involved in our community and to help out in any way I can. Please see my resume for more information. I do believe I have skills and experience that would be helpful to our town and to its seniors. Please let me know if you have any questions.

Thank you for your consideration,

Marci Neville

16 Morin Road

Newburyport

Marci Neville

Education University of Connecticut Storrs, Connecticut

Bachelor of Arts in Political Science

Professional Experience October 2011- Present

Mass General Brigham/MGH, Boston MA

Promotion to Senior Allied Health Staffing Specialist/Nurse Recruitment – below duties as Allied Health Staffing Specialist/Nurse Recruitment still performed as well

- Continue to act as point person in my manager's absence for all aspects of internal staff as well as temporary employees.
- Network and attend meetings to build stronger relationships with other Partners Affiliates
- As of 2017 meeting with Senior Leadership at B&W Hospital to create a temp RN pool as we have at MGH.
- Assisted in the creation of the new grad float pool, inpatient staffing at MGH
- Help Create new policies and procedures for our office.
- Covid Specific – Helped bring an in person office remote during a very busy hiring time, starting in March 2020 in which no previous remote hiring processes were in place
- Covid Specific – Helped Hire 60 RN's for emergency call centers set up during Covid
- Covid Specific – Helped Hire Staff for the Quality Inn Quarantine center in Revere (MA's, PA's, RN's and NP's)
- Covid Specific - Assisted in our office hiring 500 people in one month's period for the Hope Hospital at the Boston Convention Center.
- Covid Specific - Worked on Staffing Urgent Needs in MAB (Monoclonal Antibody) clinics and Blood Donor Services

September 2006- Present

MGB/MGH Human Resources - Boston, MA

Allied Health Staffing Specialist/Nurse Recruitment

- Responsible for full life cycle recruiting, sourcing, phone screening, interviewing, and hiring of Allied Health Professionals and Nurses.
- Work directly with Hiring Managers to identify candidates for open temporary positions
- Coordinate the placement of up to approximately 200 temporary employees into open temp jobs within all Partners Affiliates, constantly changing, agency like, very fast paced environment
- Implement Corrective Action policy/track when needed, warnings given up to termination
- Manage schedules for Medical Assistants as well as Registered Nurses by staffing them into open positions and shifts.
- Attend Job Fairs and networking events to assist with hiring temporary employees and promote our department.
- Responsible for ensuring fair pay rates by calculating hourly rates for temporary allied health staff using MGH pay scales
- Was on the 2008 Medical Assistant Training Committee to help implement a MA orientation to MGH which is still in place today.
- Act as primary contact at Bulfinch to assist with the Partners wide flu initiative to provide additional staffing of RN's during flu season. Staff flu shifts at MGH and Brigham and Womens
- Served on OFCCP Interview Note group to ensure all managers were obtaining and storing interview notes for all candidates to ensure compliance
- Responsible for maintaining and keeping accurate files for all Allied Health Staff to meet MGH's hiring guidelines
- Coordinate the hires of employees that the department has identified to work directly with them, Professional level

as well as additional research and clinical positions.

- Responsible for daily administrative tasks, for example assisting with payroll, staying on top of weekly reports due as well as other administrative work.

February 2005-September 2006 Interim Healthcare Staffing Boston, MA

Nurse Recruiter/Staffing Specialist

- Responsible for all recruiting, cold calling, hiring and orienting of Clinical staff including RN's, LPN's and Medical Assistants.
- For the past 9 months I have been the only person in our office acting as the primary contact for both our clients and employees, while continuing my previous role in business development..
- Directly manage 20 temporary employees while continuing to hire.
- Responsible for planning recruitment activities, attending networking events such as job fairs / conferences to promote brand awareness.
- Responsible for all scheduling needs, including on-call duties - I have been on-call 24 hours per day for the last 4 months.
- Responsible for all Human Resources functions.

Business Development Manager

- Hired to open the Interim Healthcare Staffing office, responsible for all aspects of sales activities (sole salesperson), built business from ground up – office was in a start up situation. Grew business from zero clients to thirty five clients within the first year.
- Directly responsible for opening, closing and maintaining all accounts, including large hospitals, doctors offices and community health centers. Calling on D.O.N's, Directors of HR and Senior Level Decision Makers.
- During 2006 I consistently brought in \$20,000-\$30,000 of new business each week, totaling over 1 million in business for the first half of 2006, my goal was 1.2 million for the year, set by the Senior Director of Business Development.
- For the past 9 months while the office has been in transition I acted as the recruiter, staffing specialist, scheduler and sales person.

June 2003 - Feb 2005 Medical Records Institute Boston, MA

Sales Representative

- Directly responsible for sales (inside and outside) of corporate sponsorships and exhibit space for three annual Healthcare Technology industry events both nationally and internationally
- Directly opened, closed and managed over 150 client accounts
- Developed clients internationally to build awareness of MRI's services
- Sponsorship Proposal creation for large client accounts, created new sponsorship packages on a quarterly basis.
- Consistently exceed monthly sales quota and received two promotions, within first year of employment
- Responsible for lead generation and "cold-calling"
- Worked directly with high level decision makers within the Health IT vending community
- Traveled to competing events to promote the Medical Records Institute trades shows and conferences
- Onsite Account Management of over 175 client accounts

June 2002-June 2003 Remington International Boston, MA

IT Recruiter

- Generated leads, opened, maintained and closed accounts directly with Information Technology hiring managers
- Worked directly with hiring managers to place qualified senior systems administrators and network engineers into full-time positions
- Acted as point person and direct contact for all aspects of the sales cycle on both managers and candidates side
- Extensive experience on maintaining and closing business relationships.
- Exceeded one hundred cold calls per day
- Received distinction of highest biller nation wide for all employees under six months
- Responsible for recruiting Senior Level Technologists to fill the positions I generated, ran my own desk.

Computer Programs Microsoft Word, Microsoft Excel, and Microsoft Power Point, EBMS, Sales Net, Act, Arête, Peoplesoft, Access, Kronos, Survey Monkey, Skill Survey, HireRight, Taleo, OnBase

Volunteer – Newburyport Education Foundation – Volunteered on Donation Committee to obtain donations from Business in the town of Newburyport – Fall/Winter 2021

University Of Connecticut Women's Rugby (Div.1) May 97-May01 -Held Leadership roles such as President and Co-Captain



CITY OF NEWBURYPORT RECEIVED
OFFICE OF THE MAYOR CITY CLERK'S OFFICE
SEAN R. REARDON, MAYOR NEWBURYPORT, MA

2022 APR -5 AM 8:00

60 PLEASANT STREET - P.O. BOX 550
NEWBURYPORT, MA 01950
978-465-4413 PHONE
MAYOR@CITYOFNEWBURYPORT.COM

To: President and Members of the City Council
From: Sean R. Reardon, Mayor
Date: April 4, 2022
Subject: Appointment

I hereby appoint, subject to your approval, the following named individual as a member of the Emma L. Andrews Branch Library Commission. This term will expire on April 29, 2023.

Jeanette Isabella
100 Water Street
Newburyport, MA 01950

100 Water Street
Newburyport, MA 01950
March 10, 2022

Sean Reardon, Mayor
Newburyport City Hall
Newburyport, MA 01950

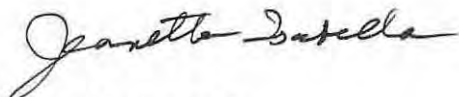
Dear Mayor Reardon,

It has come to my attention that, with the resignation of Donna Conway from the Emma Andrews Library Commission, there is an opening on the Commission. I am writing you to express my desire to be placed in that position.

As a 37 year Newburyport resident and business owner, I have (and continue to) volunteered in many community projects and entities over the years. One such is as a long-time (and current) member of the Emma Andrews Library Association. I have also been an active volunteer and monetary donor to our beloved Emma. As a matter of interest in the Emma, (and being completely unaware of the possibility of an opening) I attend Commission meetings. I do so because I am interested in knowing how the Commission's responsibilities come to fruition through the interaction and guidance it has from the City.

I don't know what you might want from me in order for you to consider my application, but I would be happy to furnish you with the names of boards, committees, etc. on which I have served. References would be provided as well. That said, I would particularly enjoy meeting with you to introduce myself so that you can determine whether or not you would consider me to be a good fit for the Commission. I can be reached at 786-246-2422 or at redchair123@comcast.net.

Sincerely,



Jeanette Isabella

Jeanette Isabella
100 Water Street
Newburyport, MA 01950



tedchair123@comcast.net 786-246-2422

Education:

Lesley University, Cambridge, MA
BA: Human Development

*Can't under
rattle
Expects to make
some money*

Employment /Business Experience:

Harvard University Printing Office
MA Institute of Technology
Slenderizers, Newburyport
Life Coach, Newburyport
Author: *Someday is Here!*

Print Jobs Coordinator
Administered Theatre and Dance Programs
Owned & Operated an Exercise Facility
Worked with clients to achieve their goals
30 days of motivational success planning

Volunteer/Community Experience:

Actors Studio
Custom House Maritime Museum
Emma Andrews Library
Gr. Newburyport Village
Gr. Newburyport Ovarian Cancer
Newburyport Bank
Newburyport Senior Center
Salisbury Council on Aging

Past President, Board of Directors
Established an Art Conservation Fund
Association Member/ Volunteer
Past Member, Member Care Team
Volunteer/Lantern Festival, Bartlet Mall
Past Corporator (10 year term)
Proof reader: Bi-monthly Newsletter
President, Friends

References:

Debra Green, Business Owner
978-225-6700

Greeting by Design
6 Market Square, Newburyport

Elizabeth Valeriani
978-465-0715

28 Oak Street, Newburyport
Commission Mbr., Emma Andrews Library

Alfred Cox
978-992-1409

28 Purchase Street, #6, Newburyport
Newburyport Resident/Long-time Friend



CITY OF NEWBURYPORT

OFFICE OF THE MAYOR
SEAN R. REARDON, MAYOR

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

60 PLEASANT STREET - P.O. Box 550
NEWBURYPORT, MA 01950
978-465-4413 PHONE
MAYOR@CITYOFNEWBURYPORT.COM

2022 APR -5 AM 8:00

To: President and Members of the City Council
From: Sean R. Reardon, Mayor
Date: April 4, 2022
Subject: Appointment

I hereby appoint, subject to your approval, the following named individual as a member of the Trust Fund Commission. This term will expire on April 15, 2025.

Rebecca Regnet
25 Barton Street, Unit 1
Newburyport, MA 01950

Dear Christine,

This email and my attached resume indicate my interest in a volunteer Board position for the Board of Registrars in Newburyport, MA.

I am a new resident in the city, residing at 25 Barton St., Unit 1 having arrived here January 1, 2021. My current community activities include:

- Friends of William Lloyd Garrison. I was a committee member last year and now am the 2022 chairperson of the third annual lecture series to be presented at Old South Presbyterian on December 10;
- Founder of the Diversity, Equity and Inclusion Book Group that meets monthly at the Newburyport Public Library. This is a collaboration of community, church and Newburyport Bank employees who have an interest in reading and learning more about diversity.
- New member of the Saturday morning women's walking club. 6-8 women who meet at 6 AM on Saturday mornings and walk in Newburyport, Newbury, Amesbury and Salisbury trails.

The reason for my interest in the Board of Registrars stems from the 2020 national elections. I worked as an unpaid, part-time volunteer during the pandemic for my local Board of Elections in Sandusky, OH. At a time when I was unable to travel for my consulting business, I could contribute in my local communities to support a fair and free election. I was honored to work with dedicated employees and volunteers. I was also able to see firsthand how carefully they all, regardless of party affiliation, protected our democracy.

Rebecca Regnet
EVP, Chief Talent Officer

REBECCA OELTJENBRUN\$ REGNET

25 Barton St., Unit 1, Newburyport, MA 01950

Email Address: rebecca@cf-pm.com

Cell: (978) 895-7340

PROFESSIONAL PROFILE

Improving a company's bottom line requires attention to programs that improve the customer experience and engage the employee in the company's vision, mission, and core values. As a management consultant and coach with executive experience, I challenge leaders to create behavior and cultural change, nudging employees outside their comfort zone with practical ideas and tools. The work I do in the classroom and in the boardroom helps teams and individuals meet company sales goals, satisfaction standards, and retention objectives.

- ✓ Development of high performing teams
- ✓ Client loyalty programs
- ✓ Management, sales, product training
- ✓ Public speaking and presentations
- ✓ Strategic planning and execution
- ✓ Revenue growth strategies

PROFESSIONAL ACHIEVEMENTS

Newburyport Bank

2021 - Present

EVP, Chief Talent Officer

- Responsible for development of human capital and succession planning for leadership team and board of directors.
- Lead Retail Banking, Marketing, Learning and Development and Human Resources Departments.

Center for Practical Management

2011 - 2022

Owner and President

- Consult with organizations to maximize the potential of their existing staff.
- Facilitate and train managers, and sales and service personnel to deepen customer relationships.
- Develop and deploy performance management programs, curriculum and tools (behavioral job descriptions, activity trackers, self assessments, etc.) so that managing people becomes a repeatable system of activities.
- Coach senior leaders to more effectively clarify expectations, observe behaviors, and provide balanced feedback to drive improved performance.
- Collaborate with senior leaders on strategic initiatives, communication and marketing plans, resource alignment, process improvement opportunities, etc. by facilitating brainstorming sessions and developing action plans.
- Manage client engagements from beginning of sales process through contract renewal, achieving a 95% renewal rate for existing client relationships.
- Responsible for business development and marketing efforts, including sales support for channel partner.

Brink's Incorporated, Coppell, TX

2009

Vice President Sales – Financial Institution Market

- Coached and managed team of ten Brinks sales professionals responsible for 150 financial institutions, focusing on customer satisfaction, value delivery and cross selling to Tier I, II and III banks and credit unions.

Business Efficacy, Inc., Minneapolis, MN

2004 - 2008

Senior Sales Consultant (future ownership planned)

- Delivered sales engineering solutions (sales process design, management coaching practices, sales training programs) and sales execution solutions (workshop facilitation, executive coaching, toolkits, etc.) to clients including: Wells Fargo, Citizens/Charter One (RBS), ABN-AMRO (LaSalle Bank), Thrivent Financial Services and Brinks, Inc.
- Achieved 100% of target sales result measure desired (number of referrals, percentage of sales professionals hitting target goals, pipeline growth, etc.) in all assigned projects, typically in 90 days or less.

Fiserv CBS Worldwide, Lake Mary, FL

2002 - 2004

National Director, Sales Support, Consulting and Marketing

- Hired, coached and managed high performing sales support team that assisted in closing eight new business deals in 2002, exceeding any one year in CBS USA history and in achieving 130% of cross sell quota in existing client base.
- Managed and directed Fiserv CBS Worldwide corporate marketing activities and a profitable and effective training and consulting business.

Metavante Corporation (f.k.a. M&I Data Services), Milwaukee, WI

1999 - 2002

Regional Sales Manager; Director of Strategic Alliances

- Managed client base of 65 financial organizations core outsourcing processing functions to Metavante. Executed strategic relationship management with direct reporting responsibility for team of ten account executives. Met cross sell objectives in first year of position (2000), attaining 200% of goal.
- Developed Metavante Business Win Review, leading to retention of 100% of financial institution customers in three-year period and designed Showcase Account Program to leverage client relationships to win more prospects and strengthen client loyalty.
- Designed strategic alliance program to acquire and manage additional revenue source and sales channels.

Bankers Systems, Inc., St. Cloud, MN

1993 - 1999

Director Sales Training; Product Manager; Product Development Attorney

- Managed sales training, coaching and development function for sales organization of 150 inside and outside sales representatives plus customer support, and sales management teams. Acted as product owner. Served as development attorney.
- Managed \$10 million deposit product line at Bankers Systems, including preprinted documents and software. Created advertising and promotional materials to support product line. Implemented process and product improvements based on market research to generate revenue increases of 18% during first year.
- Researched, developed, and market-tested deposit and lending product line for credit unions, achieving increased credit union sales from \$800,000 in 1993 to \$6 million in 1994.

EDUCATION

Juris Doctorate, cum laude
B.A., Graphic Design

William Mitchell College of Law
Iowa State University



CITY OF NEWBURYPORT
OFFICE OF THE MAYOR
SEAN R. REARDON, MAYOR

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2022 APR -5 AM 8:00

60 PLEASANT STREET - P.O. BOX 550
NEWBURYPORT, MA 01950
978-465-4413 PHONE
MAYOR@CITYOFNEWBURYPORT.COM

To: President and Members of the City Council
From: Sean R. Reardon, Mayor
Date: April 5, 2022
Re: Appointment

I hereby appoint, subject to your approval, the following
named individual as a member of the Parks Commission.
This term shall expire on April 29, 2027.

Nicole (Niki) Whelan
12 Lafayette Street
Newburyport, MA 01950

Mayor Sean Reardon
City of Newburyport
60 Pleasant St.
Newburyport,
MA 01950

Yes

(Parks)

Re: Serving on the Parks Commission

Dear Mayor Reardon,

I reached out to Kim Turner about a year ago to express my interest in joining the Newburyport Parks Commission, but at that time there was not a vacancy. She reached out to me last week to inform me of a current vacancy, and so I am writing to express my interest. I am a public school teacher, a life-long resident of Newburyport, and have a deep appreciation for public service and preserving and enhancing our amazing public parks in Newburyport.

I am a gardener and feel fortunate to live on the same property as my mother. We share gardening joys and struggles. And I have kids in town so I feel I bring a unique perspective of considering the older and younger generations simultaneously. I have also done some diversity and racial equity work and I'd be interested in how we can improve access for all in our city.

I believe my skill set to be complementary to the Commission. I very much look forward to hearing from you. Please do not hesitate to contact me with any questions or concerns.

Sincerely,



Niki Whelan

email
Sent on 3/23

NICOLE WHELAN

12 Lafayette Street, Newburyport, MA 01950
nwhelanpavao@yahoo.com, 617.694.9927

EXPERIENCE

- 2002-present **Curtis Guild Elementary, East Boston, MA**
Data Team, Universal Design for Learning Team, School Site Council
Math Leadership Team, Instructional Leadership Team,
Lighthouse Team Facilitator, Math Facilitator/Lead Teacher
- 2008-present **Teacher, 4th Inclusion (SEI, Gen Ed.)**
- teach/have taught *Everyday Math, Engage NY Math, Investigations, Reading Street, Expeditionary Learning, Writers' Express, Writers' Workshop, History Alive*, as well as plan and implement supplemental lessons as needed to meet Massachusetts/Common Core State standards
 - design lessons for whole-group and small group with attention to needs of individual learners.
- 2002 - 2008 **Theater/Arts Teacher**
- created performances for all grade levels while guiding children to create props and choreography
 - designed and implemented the visual art curriculum for grades K-5
 - created lessons that incorporate literacy, motor-skill development and math skills
- 2002 - 2006 **Henderson Elementary School (formerly O' Hearn School), Dorchester, MA**
Arts Specialist
- created art lessons for grades K-0 through 5
 - served as Art Director for school performances; painting sets and creating props
 - created accommodated lessons for students with moderate to severe disabilities in inclusion setting
- 2004-2010 **Visual Thinking Strategies (Museum of Fine Arts), Boston, MA**
Site Coordinator
- trained to guide student conversations when viewing fine art as well as train teachers in the process.

EDUCATION & LICENSURE

- 2002 - 2004 **Lesley University, Cambridge, MA**
Masters of Education (Pre K-8)
- professional licensure, Visual Arts, PreK-8
 - initial licensure; Elementary, 1-6;
 - initial licensure; **English as a Second Language**, PreK-12
 - initial licensure; **Moderate Disabilities**, K-6 (pending completion of course work 6/15)
- 1994 - 1998 **William Smith College, Geneva, NY**
Bachelor of Arts: Studio Art, Writing (Independent) Dean's List: 1994, 1996, 1998
- Study Abroad: Advanced Studies in England/University College, Oxford, Bath, England, 1996

VOLUNTEER, RECOGNITION & CONTACT WORK

- 2010-2013 **Board of Educators, Museum of Fine Arts, Board Member**
- work with other educators from various districts to promote and develop educational connections between schools and the museum
- 2010-2018 **Frederick Sontag Prize for Urban Education, Award Winner (2010-2018)**
- awarded by Harvard Business School, Harvard Graduate School of Education and Boston Public Schools to share effective teaching strategies and conduct lessons during Acceleration Academics to prepare students for MCAS
- 2012 **Boston Public Schools Math Workgroups, Grade 4 Team member**

- co-wrote the Scope and Sequence for Boston Public Schools to connect current curriculum to new Common Core State Standards

Summer 2012 **Consultant for the Writers Express Curriculum, Cambridge, MA**

- Advised curriculum developers regarding adaptations and accommodations for English Language Learners and students with special needs



CITY OF NEWBURYPORT
OFFICE OF THE MAYOR
SEAN R. REARDON, MAYOR

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2022 APR -5 PM 4:11

60 PLEASANT STREET - P.O. BOX 550
NEWBURYPORT, MA 01950
978-465-4413 PHONE
MAYOR@CITYOFNEWBURYPORT.COM

To: President and Members of the City Council
From: Sean R. Reardon, Mayor
Date: April 5, 2022
Subject: Appointment

I hereby appoint, subject to your approval, the following named individual as a member of the Cultural Council. This term will expire on April 29, 2025.

George Araneo
19 Essex Street, #4
Newburyport, MA 01950

Hello Ms. Jackson,

How are you? I am interested in a volunteer position with the Newburyport Cultural Council.

Having been out of the day to day work world for awhile now I have nothing close to a current resume. So, hoping this note will suffice as my cover letter and resume.

I moved to town almost four years ago from downtown Boston and fell in love with Newburyport on the day I arrived. Feeling the strong sense of community I jumped right in hoping to make a contribution.

Today, I am on the Steering Committee of the Newburyport Documentary Film Festival. I am also a member of the Newburyport Art Association and the Firehouse Center for the Arts. I contribute to The Screening Room beyond simply buying tickets.

I spent the last twenty years of my work life as an independent film producer. You can learn more about my film work here; www.lifeskillsproductions.com. As part of my film career I was a producer for the PBS television series Visionaries.

Prior to attending film school, in my early forties, I was a corporate sales person for 15 years. Eleven of those years were spent as a television account executive, or, one who sells television advertising.

My film education journey brought me to Boston, from Denver, 22 years ago to attend Suffolk University. There I received a masters degree in Philanthropy and Media.

I live downtown and look forward to more opportunities to contribute to our vibrant cultural scene. I would welcome a position with the Newburyport Cultural Council!

Thanks,
George Araneo
19 Essex St., #4
617-710-6732

Life Skills Productions

powerful storytelling for positive change

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- [About](#)
- [the Team](#)
- [the Work](#)
- [Testimonials](#)
- [Short Essays](#)
- [Contact Us](#)

The Team:



"Unity is strength, when there is teamwork and collaboration, wonderful things can be achieved." -- Mattie Stepanek (1990-2004) American Teenage Poet

Each of us work as independent media production professionals who share a passion for using the moving image to make a difference. Over the years, we have come together in various combinations to produce the films listed on the Work page.

We met each other through our work on the award winning PBS series Visionaries. Visionaries presents the stories of social impact organizations around the world and is hosted by actor Sam Waterston.

George Araneo

Producer/Director



George spent five years producing for the award-winning public television series Visionaries. He has produced shows on such diverse subjects as mental health, Alaskan wilderness, addiction, urban renewal, education, and entrepreneurship in the



developing world. Prior to attending film school, he worked for 11 years in broadcast television as an account executive for the ABC and CBS affiliates in Denver, Colorado. He has a masters degree in Media and Nonprofit Management from Suffolk University.

Aleksandar Lekic

Editor, Camera, Director



Aleksandar has been an all-around video production person for the past 14 years. As a producer/videographer/editor, he has focused on documentary profiles of several non-profit organizations that have done good work around the globe. His documentary shorts have appeared on PBS, WorldlinkTV, as well as on Serbian national television. Aleksandar has also edited and co-produced short fiction films for the LA-based film company, Anima Films.

Kelly Doran

Location Sound Recordist

Kelly has recorded audio for over 20 years. She works on movies, television, documentaries, commercials, and music recording. She's dealt with a variety of situations, from recording dialogue on a multi-million dollar film to capturing the sounds of rush hour traffic in Delhi, India. The challenge of each different experience is the reward, and the accurate recreation of each sound is always her goal. Kelly has a fascination with sound, music and dialogue. She is always amazed at the subtle ways in which what we hear affects us. She loves to capture those created emotions and allow them to tell different stories.

© 2022 Life Skills Productions [admin@lifeskillsproductions.com](http://www.lifeskillsproductions.com/index.php?page=about&family=team)

END OF CONSENT AGENDA

BEGINNING OF REGULAR AGENDA

ORDERS

CITY OF NEWBURYPORT



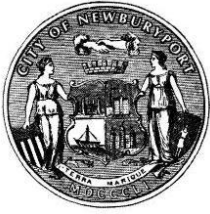
IN CITY COUNCIL

ORDERED:

April 11, 2022

THAT, the City Council of the City of Newburyport adopts the FY2023-2027 Capital Improvement Program, as submitted by Mayor Reardon on March 31, 2022 and amended by the City Council.

Councillor Sharif I. Zeid



CITY OF NEWBURYPORT
OFFICE OF THE MAYOR
SEAN R. REARDON, MAYOR

To: President and Members of the City Council
From: Mayor Sean R. Reardon
Date: March 31, 2022
Subject: FY23-27 Capital Improvement Program

In accordance with Section 6-5 of the Charter, which requires the submission of a capital improvement plan to the City Council by April 1 of each year, I am pleased to submit an updated Capital Improvement Program (CIP) for Fiscal Years 2023 through 2027.

The CIP can be viewed at: <https://www.cityofnewburyport.com/fy23-27cip>

This year's CIP continues the good practice from the previous administration of incorporating the capital needs of all City Departments with a practical funding plan for each year of the program. The Mayor's Office and the Finance Director worked with Department Heads to identify, update, and refine their capital needs for FY2023 through FY2027. There has been considerable discussion about how best to accomplish the City's capital goals while remaining mindful of limited financial resources and fiscal policies.

The Mayor's office also used this opportunity to further refine my strategic plan, which highlights the key objectives and strategic priorities of my administration. We will discuss this plan further in the coming weeks, but it consists of four principal objectives, which are 1) Secure and invest in the City's infrastructure; 2) Provide high quality public services; 3) Guide the future development of the City; and 4) Lead in building a collaborative and engaged city. The Mayor's office made sure that all projects recommended for approval fit within the strategic plan and would keep the City in excellent fiscal condition.

I extend my sincere appreciation to the department heads, staff, and everyone else who has put time into this document so that we can better plan for the future of our capital assets. We will continue finding ways to be more strategic in this process, and with the addition of our Capital Facilities Plan and Strategic Plan, we will have a wider lens on what needs to be accomplished to set the City on the right course.

I urge all members of the public to review the plan, and I look forward to working with you through the public hearing and adoption process as specified in the Charter.

Thank you for your consideration.

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

April 11, 2022

AN ORDER TO AUTHORIZE THE AGREEMENT BY AND BETWEEN THE CITY AND NORTH OF BOSTON MEDIA GROUP RELATING TO THE MANAGEMENT OF A PARKING LOT

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

THAT the City Council of the City of Newburyport hereby approves the terms and conditions contained in the attachment "A" with respect to the parking lot located at 23 Liberty Street, Newburyport containing more or less 23 parking spaces.

FURTHER the City Council authorizes the Parking Clerk to negotiate the final written contract containing substantially the aforementioned terms and conditions and authorizes the Mayor to execute this same contract.

Councillor James J. McCauley

“A”

Proposal for the Lease of the Daily News Lot

Date: April 4, 2022

To: Bob Reneson, Operations Director, North of Boston Media Group.

From: Richard B. Jones, Parking Clerk, City of Newburyport

The City of Newburyport (“City”) by and through its Parking Department proposes to lease the parking lot from North of Boston Media Group (“Daily News”) located at 23 Liberty Street, Newburyport containing more or less 25 parking spaces and operate the same as a parking lot within its existing system.

- Term: Two (2) years with Two (2) year possible renewal
- Condition: Thirty (30) day unilateral notice of termination
- Snow removal: City provides snow removal
- Maintenance: City will clean and maintain the lot
- Consideration: City will pay to the Daily News the amount of \$3,000/mo
- Enforcement: City will monitor lot with parking officers on foot patrol and LPR vehicle.
- Kiosk: City will install one Solar-powered Kiosk
- Collection: City will provide timely collection from the Kiosk
- Signage: City will install necessary signage on and about lot.
- Methods of Payment: City will offer the following methods of payment: cash/credit card/pay-by-phone.
- Insurance: City will provide certificate of insurance
- Daily News Spaces: City will provide digital permits per license plate for up to thirteen (13) employees’ vehicle and set aside three marked parking spaces for Daily News employees. Of the 13 people, 8 are in the lot most days, the others work from home and rarely come to the office. During the daytime hours there would be the most overlap. Below is a snapshot of a typical day.

2 Circulation (delivery) 4am and leave before 10am

2 Reporters 8am-5pm

1 Reporter 2pm-Midnight

1 Editor (Lisa) 10am-7pm

2 Advertising Sales 8am - 5pm

Most are in and out all day depending on what they are reporting or selling. Also, the News doesn’t publish on Tuesdays and Saturdays so Mondays and Fridays the lot should be pretty empty, with the exception of the delivery folks early in the morning.

There will be curtesy digital permits given to the G.M, Publisher, Maintenance, Director of Operations.

- Subject to: Contract needs to be approved by City Council

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

April 11, 2022

Newburyport City Council Resolution in Support of the Fair Share Amendment

WHEREAS, the best way to help working families and build a strong economy for all is to make sure that we have quality public schools for our children, affordable public higher education, and a reliable transportation system; and

WHEREAS, as we recover from the pandemic and in the future, new state revenue is necessary to improve our public schools and pre-K programs; rebuild crumbling roads, bridges, sidewalks, and bike paths; make high-quality public higher education affordable; and invest in fast and reliable public transportation; and

WHEREAS, student mental health concerns are on the rise, requiring schools to expend more resources ensuring the well-being of all students; and

WHEREAS, the numbers of students receiving special education services is growing, requiring schools to expend more resources ensuring all children can access the curriculum; and

WHEREAS, major investments in public education are needed to help students recover academically, socially, and emotionally from the COVID-19 pandemic; and

WHEREAS, tuitions and fees at our public colleges are among the highest in the country, forcing students to take on enormous debt just to receive a degree; and

WHEREAS, the City of Newburyport's Capital Improvement Program projects \$16,405,947 in capital expenditures for schools over the next five years; and

WHEREAS, the disrepair of Newburyport's streets and sidewalk is of concern to our residents and the City of Newburyport's Capital Improvement Program projects \$14,309,000 in capital expenditures for road and sidewalk repairs over the next five years; and

WHEREAS, the Massachusetts Department of Revenue estimated in 2019 that the tax increase would generate \$1.9 billion of new revenue and affect just half of one percent of all filers; and

WHEREAS, in June 2021, with a vote of 159 in favor to 41 opposed, the Legislature's Constitutional Convention voted to place the Fair Share Amendment on the November 2022 statewide ballot, where it is now set to be decided on by the voters; and

THEREFORE, be resolved that the Newburyport City Council supports the proposed Fair Share Amendment that would create an additional tax of four percentage points on annual income above one million dollars and dedicate the funds raised by this tax to quality public education, affordable public colleges and universities, and for the repair and maintenance of roads, bridges, and public transportation.

Respectfully submitted,

Councillor Edward C. Cameron Jr.

Councillor Jennie L. Donahue

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

April 11, 2022

WHEREAS, a photovoltaic solar electric generating facility has been proposed by a Developer, BWC Artichoke Reservoir, LLC, to be constructed on privately-owned property consisting of approximately 6.75 acres of land located at 36 Colby Farm Lane, Newburyport, MA, 01950, as more particularly shown on Assessor's Map 99, Lot 3, and more commonly known as the "Landfill";

WHEREAS, clause 45 of M.G.L. c. 59, § 5, as affected by Sections 61 and 63 of Chapter 8 of 2021 ("An Act Creating a Next-Generation Roadmap for Massachusetts Climate Policy"), allows cities and towns to enter into an agreement for payments in lieu of taxes (PILOT) with the owner of a solar or wind powered system or energy storage system, or a combination of the same;

WHEREAS, it may be in the best interests of the City and the Developer to enter into an agreement fixing the payments that will be made with respect to all taxable property incorporated within the project for the term of the agreement; and

WHEREAS, if a PILOT agreement is desired, the municipality is required to act through "its authorized officer," which is one given authority by the municipality's legislative body to negotiate the PILOT agreement, to include the chief executive officer (CEO) of the municipality (selectboard, mayor or manager), or some other combination of municipal officer or officers;

NOW, THEREFORE BE IT ORDERED, THAT, the City Council of the City of Newburyport hereby authorizes the Mayor, acting with the Assessor, Finance Director and Sustainability Director, to negotiate a PILOT agreement with BWC Artichoke Reservoir, LLC, subject to further approval by the City Council prior to executing said agreement.

Councillor James J. McCauley

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

April 11, 2022

That the City Council appropriate from the Community Preservation Act Community Preservation Fund Balance, in accordance with the provisions of M.G.L. Chapter 44B, additional funding for the following FY2020 project, based upon the Community Preservation Committee's recommendation. The source of funds shall be the Community Preservation Fund Balance. Said appropriation shall be considered a separate appropriation or reservation in the amount indicated [below]:

Project No.	Project Title	Applicant	Request	Recommendation
5	<u>Bartlet Mall Historic Restoration-Walkway Improvements</u>	Newburyport Parks Department & Newburyport Parks Commission	\$51,000	\$51,000

Councillor Sharif I. Zeid

NEWBURYPORT COMMUNITY PRESERVATION COMMITTEE
Supplemental Recommendation for FY20 Appropriations
(Bartlet Mall Historic Restoration – Walkway Improvements)

The Newburyport Community Preservation Committee recommends that the City Council appropriate from the Community Preservation Fund Balance additional funding for the following listed FY20 project(s):

- **FY2020: Project 5:** Bartlet Mall Historic Restoration – Walkway Improvements

This supplemental funding is subject to the terms and conditions set forth in the 2019 signed Grant Agreement. Applications for all projects are available for review in the Office of Planning & Development.

Respectfully submitted by:

Community Preservation Committee Members

Michael Dissette, Chair	Jane Healey, Vice Chair
Mark Rosen	Paul Healy
Tom O'Brien	Don Walters
Don Little	Joe Morgan
Charles Griffin	

PROJECT NO. 5
Bartlet Mall Historic Restoration – Walkway Improvements

The CPC recommends the appropriation of an additional \$51,000 from the Community Preservation Fund Balance to the Newburyport Parks Department and Newburyport Parks Commission for the Bartlet Mall Historic Restoration – Walkway Improvements Project.

The CPA category for this appropriation is Historic Preservation.

Project Summary:

The Newburyport Parks Department and Newburyport Parks Commission have submitted a supplemental funding application for the Bartlet Mall Historic Restoration – Walkway Improvements Project to fund the balance needed for a contract to replace the Bartlet Mall walkway that stretches along Pond Street from Greenleaf Street to High Street. The original budget estimate, which was funded by CPC in 2020, was \$83,000. This estimate was based on a portion of the work being performed in-house. The Parks Department reports that the ability to perform this work in-house is no longer feasible, and contractor costs have risen resulting in higher overall project cost. The Parks Department recently completed a sealed bid for this project. The lowest bidder offered \$121,658.42, leaving an unfunded difference of \$38,658.42. The Parks Department has added a 10% project contingency of \$12,165.84 to the project budget giving the Parks Department a total balance needed of just under \$51,000.

The CPC voted at the meeting of 4/7/22 to recommend the appropriation of an additional \$51,000 from the Community Preservation Fund Balance.

CITY OF NEWBURYPORT



 IN CITY COUNCIL

September 30, 2019

ORDERED:

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

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

10	Riverfront Trail Gap Project/Clipper City Rail Trail Phase 2	Newburyport Planning Office	\$250,000	\$250,000
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Total: \$1,926,078 \$1,100,333

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

**Total: \$150,470
\$147,620**

Charles F. Tontar

Councillor Charles F. Tontar

In City Council August 19, 2019:

Motion to divide by Councillor Tontar, seconded by Councillor Zeid. Roll call vote, 11 yes. Motion passed. Motion to approve Project No. 2/Kelleher Gardens Siding Project by Councillor Tontar, seconded by Councillor Zeid. So voted (1 present – OBrien). Motion to approve Project No. 3/Gateway Trees 2 by Councillor Tontar, seconded by Councillor Zeid. So voted. Motion to approve Project No. 5/Bartlet Mall Historic Restoration – Walkway Improvements by Councillor Tontar, seconded by Councillor OBrien. So voted (1 no – Zeid). Motion to approve Project No. 8/Open Space Reserve Fund by Councillor Tontar, seconded by Councillor Zeid. So voted. Motion to approve Project No. 10/Riverfront Trail Gap Project – Clipper City Rail Trail Phase 2 by Councillor Tontar, seconded by Councillor Zeid. So voted. Motion to approve Project No. 11/NHS Stadium Bond Payment, Project No. 12/Cherry Hill Soccer Field Bond Payment, and Project No. 13/Administrative Costs, collectively in the amount of \$147,620, by Councillor Tontar, seconded by Councillor Zeid. So voted.

In City Council September 9, 2019:

Motion to remove from Budget & Finance by Councillor Tontar, seconded by Councillor Zeid. So voted. Motion to divide by Councillor Tontar, seconded by Councillor Zeid. So voted. Motion to approve Project No. 1/NHS Exterior Woodwork Restoration Phase 3 by Councillor Tontar, seconded by Councillor Zeid. So voted. Motion to approve Project No. 4/Cushing House Electrical System by Councillor Tontar, seconded by Councillor Zeid. So voted. Motion to amend Project No. 6/Custom House Maritime Museum: Interior Climate Control Systems Upgrade to read as follows: “The applicant shall finalize, execute and record a new permanent Preservation Restriction {PR} on the entire exterior facade of the structure. The applicant shall consult and obtain approval from the Newburyport Historical Commission {NHC} regarding the scope and details of said PR, prior to execution and recording. If the applicant believes an existing PR for this structure meets these requirements, it shall obtain a written opinion from the Newburyport Historical Commission {NHC} that the scope and details of said PR are adequate in light of this project and that no amendments or additions to said PR are necessary. ~~If the NHC determines~~

~~that amendments or additions to the existing PR are necessary;~~ The applicant shall finalize, execute and record an update to said PR ~~accordingly~~. These requirements shall be met before any funds are distributed to the applicant.” by Councillor Tontar, seconded by Councillor Khan. So voted. Motion to approve Project No. 6/Custom House Maritime Museum: Interior Climate Control Systems Upgrade by Councillor Tontar, seconded by Councillor Khan. So voted. Motion to approve Project No. 7/NHS Exterior Woodwork Restoration Phase 4 by Councillor Tontar, seconded by Councillor Zeid. So voted.

In City Council September 30, 2019:

Project No. 9 held in committee.

Motion to refer ORDR132_07_15_19, ORDR136_08_19_19, COMM189_09_09_19, collectively, to Budget & Finance by Councillor Tontar, seconded by Councillor Vogel. So voted

Approve: Donna D. Holaday
Donna D. Holaday, Mayor

Attest: Richard B. Jones
Richard B. Jones, City Clerk

Date: 7/2/2020

Approve:
Date:

Attest:

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

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

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

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

Attached are:

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

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

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

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

Respectfully submitted by:

Community Preservation Committee Members

Michael Dissette, Chair
Mark Rosen
Daniel Koen
Don Little
Karen Popken

Jane Healey, Vice Chair
Paul Healy
Don Walters
Ronald Ziemba

PROJECT NO. 1
NHS EXTERIOR WOODWORK RESTORATION PHASE 3

The CPC recommends the appropriation of \$110,903 from the FY 2020 Estimated Revenues to the Newburyport Public Schools for the continuation of the NHS Phase 3 exterior woodwork restoration project with the following condition:

- The applicant shall finalize, execute and record a permanent Preservation Restriction (PR) on the entire exterior façade of the structure. The applicant shall consult and obtain approval from the Newburyport Historical Commission (NHC) regarding the scope and details of said PR, prior to execution and recording.

The CPA category is Historic Preservation.

Project Summary: This application is a continuation of Phase 3 of this project and will focus on the rehabilitation of the cupola. Age and exposure to weather have caused a variety of issues with the exterior woodwork, necessitating a well-planned historic restoration guided by The Secretary of the Interior's Standard for Rehabilitation and Guidelines for Rehabilitating Historic Buildings. The applicant is nearing completion of the required Preservation Restriction, which will protect the exterior appearance of the structure in perpetuity. The additional funds are necessary because the bids for the work came in higher than the original project estimate.

PROJECT NO. 2
KELLEHER GARDENS COMMUNITY SIDING PROJECT

The CPC recommends the appropriation of \$325,000 from the FY 2020 Estimated Revenues to the Newburyport Housing Authority to replace the siding of all buildings.

The CPA category for this appropriation is Affordable Housing.

Project Summary: The Housing Authority has recently undertaken a conceptual review which provided an estimate for not only the vinyl siding of the family unit complex located on Storey Avenue known as Kelleher Gardens but for window replacement as well. At this time however, the Newburyport Housing Authority is only requesting monies for the re-siding project. Kelleher Way Housing includes 13 residential buildings, 5 duplexes and 8 quadrplexes, as well as a small maintenance building. The buildings appear to be about 50 years old. All buildings currently have cedar shingles. The shingle siding is in poor condition and are at the end of their useful service. Units are beginning to see interior damage from water infiltration.

PROJECT NO. 3
GATEWAY TREES 2

The CPC recommends the appropriation of \$13,000 from the FY 2020 Estimated Revenues to the Newburyport Tree Commission for the purchasing of 12 trees and the planting and two years of care of twenty five trees (12 trees to be purchased and 13 existing Liberty Elms previously purchased by the Tree Commission).

The CPA category for this appropriation is Historic Preservation.

Project Summary: The Tree Commission (TC), working the Friends of Newburyport Trees (FoNT), would like to continue a project initiated in 2016 called GATEWAY. The project's mission is to improve and beautify and restore the tree canopy on the principal access roads into Newburyport by planting site-specific street tree species, carefully vetted by Tree Commission arborists, in the public right-of-way. Over 50 available sites have been identified by the Tree Commission on the 2 miles of Merrimac Street. The project includes site preparation, purchasing, planting,

watering (2 years), pruning and mulching of trees. The requested grant will pay for the purchasing 12 trees and the planting and two year care of twenty five new trees.

PROJECT NO. 4 CUSHING HOUSE ELECTRICAL SYSTEM

The CPC recommends the appropriation of \$59,430 from the FY 2020 Estimated Revenues to the Historic Society of Old Newbury to replace the original wiring at the Cushing House and install a comprehensive new electrical system.

- The applicant shall finalize, execute and record a permanent Preservation Restriction (PR) on the entire exterior facade of the structure. The applicant shall consult and obtain approval from the Newburyport Historical Commission (NHC) regarding the scope and details of said PR, prior to execution and recording. If the applicant believes an existing PR for this structure meets these requirements, it shall obtain a written opinion from the Newburyport Historical Commission (NHC) that the scope and details of said PR are adequate in light of this project and that no amendments or additions to said PR are necessary. If the NHC determines that amendments or additions to the existing PR are necessary, the applicant shall finalize, execute and record an update to said PR accordingly. These requirements shall be met before any funds are distributed to the applicant.

The CPA category for this appropriation is Historic Preservation.

Project Summary: The electrical system work will be phased over the course of eight months (October 2019- May 2020) to avoid disruption during the summer season. The total project cost is \$118,860. For the last 63 years, the three-story brick building has housed offices, collections storage, period museum rooms, galleries, and a lecture hall that seats 65 people. The electrical system dates from the early 20th century and no longer meets code and could present a danger to the building and the collections. The current system is 100 amp.

PROJECT NO. 5 BARTLET MALL HISTORIC RENOVATION- WALKWAY IMPROVEMENTS

The CPC recommends the appropriation of \$83,000 from the FY 2020 Estimated Revenues to the City of Newburyport Parks Department and Commission to renovate and replace walkways within the park to make them more accessible.

The CPA category is Historic Preservation.

Project Summary: Bartlet Mall Park is the City of Newburyport's most visually prominent park. Centrally located on High Street at one of the main gateways to downtown, the Park is an easy walk from the central business district, as well as a number of residential neighborhoods and schools. The Bartlet Mall Park Restoration project is a phased project that will restore, preserve and protect the historic integrity of Bartlet Mall according to the original plans of landscape architect Charles Eliot. The Park provides a prime destination for runners, strollers, and dog walkers. The Park plays a major role in hosting annual festivals and other cultural events. The Newburyport Parks Department and Commission propose to remove existing, cracked, uneven, failing asphalt walkways with a porous flexible paving material. The proposed paving material provides a low maintenance, wheelchair accessible surface that also helps to manage stormwater because of its permeability.

PROJECT NO. 6
CUSTOM HOUSE MARITIME MUSEUM: INTERIOR CLIMATE CONTROL SYSTEMS UPGRADE

The CPC recommends the appropriation of \$75,000 from the FY 2020 Estimated Revenues to the Newburyport Maritime Society, Inc. for an interior climate control systems upgrade at the Custom House Maritime Museum.

- The applicant shall finalize, execute and record a new permanent Preservation Restriction (PR) on the entire exterior facade of the structure. The applicant shall consult and obtain approval from the Newburyport Historical Commission (NHC) regarding the scope and details of said PR, prior to execution and recording. If the applicant believes an existing PR for this structure meets these requirements, it shall obtain a written opinion from the Newburyport Historical Commission (NHC) that the scope and details of said PR are adequate in light of this project and that no amendments or additions to said PR are necessary. The applicant shall finalize, execute and record an update to said PR. These requirements shall be met before any funds are distributed to the applicant.

The CPA category for this project is Historic Preservation.

Project Summary: The American Alliance of Museums outlines standards requiring that museums monitor environmental conditions and take proactive measures to mitigate the effects of fluctuations in temperature and humidity on collections. CSI Engineering recently completed a feasibility field investigation of the Custom House's building and proposed a scope of work including installation of a cooling HVAC system throughout the basement, first floor, and the non-museum portion of the second floor. CSI will work with Tripi Engineering Services who will investigate remedial options to reduce and control moisture migration through the exterior masonry of the walls and roof. This will ensure that the new HVAC system and building components work together as a system in order to prevent further degradation of historic building materials and protect the collections housed in the structure..

PROJECT NO. 7
NHS EXTERIOR WOODWORK RESTORATION PHASE 4

The CPC recommends the appropriation of \$84,000 from the FY 2020 Estimated Revenues to the Newburyport Public Schools for the continuation of the NHS exterior woodwork restoration project with the following condition:

- The applicant shall finalize, execute and record a permanent Preservation Restriction (PR) on the entire exterior façade of the structure. The applicant shall consult and obtain approval from the Newburyport Historical Commission (NHC) regarding the scope and details of said PR, prior to execution and recording.

The CPA category is Historic Preservation.

Project Summary: This project looks to restore the topmost sections of exterior woodwork on the historic Newburyport High School. Age and exposure to weather have caused a variety of issues with the exterior woodwork necessitating a well-planned historic restoration guided by the Secretary of Interior's Standard for Rehabilitation and Guidelines for Rehabilitating Historic Buildings. This application for Phase 4 will address the remaining miscellaneous areas which need attention which include the back sides of the Library and Auditorium as well as other areas. Phase 4 is expected to occur in the summer of 2020.

**PROJECT NO. 8
OPEN SPACE RESERVE FUND**

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

The CPA category for this reservation is Open Space.

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

**PROJECT NO. 9
FULLER FIELD TRACK RENOVATION- PHASE 2**

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

The CPA category for this appropriation is Recreation.

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

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

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

The CPA category for this appropriation is Recreation.

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

Trail/Harborwalk network. The trail will be raised several feet above existing grade in order to be at or above the FEMA flood zone level, and will be protected by a reconstructed rip-rap revetment along approximately 900 feet of the shoreline. This riverfront trail corridor has been fenced off since the discovery of soil contamination, and an interim trail detour has been routed along busy Water Street. While the interim on-road Water Street detour is functional in the near term, it is not a desirable long-term connection due to the narrowness of the road and its sidewalks, the direct proximity and speed of thousands of motor vehicles each day, the pinch points caused by utility poles and fire hydrants, universal access concerns, and its substantial 1000-foot length. Construction of the Riverfront Trail Gap Project will provide an off-road, paved, universally accessible, multiuse trail with amenities including seating, interactive sculpture, and a historic interpretive sign.

PROJECT NO. 11

NEWBURYPORT HIGH SCHOOL WORLD WAR MEMORIAL STADIUM MULTI-PURPOSE FIELD PROJECT BOND DEBT PAYMENT

The CPC recommends the appropriation of \$126,130 from the FY 2020 Estimated Revenues to the City of Newburyport for the fourth annual payment of interest and principal on the World War Memorial Stadium Multi-Purpose Field Project Bond.

The CPA category is Recreation.

Project Summary: In April 2014, the City Council authorized bonding up to \$1,500,000 against future CPA revenue for the renovation and improvement of the Newburyport High School's World War Memorial Stadium athletic field. Debt payments on the bond will continue through 2030. The CPC is advised that it is necessary to appropriate the debt service payments annually.

PROJECT NO. 12

CHERRY HILL PARCEL B SOCCER FIELD IMPROVEMENT PROJECT BOND DEBT PAYMENT

The CPC recommends the appropriate of \$12,340 from the FY 2020 Estimated Revenues to the City of Newburyport for the fourth annual payment of interest and principal on the Cherry Hill Parcel B Soccer Field Improvement Project Bond.

The CPA category is Recreation.

Project Summary: In April 2014, the City Council authorized the bonding of up to \$134,000 against future CPA revenue for the redesign and construction of the Cherry Hill Parcel B athletic field. Debt payments on the bond will continue through 2030. The CPC is advised that it is necessary to appropriate the debt service payments annually.

PROJECT NO. 13

ADMINISTRATIVE COSTS

The CPC recommends the appropriation of \$12,000 from the FY 2020 Estimated Revenues to fund the Community Preservation Committee's anticipated administrative costs. These costs include a stipend for the CPC administration liaison position in the Office of Planning & Community Development, annual membership dues in the statewide community preservation coalition, and other recurring expenses including note taking at meetings, legal advertising, and city solicitor review of legal documents when necessary. Excess funds remaining in this account at the end of the fiscal year revert to the general Community Preservation Fund.

The CPA category for this appropriation is Administration.

COMMUNITY PRESERVATION COMMITTEE – EVALUATION CRITERIA

The Newburyport Community Preservation Committee gives preference to proposals which address as many of the following general criteria as possible:

1. Eligible for Community Preservation Act (CPA) funding according to the requirements described in the CPA legislation (Chapter 44B of Mass. General Laws).
2. Consistent with the Master Plan, Open Space and Recreation Plan, Land Use and other planning documents that have received public scrutiny and input.
3. Preserve and enhance the essential character of the city.
4. Protect resources that would otherwise be threatened.
5. Serve more than one CPA purpose or demonstrate why serving multiple needs is not feasible.
6. Demonstrate practicality and feasibility, and that the project can be implemented within budget and on schedule.
7. Produce an advantageous cost/benefit value.
8. Leverage additional public and/or private funds (eg. qualify the project for additional grants from other sources) or receive partial funding from other sources and/or voluntary contributions of goods or services.
9. Preserve or improve utility of currently owned city assets.
10. Receive endorsement by other municipal boards or departments and broad-based support from community members.

CATEGORY SPECIFIC CRITERIA

The Community Preservation Act funds three key community interests: open space, historic preservation, and affordable housing. Public recreation projects may also be funded.

1. **Open Space** proposals which address as many of the following specific criteria as possible will receive preference for funding:
 - Permanently protect important wildlife habitat, particularly areas that include:
 - locally significant biodiversity;
 - variety of habitats with a diversity of geologic features and types of vegetation;
 - Endangered habitat or species of plant or animal.
 - Preserve active agricultural use.
 - Provide opportunities for passive recreation and environmental education.
 - Protect or enhance wildlife corridors, promote connectivity of habitat or prevent fragmentation of habitats.
 - Provide connections with existing trails, protected open space or potential trail linkages.
 - Preserve scenic views.
 - Border a scenic road.
 - Protect drinking water quantity and quality.
 - Provide flood control/storage.
 - Preserve and protect important surface water bodies, including streams, wetlands, vernal pools or riparian zones.
 - Buffer for protected open space, or historic resources.

2. **Historic Preservation** proposals which address as many of the following criteria as possible will receive preference for funding:
 - Protect, preserve, enhance, restore and/or rehabilitate historic, cultural, architectural or archaeological resources of significance, especially those that are threatened.
 - Protect, preserve, enhance, restore and/or rehabilitate city-owned properties, features or resources of historical significance.
 - Protect, preserve, enhance, restore and/or rehabilitate the historical function of a property or site.
 - Demonstrates a public benefit.
 - Ability to provide permanent protection for the historic resource.

3. **Affordable Housing** proposals which address as many of the following criteria as possible will receive preference for funding:
 - Contribute to the goal of 10% affordability as defined by chapter 40B of Mass. General Laws.
 - Promote a socioeconomic environment that encourages a diversity of income.
 - Provide housing that is harmonious in design and scale with the surrounding community.
 - Intermingle affordable and market rate housing at levels that exceed state requirements for percentage of affordable units pursuant to chapter 40B.
 - Ensure long-term affordability.
 - Address the needs of range of qualified household, including very low, low and low-to moderate income families and individuals.
 - Provide affordable rental and affordable ownership opportunities.
 - Promote use of existing buildings or construction on previously-developed or city-owned sites.
 - Convert market rate to affordable units.

4. **Recreation** proposals which address as many of the following criteria as possible will receive preference for funding:
 - Support multiple recreation uses.
 - Serve a significant number of residents.
 - Expand the range of recreational opportunities available to city residents of all ages.
 - Jointly benefit Conservation Commission and Parks Commission initiatives by promoting recreation, such as hiking, biking, and cross-country skiing.
 - Maximize the utility of land already owned by city (e.g. school property).
 - Promote the creative use of railway and other corridors to create safe and healthful non-motorized transportation opportunities.

ORDINANCES

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

Introduced February 14, 2022

ORDERED:

AN ORDINANCE OF THE CITY COUNCIL TO UPDATE MEMBERSHIP REQUIREMENTS AND TERM DURATION FOR THE NEWBURYPORT COUNCIL ON AGING

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

THAT the Code of Ordinances, City of Newburyport, Massachusetts, is hereby amended for Chapter 2 – Administration, Article III – Boards, Committees and Commissions, Division 2. Council on Aging as follows for the specific sections noted here; 2-81 – Establishment; membership, Section 2-82 – Terms of appointees, and Section 2-85 – Coordinating, Carrying Out Programs. These amendments are to read as follows, with deletions double-stricken-through and italicized, and additions double-underlined and italicized:

CHAPTER 2 - ADMINISTRATION

ARTICLE III. - BOARDS, COMMITTEES, COMMISSIONS

DIVISION 2. - COUNCIL ON AGING

Sec. 2-81. Establishment; membership.

There is hereby established a council on aging consisting of an eleven (11) member board, a majority of which must be a least sixty (60) years of age. Members must be residents ~~and registered voters~~ of the city. Members shall be appointed by the mayor, ~~subject to the consent~~ subject to the approval of ~~the~~ city council. All members currently serving on the board shall remain, subject to terms designated by the mayor in section 2-82.

Sec. 2-82. Terms of appointees.

~~Initially, members shall be appointed to terms in the following manner:~~

~~Two (2) members shall be appointed for a one-year term.~~

~~Two (2) members shall be appointed for two-year terms.~~

~~Two (2) members shall be appointed for three-year terms.~~

~~Two (2) members shall be appointed for four-year terms.~~

~~Three (3) members shall be appointed for five-year terms.~~

~~As the term of each member expires, Members shall be appointed their successor shall be appointed for a term of ~~five~~ three (3) years. Terms shall expire on the last day of May. No member may serve for more than three (3) consecutive terms. ~~A member may be reappointed for successive terms.~~~~

Sec. 2-85. Coordinating, carrying out programs.

It shall be the duty of the council on aging to coordinate or carry out programs designed to meet problems of the aging in coordination with programs of the council on aging established under M.G.L. c. ~~406~~, § ~~8B73~~.

Councillor Afroz K. Khan

In City Council February 14, 2022:

Motion to refer to Neighborhood and City Services by Councillor Zeid, seconded by Councillor Lane. So voted

In City Council March 14, 2022:

Motion to Table by Councillor Wallace, seconded by Councillor Zeid. So voted.

In City Council March 28, 2022:

Motion to remove from the table by Councillor Wallace, seconded by Councillor Khan. So voted.

Motion to approve on first reading by Councillor Wallace, seconded by Councillor Khan. Roll call vote. 11 yes. Motion passes.

COMMITTEE ITEMS

Committee Items-April 11, 2022

Ad Hoc Committee on Market Landing Park and COTW

Ad Hoc Committee on Market Landing Park and COTW

In Committee:

- ORDR00326_03_14_2022 To Approve Sasaki Design Progress

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

AN ORDER APPROVING CONTINUED DESIGN WORK FOR THE MARKET LANDING PARK EXPANSION PROJECT VISITOR CENTER/BATHROOM FACILITY

WHEREAS, Order 296 (*ORDR296_10_25_2021*) included the appropriation of funds for final design of a Visitor Center/Bathroom Facility as part of the Market Landing Park Expansion project; and

WHEREAS, said Order requires that the designer (Sasaki) return to the City Council for authorization to proceed beyond 25% schematic design deliverables to the remaining seventy-five percent (75%) and one hundred percent (100%) design submissions, in accordance with Sasaki's existing contract (Scope of Work Task 7); and

WHEREAS, Sasaki has provided the Council (*and its Ad Hoc Committee on Market Landing Park Expansion*), an update regarding the progress of said 25% schematic design, and the Council has in turn provided guidance relative to several key design factors integral to the design of this facility; and

WHEREAS, Sasaki has received this guidance from the Council (*and its Ad Hoc Committee on Market Landing Park Expansion*), with a directive to make applicable changes to the project plans; and

WHEREAS, continued delay to the progress of facility design, and associated park design in relation to this facility, may result in increased cost to the City, and adverse impact to the schedule for deliverable of "shovel ready" construction plans later this year;

NOW, THEREFORE, the City Council hereby authorizes Sasaki to proceed to the remaining seventy-five percent (75%) design and one hundred percent (100%) design submissions (Sasaki Contract Task 7), pursuant to said Order 296.

Councillor Heather L. Shand

In City Council March 14, 2022:

Motion to refer to Ad Hoc Committee on Market Landing Park by Councillor McCauley, seconded by Councillor Vogel. So voted.

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


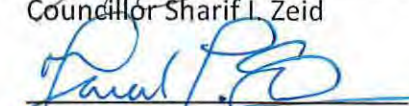
WHEREAS, due to limited remaining NRA revenues transferred to the City, said Order 284 does not include appropriation of funds for final design of the proposed Visitor Center/Bathroom Facility; and

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 \$206,800 (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*).

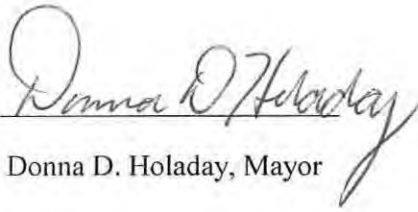

 Councillor Sharif I. Zeid

 Councillor Jared J. Eigerman

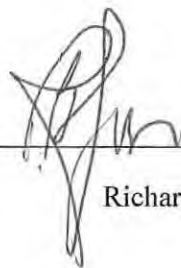
In City Council October 25, 2021:

Motion to refer to Ad Hoc Committee on Market Landing Park by Councillor Zeid, seconded by Councillor Tontar. Roll call vote. 10 yes, 1 absent. Motion passes.

In City Council December 13, 2021:

Motion to approve by Councillor Tontar, seconded by Councillor Vogel. Motion to amend to strike \$187,825 and replace with \$206,800 by Councillor Tontar, seconded by Councillor Vogel. Roll call vote. 8 yes, 3 no (BL, SZ, JD). Motion passes. Roll call vote on motion to approve as amended. 8 yes, 3 no (BL, SZ, JD). Motion passes.

Approve: 
 Donna D. Holaday, Mayor

Attest: 
 Richard B. Jones, City Clerk

Date: 12/21/21

Committee Items-April 11, 2022

Budget & Finance

Budget & Finance

In Committee:

- ORDR00333_03_28_2022 CPC FY22 Supplementary Nock Tennis Restoration (Amended)
- ORDR00335_03_28_2022 ARPA 2.4K Streets Sidewalks

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

March 28, 2022

That the City Council appropriate from the Community Preservation Act FY2022 Community Preservation Fund Balance, in accordance with the provisions of M.G.L. Chapter 44B, additional funding for the following project, based upon the Community Preservation Committee's recommendation:

Project No.	Project Title	Applicant	Applicant Request	CPC Recommendation	City Council Appropriation
11	<u>Restoration of Nock Middle School Tennis Courts</u>	Newburyport Public Schools & Newburyport Parks Department	\$50,000	\$40,000	<u>\$29,295</u>

Further, that \$10,705 is hereby transferred from the remaining balance in the Nock/Molin Loading Dock Renovation capital project account (#3914-58400) to the Restoration of Nock Middle School Tennis Courts project. In addition to the \$175,000 that was previously appropriated on 10/25/2021, the total appropriation for said project is now \$215,000.

Councillor Sharif I. Zeid

In City Council March 28, 2022:

Motion to refer ORDR00333, ORDR00334, ORDR00335, and ORDR00336 collectively to Budget & Finance by Councillor Zeid, seconded by Councillor Cameron. So voted.

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

That the City Council further amend ORDR265_08_09_2021 to appropriate 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 revised Community Preservation Committee's recommendations voted on at a meeting of the Community Preservation Committee on 10/13/21:

Project #11: Restoration of Nock Middle School Tennis Courts (Applicant: Newburyport Public Schools & Newburyport Parks Department)

Project #15: Fuller Field Track Renovation, Phase Two Bond Payment

The source of funds for these projects, and those previously approved under this Order, shall therefore be FY2021 estimated revenues in the amount of **\$1,284,408.24** and the Community Preservation Fund Balance in the amount of **\$126,460**. Any conditions or stipulations indicated within the Community Preservation Committee's final recommendations, incorporated herein, shall be considered a condition of this appropriation and subsequent grant award.

Project No.	Project Title	Applicant	Request	Council Appropriation
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	N/A
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 Public Schools & Newburyport Parks Department	\$175,000	\$175,000
12	Atwood Park Lighting Improvements	Newburyport Parks Department & Commission	\$33,000	\$33,000
		Total:	\$1,215,234	\$1,211,384

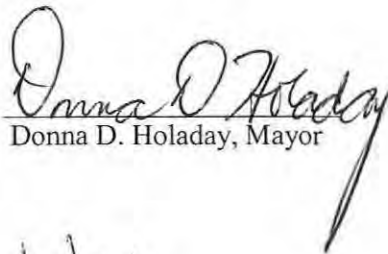
13	NHS Stadium Bond Payment	127,080
14	Cherry Hill Soccer Field Bond Payment	\$11,940
15	Administrative Costs	\$12,000
16	Fuller Field Track Renovation, Phase Two Bond Payment	\$48,464.24
	Total:	\$199,484.24

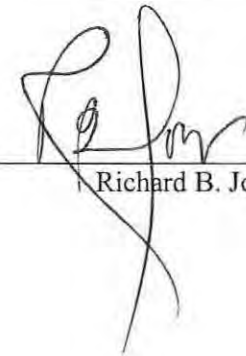
Charles F. Tontar

Councillor Charles F. Tontar

In City Council October 25, 2021:

Motion to approve project # 11 by Councillor Zeid, seconded by Councillor Khan. Roll call vote. 10 yes, 1 absent (JD). Motion passes. Motion to amend to add project #16 by Councillor Zeid, seconded by Councillor Khan. Roll call vote. 9 yes, 1 no (JM), 1 absent (JD). Motion to amend to correct the total amounts to the estimated revenues by Councillor Zeid, seconded by Councillor Khan. Roll call vote. 10 yes, 1 absent (JD). Motion passes.

Approve: 
Donna D. Holaday, Mayor

Attest: 
Richard B. Jones, City Clerk

Date: 11/4/21

**Community Preservation Committee
Funding Recommendations - 10/13/21**

**PROJECT NO. 11
RESTORATION OF THE NOCK MIDDLE SCHOOL TENNIS COURTS**

The CPC recommends the appropriation of \$175,000 from the FY 2022 Estimated Revenues to the Newburyport Parks Department and Newburyport Public Schools for the renovation of Nock Middle School Tennis Courts.

The CPA category for this appropriation is Recreation.

Project Summary: The two existing tennis courts at the middle school have been in unusable condition for 20+ years, have never satisfied the USTA regulations for tennis court size, and have become an eyesore for the schools, neighbors and the community. The Newburyport Public Schools and Newburyport Parks Department propose that the existing courts and fence be entirely removed, and replaced with two new asphalt courts. The new courts will be rotated from the existing layout to allow for two USTA regulation-sized courts. Courts will be surrounded by new chain link fences, and will include a backboard.

The applicant's primary goals are (1) to make the property functional for recreation and (2) to enhance the property for the school and its neighbors. As the courts exist today, they are overgrown, neglected and pose a potential hazard to children. Eventually, the Newburyport School Committee would like to see a total of five courts constructed at the Middle School. There is community need for additional courts in our city. Further, a minimum of five courts are needed to host a varsity tennis match. Existing courts at Atkinson Commons have never satisfied this requirement and do not offer sufficient parking. The applicant intends to approach the court development in two phases. The first phase, and the basis of this grant, is to redesign and replace the existing courts. The second phase will include exploring the best location on the school's property for three additional courts and construction of those courts.

**PROJECT NO. 15
FULLER FIELD TRACK RENOVATION, PHASE TWO BOND DEBT PAYMENT**

The CPC recommends the appropriation of \$48,464.24 from the FY 2022 Estimated Revenues to the City of Newburyport for the first annual payment of interest and principal on the Fuller Field Track Renovation, Phase Two Project Bond.

The CPA category is Recreation.

Project Summary: The project includes installation of a 300-person grandstand, completion of electrical connections throughout the facility for the sound and timing systems, installation of a new sound system, and renovation of the interior of the existing field house to include expanded restroom facilities.

NEWBURYPORT COMMUNITY PRESERVATION COMMITTEE
Supplemental Recommendation for FY22 Appropriations
(Restoration of Nock Middle School Tennis Courts)

The Newburyport Community Preservation Committee recommends that the City Council appropriate from the Community Preservation Fund Balance additional funding for the following listed FY2022 project(s):

- **FY2022: Project 11: Restoration of Nock Middle School Tennis Courts**

This supplemental funding is subject to the terms and conditions set forth in the signed Grant Agreement dated December 21, 2021. Applications for all projects are available for review in the Office of Planning & Development.

Respectfully submitted by:

Community Preservation Committee Members

Michael Dissette, Chair	Jane Healey, Vice Chair
Mark Rosen	Paul Healy
Tom O'Brien	Don Walters
Don Little	Joe Morgan
Charles Griffin	

PROJECT NO. 11
RESTORATION OF THE NOCK MIDDLE SCHOOL TENNIS COURTS

The CPC recommends the appropriation of an additional \$40,000 from the FY 2022 Community Preservation Fund Balance to the Newburyport Parks Department and Newburyport Public Schools for the renovation of Nock Middle School Tennis Courts.

The CPA category for this appropriation is Recreation.

Project Summary:

The Newburyport Parks Department and Newburyport Public Schools have submitted a supplemental grant application for the Restoration of the Nock Middle School Tennis Courts project. There is a cost overrun of \$50,000 that needs to be addressed as soon as possible in order to move forward with the contract award and avoid losing a critical portion of the summer 2022 construction season while school is not in session. Construction bids from contractors were due in early March. The low base bid, alternate bid #1 and contingency exceed the estimate that was developed in January of 2021 by \$50,000 due to an expanded scope of work and escalating construction costs. The CPC voted at the meeting of 3/23/22 to recommend the appropriation of an additional \$40,000 from the FY2022 Community Preservation Fund Balance recognizing that the line item for a concrete sidewalk was not critical to moving the project forward.

Renovation of Nock Middle School Tennis Courts

Management Plan

This is a joint project between the Newburyport Public Schools and the Newburyport Parks Department. Steve Bergholm, Director of Facilities for the schools will be the lead Project Manager with assistance from Lise Reid, Parks Director.

The project designer is Chris Huntress, from Huntress Associates, 17 Tewksbury Street, Andover MA 01810.

A contract has not yet been awarded to a contractor, but the low bidder for the project is Vermont Recreation. Bids were received on March 10, 2022. See Budget section below and attached bid results.

Budget

Huntress Associates Fee	\$24,750.00
Legal Ad for Bid	\$198.75
Vermont Recreation Base Bid	\$186,495.00
Vermont Recreation-Alternate #1 (concrete sidewalk)	<u>\$8,900.00</u>
Total Project Cost	\$220,343.75
2021 CPA Grant	<u>(\$175,000.00)</u>
Budget Shortfall	\$45,343.75

The request for a supplemental CPA grant of \$50,000 provides a small contingency for unforeseen circumstances. An additional grant of \$40,000 would eliminate Alternate #1 but would still allow the project to proceed this summer. In that case the sidewalk outside the tennis court would be constructed with asphalt instead of concrete.

HUNTRESS Sports

17 Tewksbury Street
Andover, MA 01810
p. 978.470.8882
f. 978.470.8890
www.huntressassociates.com

Nock Molin Middle School
Tennis Courts
BID RESULTS

Date
Owner
Address
Address
Phone

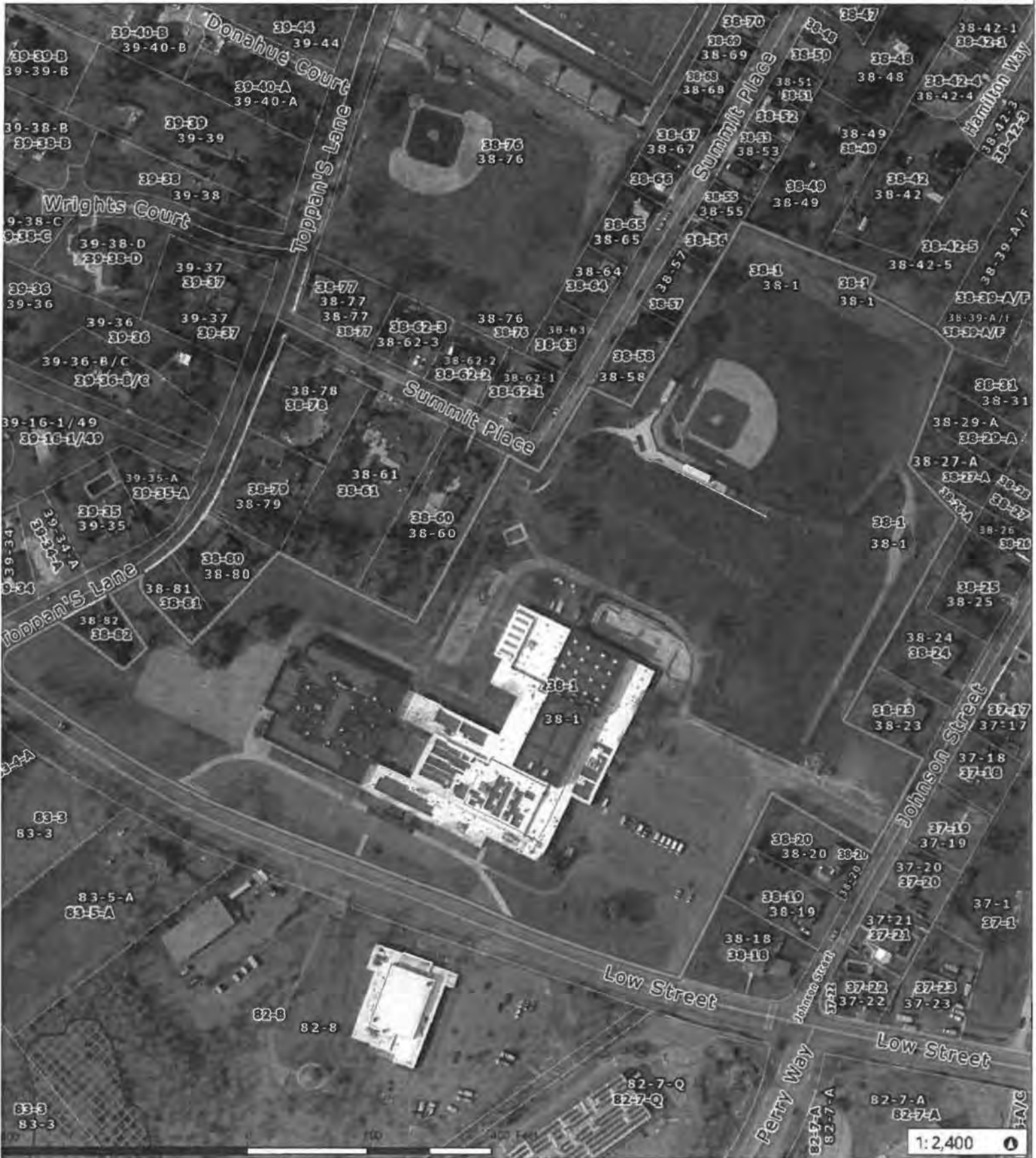
3/10/2022
City of Newburyport
60 Pleasant Street
Newburyport, MA 01950
978.465.4462

			Total Bid
Green Acres Landscape & Construction	\$238,541.00	\$11,734.00	\$250,275.00
Quirk Construction Corp.	\$272,877.00	\$3,400.00	\$276,277.00
Vermont Recreation	\$186,495.00	\$8,900.00	\$195,395.00
	\$0.00	\$0.00	\$0.00
	\$0.00	\$0.00	\$0.00
	\$0.00	\$0.00	\$0.00

City of Newburyport
Nock Molin Middle School
Tennis Court Construction

City of Newburyport Nock-Molin Tennis Reconstruction

01/28/2027



Data Source: Produced by Merrimack Valley Planning Commission (MVPC) using data provided by the City of Newburyport & MassGIS/MassGIS. MVPC AND THE CITY OF NEWBURYPORT MAKES NO WARRANTIES, EXPRESSED OR IMPLIED, CONCERNING THE ACCURACY, COMPLETENESS, RELIABILITY, OR SUITABILITY OF THESE DATA. THE CITY OF NEWBURYPORT AND MVPC DOES NOT ASSUME ANY LIABILITY ASSOCIATED WITH THE USE OR MISUSE OF THIS INFORMATION.



Municipal Boundary
Parcel

Route
Enhanced Features

Legend

— Interstate
— State Road
— Local Road
Parcel (as noted)

Attachment B

Photograph of existing courts, as of Fall 2020.



**Proposal for Professional Services
between
Huntress Associates, Inc.
and
Newburyport Public Schools
for
Landscape Architectural Services**

October 6, 2021

This Agreement is composed of Part I and Part II. Part I includes details of the services to be performed, timing of the services, and compensation. Part II (attached) contains the Terms and Conditions of Agreement, which are proposed general terms of the engagement between the Newburyport Public Schools called the "client" and Huntress Associates (HAI).

PART I

PROJECT DESCRIPTION

The project consists of design and construction documentation for work at Nock Molin Middle School located at 70 Low Street, Newburyport, Massachusetts. The scope of work includes the design and engineering associated with the renovation of two (2) existing tennis courts and construction of three (3) new tennis courts, five (5) courts in total. Work to include all drawings, details, specifications, bidding and construction administration services.

SCOPE OF SERVICES

1.0 EXISTING CONDITIONS DOCUMENTATION

City of Newburyport to provide topographic survey and documentation of existing conditions from the baseball field construction project in 2015. Survey to be provided in AutoCAD format showing the location of all structures, topographic contours at one (1') foot intervals and resource area delineation.

Product: Existing Conditions Survey, Provided by Owner (NIC).

2.0 SCHEMATIC DESIGN

HAI will prepare Schematic Design Plans to include preparation of a preliminary grading and drainage plans, subbase and under-drain details, tennis net posts, center straps, perimeter fence, walkways and associated site improvements.

Product: Existing Conditions Plan
Preliminary Site Improvement Plan
Preliminary Construction Details
Construction Cost Estimates. (60%)

3.0 CONSTRUCTION DOCUMENTS

After review and approval of the schematic design plan by the client, HAI will prepare construction documents setting the location, materials and construction details for all proposed improvements. This phase will also include the preparation of material and construction specifications in CSI Format. All

front end documents, including owner/contractor agreement and insurance requirements shall be reviewed and approved by the Newburyport Public Schools and the City of Newburyport prior to bid.

Product: Layout and Materials Plan
 Grading & Drainage Plan
 Construction Details
 Construction Specifications
 Construction Cost Estimates (100%)

4.0 CONSTRUCTION BIDDING

HAI will review all construction bids / proposals and help identify the lowest responsible bidder.

Product: Review of bids received by Newburyport Public Schools and the City of Newburyport.

5.0 CONSTRUCTION ADMINISTRATION

Throughout the construction process HAI will attend weekly site meetings. HAI will be available to answer questions and review construction documents with the contractor, prepare weekly meeting notes and document the construction process with photographs.

Product: Attendance at weekly site meetings
 Preparation of meeting notes
 Construction logs and photographs
 Submittal & Requisition for Payment review
 Punchlist & Close out coordination.

6.0 SERVICES NOT INCLUDED

- Meetings with Town officials, boards or representatives.
- Local and/or State Permitting.
- Wetland Resource Delineation
- Topographic or boundary survey.
- Application Fees / Filing Fees
- Structural Engineering and detailing for retaining walls
- Local or State permitting.
- Geotechnical and Electrical Engineering Services.

7.0 SCHEDULE

Huntress Associates anticipates performance of services, exclusive of client and agency review to be completed within two (2) months, after receipt of notice to proceed from Client. If the client requests that work under this Agreement be stopped, the schedule is subject to renegotiations when written authorization to proceed is received. The schedule is also subject to the payment schedule as noted under Compensation. If work by HAI must be stopped due to failure of the client not meeting the payment schedule, then the schedule would be subject to renegotiations.

8.0 COMPENSATION

HAI will perform the Scope of Services contained in this Agreement and shall be compensated on a fixed fee basis. The total maximum fee for Basic Services indicated in the schedule below:



Existing Conditions Survey	(NIC)
Wetland Delineation	(NIC)
Schematic Design	\$ 6,500.00
Construction Documents	\$ 9,500.00
Construction Bidding	\$ 2,250.00
Construction Administration	\$ 6,500.00
TOTAL	\$24,750.00

Additionally, any work beyond the scope of work described herein will be billed on an hourly basis. A flat \$135.00 per hour is billed.

In addition to the labor compensation, HAI shall be reimbursed for expenditures made specifically for the project such as: Application fees, printing and reprographics; shipping, postage, and courier service charges; purchase of maps and similar documents, etc. These direct expenses will be billed at cost plus 10%.

Huntress Associates, Inc.

December 7, 2020

Christian C. Huntress

Date

CLIENT AUTHORIZATION

The Newburyport Public Schools agrees with Part I which includes the Scope of Services, Schedule, Compensation, and Part II, Terms and Conditions of Agreement (attached hereto and acknowledged as being received). Together they constitute the entire agreement between Huntress Associates and the Newburyport Public Schools.

Total Upset Limit for Labor: \$ 24,750.00

By: _____

Title: _____

Date: _____



PART II
HUNTRESS ASSOCIATES
TERMS AND CONDITIONS OF AGREEMENT
(Page 1 of 3)

The engagement of Huntress Associates (HAI) by Client is under the following terms and conditions and is an integral part of the collective Agreement between Client and HAI.

1. The fee estimate for the proposed Scope of Services is valid for 60 days from the date of Proposal.
2. Payment to HAI is the sole responsibility of Newburyport Public Schools This Agreement is not subject to third party agreements.
3. All schedules set forth in the attached Scope of Services commence upon receipt of a signed Agreement.
4. Requests for additional services and any associated fee adjustment must be authorized in writing before additional services can begin.
5. Invoices will be rendered monthly and are payable within 30 days of receipt.
6. Should it become necessary to utilize legal or other resources to collect any or all monies rightfully due for services rendered under this Agreement, HAI shall be entitled to full reimbursement of all such costs, including reasonable attorneys' fees, as part of this Agreement and likewise if Client prevails in any such collections Client shall be entitled to full reimbursement of all defense costs including reasonable attorney's fees.
7. Invoice payments must be kept current for services to continue. If the Client fails to pay any invoice due to HAI within 45 days of the date of invoice, HAI may, without waiving any other claim or right against Client, suspend services under this Agreement until HAI has been paid in full all amounts due HAI and/or any of its Consultants and Subcontractors.
8. HAI agrees to carry the following insurance during the term of this Agreement:
 - Workmen's Compensation and Employer's Liability Insurance in compliance with statutory limits.
 - Comprehensive General Liability Insurance including Products Completed, Contractual, Property, and Personal Injury coverage with combined single limits of \$500,000 per occurrence and in the aggregate.
 - Professional Liability Insurance with a limit of \$500,000 per claim and in the aggregate.
 - Automobile Liability Insurance including non-owned and hired automobiles with the following limits:

◇ Bodily Injury	\$300,000 each person
	\$300,000 each occurrence



◇ Property Damage \$50,000 each occurrence

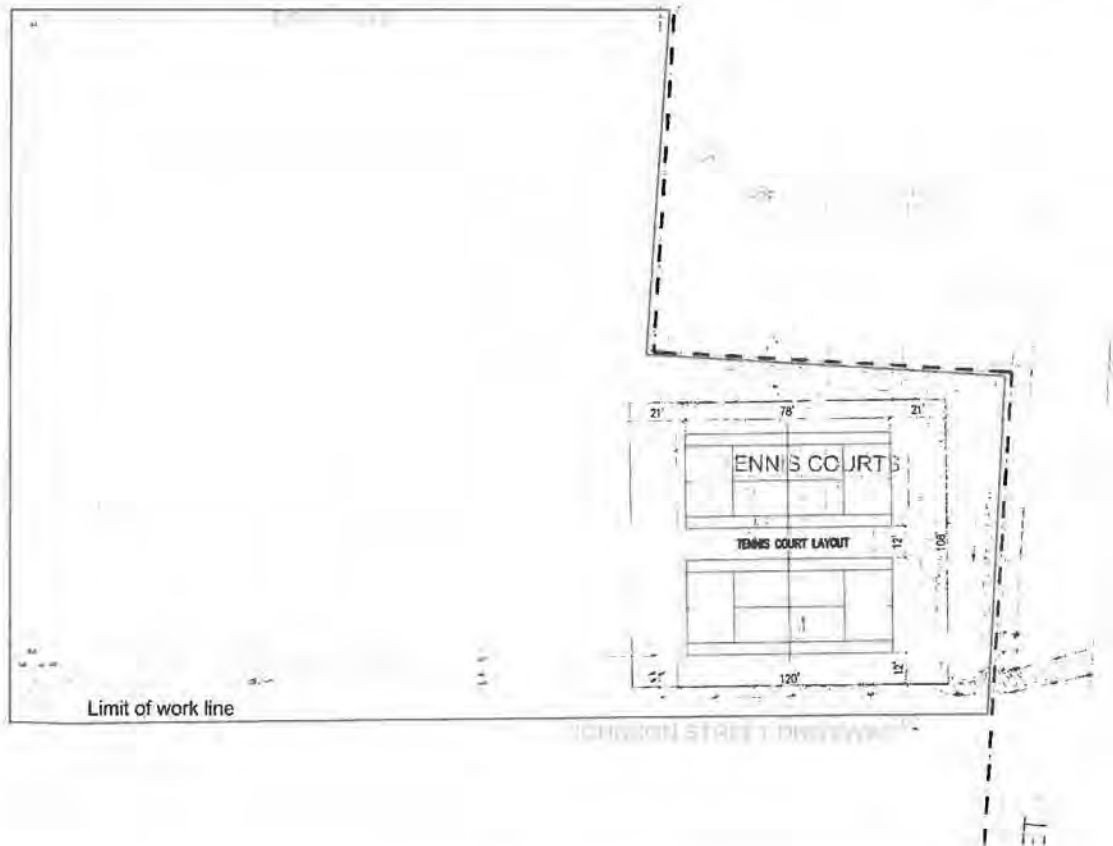
Certificates of insurance will be furnished upon request. If the Client requires additional insurance coverage, and it is available, Client agrees to reimburse HAI for such additional expense.

9. HAI shall not be responsible for failure to perform or for delays in the performance of services which arise out of causes beyond the control and/or without the fault or negligence of HAI.
10. HAI's services will be performed on behalf of and solely for the benefit and exclusive use of Client and Client's agents and designees for the limited purposes set forth in the Agreement. Client acknowledges that HAI's services require decisions which are not based upon science, but rather upon judgmental considerations.
11. Client hereby agrees that to the fullest extent permitted by law, HAI's liability to Client and any persons or entities claiming by, through or under the Client, for any and all claims, losses, expenses, or damages whatsoever arising out of or in any way related to this Agreement from any cause or causes including, but not limited to HAI's errors, omissions, breach of contract or breach of warranty shall not exceed \$ 24,750 (Twenty-four thousand seven hundred fifty dollars).
12. All documents including Drawings and Specifications prepared by HAI pursuant to the Agreement are instruments of service with respect to the Project. They are not intended or represented to be suitable for reuse by the Client or others on extensions of the Project or on any other Project. Any reuse by Client or a third person or entity authorized by Client without written verification or adaptation by HAI for the specific purpose intended will be at the Client's sole risk and without liability or legal exposure to HAI; and the Client, shall release, indemnify and hold harmless HAI from all claims, damages, losses and expenses including attorneys' fees arising out of or resulting therefrom. Any such verification or adaptation will entitle HAI to additional compensation at rates to be agreed upon by HAI and the third person or entity seeking to reuse said documents.
13. In entering into this Agreement, Client has relied only upon the representations set forth in this Agreement. No verbal warranties, representations or statements shall be considered a part of this Agreement or a basis upon which the Client relied in entering into this Agreement. No statements, representations, warranties or understandings, unless contained herein, exist between Client and HAI.
14. HAI agrees to comply with all Federal Equal Opportunity laws, orders and regulations. Without limiting the generality of the foregoing, HAI will not discriminate against any employee or applicant for employment by HAI because of race, creed, color, age, sex, marital status, national origin or disability. In addition, HAI will not discriminate against any employee or applicant for employment by HAI because of sexual orientation. HAI will take affirmative action to insure that applicants are employed, and that employees are treated during employment, without regard to their race, creed, color, age, sex, marital status, special disabled veteran or Vietnam war veteran status, national origin, disability or sexual orientation. Such action shall include, but not be limited to, the following: (i) employment, upgrading, demotion or transfer; (ii) recruitment or recruitment advertisement; (iii) layoff transfer; (iv) rates of pay or other forms of compensation; and (v) selection for training, including apprenticeship. HAI agrees to post in conspicuous places, available to employees and applicants for employment, notices setting forth the provisions of this nondiscrimination clause.

- 15. This agreement shall be governed and construed in accordance with the laws of the State of Massachusetts.

NEWBURYPORT PUBLIC SCHOOLS - LIMIT OF WORK

EXHIBIT 'A'



P. O. Box 5
ST. JOHNSBURY, VT 05819



1-802-748-4378
1-800-237-6774
1-802-748-9974 FAX

Greg Lynch

January 6, 2021

978-204-2838
greglynch@hotmail.com

Construction of Two Tennis Courts - Nock Middle School

- a. Excavate area of approx. 118' x 130' and stockpile material for use around the edges.
- b. Grade sub base to accommodate new grades, 1" in 10'.
- c. Supply and install stabilization mat.
- d. Haul, place, and compact 12" of bank run gravel. (95% compaction) **Compact every 4"-6" lift.**
- e. Haul, place, and compact 6" of crushed bank run gravel. (95% compaction) **Compact every 4"-6" lift.**
- f. Install drainage as needed to prevent subsurface water from migrating under court area.
- g. Fine grade area to be paved.
- h. Pave area of 108' x 120' in two lifts; 2" of 3/4" binder, and 1" of 3/8" hot plant mix.
- i. Supply & install approx. 456 lin. ft. of 10' high chain link fencing. Fencing to have 3" terminal posts, 2 1/2" line posts, 1 5/8" top rail, and 1 3/4" x 9 gauge fabric. Fence to have two (2) gates.
- j. Supply and install in sleeved, bell shaped concrete footings two (2) new sets of Edwards Classic net posts, two (2) Edwards 30LS nets, center straps and anchors.
- k. Total area to receive one (1) coat of **Premier Sports Coatings Resurfacer**.
This will fill surface voids and act as a prime coat for the color system.
Material manufactured by California Sports Surfaces.
- l. Total area to receive two (2) coats of **Premier Sports Coatings**. Color to be Selected By Owners.
Texture coats to contain the proper amount of sand to provide a tough wearing base. Top coat to contain proper amount of pigment to give a long lasting and attractive surface.
Material manufactured by California Sports Surfaces.
- m. Apply two (2) sets of hand painted, regulation, Tennis lines with white textured **Premier-Line** paint.

Estimated Cost of project: **\$140,000.00 - \$150,000.00**

Note: This is an estimate for budget purposes only. VTCS feels that these dollar figures represent an average cost for a project such as yours.

Jeff Zangla, Representative

**NEWBURYPORT SCHOOL COMMITTEE
BUSINESS MEETING
Monday, February 3, 2020**

**Senior/Community Center
Meeting Convened at 6:32 PM**

Mayor Donna Holaday / Bruce Menin Presided

**Present: Brian Callahan, David Hochheiser, Bruce Menin, Mayor Donna Holaday,
Sheila Spalding, Sean Reardon, Steve Cole**

CALL TO ORDER / ROLL CALL / PLEDGE OF ALLEGIANCE:

Mayor Donna Holaday called the Business Meeting of the Newburyport School Committee to order at 6:32 PM. Roll Call found all members present. All those in attendance stood for the Pledge of Allegiance to the Flag.

At this point **Bruce Menin** took over chairmanship of the Business Meeting.

PUBLIC COMMENT:

Bruce Menin asked people to come forward to make a public comment:

- Jack Gobb, 7 Gleason St., Andover, MA He inquired if the Sailbot classes had been cancelled for the coming year. Answer - No they will be running
- Lisa Matas, 9 Washington Street She spoke about the "Fun Run" fundraiser. She stated she felt it was an exploitive fundraiser.
- Trish Boaters, 18 Merrill Street She spoke about fundraising policies, buses for field trips, for-profit companies. The "Fun Run" organizers took 49% of all the money raised.

CONSENT AGENDA:

Warrants:

On a motion by **Steve Cole** and seconded by **Mayor Holaday** it was

VOTED: To approve, receive and forward to the City Auditor for payment the following warrant.
\$7,989.15

Motion Passed Unanimously

On a motion by **Steve Cole** and seconded by **Mayor Holaday** it was

VOTED: To approve, receive and forward to the City Auditor for payment the following warrant.
\$209,335.91

Motion Passed Unanimously

Minutes:

On a motion by **Sean Reardon** and seconded by **Sheila Spalding** it was

VOTED: To approve, receive and file the School Committee
Business Meeting minutes of Monday, January 21, 2020.

Motion Passed

Mayor Holaday voted present

STUDENT & STAFF RECOGNITION:

Superintendent Sean Gallagher recognized the following people:

- Nine students in the 8th grade at Nock Middle School were recognized for being Peer Mentors to students at the Bresnahan Elementary School. They visit the Bresnahan School 1x per week during their flex time with 8th grade teacher Jen Groskin.
- Christina Gentile: in recognition of six years of service as Special Education Director to the Newburyport Public Schools.

NHS STUDENT REPRESENTATIVE REPORT:

NHS Student Representative Peter D'Ambrosio reported on the following:

- Our Real World Design Challenge students finished first in the state competition. They will now have the opportunity to compete nationally in the Spring at Washington, D.C. A big congratulations to Ms. Leadbeater and the RWDC students on their accomplishment.
- The Student Council's February meeting will happen tomorrow. We will focus on community service and Spirit Week.
- The Theater Department will be performing Twelfth Night in less than a month. The first show will be on Wednesday, February 26 at 7:00 PM followed by Thursday night at 7:00 PM and Friday at 3:00 PM. The cast will then compete at the Drama Festival on Saturday, February 29 which will happen at Andover High School.
- This past Friday the High School's Peer Training, who had received extensive training from the ADL, during which the trainers led students in activities to help everyone gain a stronger understanding of the terms bias, prejudice and stereotype. The main outcome for students was to understand that people are much more complex than what you see on the surface.
- Alongside the peer training session on Friday, students Charlie Grossman and Lindsay Neilson along with teachers Jill Moran and Tom Abrams were interviewed on WJOP's morning show by host Mary Jacobsen. This interview highlighted the work they are doing with the Anti-Defamation League's Peer Training Program as we work to become a No Place for Hate Zone.
- Boys Basketball - 11-1 CAL, 1st Place
Boys Basketball finished 1st place in the CAL, with an 11-1 record. Qualified for MIAA Playoffs. Defeated Masco 83-55
- Girls Basketball - 7-4 CAL, 9-4 Overall, 3rd Place
Girls Basketball finished 3rd in the CAL, with a 7-4 record. Defeated Hamilton-Wenham 53-50, Defeated Masco 45-42
- Hockey - 4-3-1 CAL, 4-8-1 Overall, 4th Place
Hockey finished 4th place in the CAL. Tied Masco 2-2
- Boys Track - 3-0-1, 1st Place
Cape Ann Kinney Division Champions Defeated North Reading 51-35

- Girls Track - 4-0, 1st Place
Cape Ann Kinney Division Champions, Defeated North Reading 61-25
- At Wednesday's Poetry Soup, there will be auditions for this year's NHS representative in the National Poetry Out-Loud contest. 7 PM - Room 118. Poetryoutloud.org for more information.

GALAPAGOS ISLANDS OVERNIGHT FIELD TRIP:

NHS teacher Erin Hobbs reported that 59 students have signed up from grades 10, 11, and 12 and will go on an overnight field trip to Ecuador and the Galapagos Islands from April 16, 2020 to April 24, 2020

Sean Reardon asked if they have done this trip before? Answer - No

Sheila Spalding asked how do the students get selected. Answer - they sign up

Motion:

On a motion by **Mayor Holaday** and seconded by **Sheila Spalding** it was

VOTED: To approve the overnight field trip to the Galapagos Islands from April 16, 2020 to April 24, 2020.

Motion Passed Unanimously

CAPITAL IMPROVEMENT PLAN:

Director of Facilities Steve Bergholm presented the Capital Improvement Projects for the school district to the School Committee. They include the following:

1. NHS Science Wing Addition & Renovation
2. NHS Roof Replacement
3. NHS Exterior Woodwork Project
4. NHS Exterior Painting
5. NHS Engineering Services
6. NHS Bleacher Seat Replacement
7. NHS Furniture Replacement
8. NHS Lighting Upgrades
9. Pick-up Truck with Plow
10. Toro Groundsmaster 3500-D
11. Nock Molin - Walkway/Sidewalk Repairs and Repaving
12. Nock Molin Tennis Court Renovation
13. Nock Molin Furniture Replacement
14. Nock Molin Gym & Auditorium Roof Replacement
15. NHS Carpet Replacement
16. NHS Ground Floor Vestibules
17. NHS School Auditorium Plaster Repairs

David Hochheiser spoke of the furniture replacement - we should find people to do research on this.

Mayor Holaday asked Mr. Bergholm if he needed a couple of weeks to do research.

Motion:

On a motion by **David Hochheiser** and seconded by **Sheila Spalding** it was

VOTED: To approve the Capital Improvement Plan.

Motion Passed

Sean Reardon voted No

REPAIR TENNIS COURTS NEAR JOHNSON STREET:

Friends of Nock Tennis Court would like to request that the school district allow them to repair the courts next to Johnson Street, as well as expand them towards the school roughly 2 feet so that they are regulation sized.

Mayor Holaday said she wanted to make sure there would be no parking on the court as it is being renovated.

Bruce Menin asked who would apply for CPA Grants. Answer - Parks

Mayor Holaday - work with Parks - design, organize

Motion:

On a motion by **Mayor Holaday** and seconded by **David Hochheiser** it was

VOTED: To support the efforts of the Friends of Nock Tennis Court to raise funds for the Tennis Courts at the Nock/Molin Schools.

Motion Passed Unanimously

2020-2021 DRAFT CALENDARS:

Superintendent Gallagher presented two versions of the 2020-2021 Draft Calendars (First Reading), one showing 2 Late Starts and the other showing 4 Late Starts. **Superintendent Gallagher** gave information on attendance - beneficial to late start and moving it to Friday - information also on chronic absences.

David Hochheiser asked are we sure that the kids who are chronically absent would not be affected.

Superintendent Gallagher explained how the calendars were developed.

Mayor Holaday encouraged community/students to reach out to the School Committee to discuss the calendar.

Superintendent Gallagher said he will go back with suggestions and review.

DISTRICT FUNDRAISING DISCUSSION:

Bruce Menin asked the Superintendent to list funding by the school.

David Hochheiser asked how much is being raised in each school.

Mayor Holaday asked if there were other fundraising done by other groups.

Steve Cole asked if there were going to be any guidelines.

ASSISTANT SUPERINTENDENT ANGELA BIK'S REPORT:

Assistant Superintendent Angela Bik reported on the following:

- **Seal of Biliteracy:** NPS will participate in this Massachusetts initiative of DESE. This is an award given in recognition of students who have attained a high functional level of

proficiency in speaking, reading, writing, and listening in 2 or more languages in school or in another setting by high school graduation.

- Edgenuity: partners with schools and districts to provide K-12 online and blended learning solutions that propel student success and empower every teacher to deliver more effective instruction.

SUPERINTENDENT SEAN GALLAGHER'S REPORT:

Superintendent Gallagher reported on the Strategic Plan, which included the following:

Strategy 1: Reimagining Teaching and Learning

- Skills-based instruction (also hits Strategy Two, Plan 3...competency-based learning)
- Blended Learning Committee
- NHS College and Career Pathway development
- Elementary Literacy
- Teacher Instructional Leadership Team Development (support relations and learning communities among teachers and administrators)

Strategy II: We will offer an array of opportunities for self-discovery & personal achievement.

Strategy III: We will maximize all internal & external resources Strategy IV:

We will optimize our organizational design & operations Strategy V: We

will create a dynamic community among all stakeholders

- Student Voice
- Community Voice
- Expanded Teacher Leadership and Teacher Voice

Strategy VI: We will create a culture that cultivates the best of everyone

- Contract Stability
- Leadership Team Development
- Budget Development
- District Systems

Strategy VII: We will provide supports so all students are ready and able to learn

SUB-COMMITTEE REPORTS:

Joint Ed - Sean Reardon said they met today - MCAS presentation

Policy - David Hochheiser said they met Saturday - update on policy

Mayor Holaday reminded the Committee that the State of the City will take place on Thursday at 7:00 PM.

Motion:

On a motion by **Mayor Holaday** and seconded by **David Hochheiser** it was

VOTED: To adjourn the Business Meeting of the Newburyport School Committee at 9:00 PM.

Motion Passed Unanimously

Motion:

On a motion by **Mayor Holaday** and seconded by **David Hochheiser** it was

VOTED: To open the Organizational Meeting for this coming term.

VIVA-VOCE VOTE FOR 2-2- VICE-CHAIR:

Motion:

On a motion by **Mayor Holaday** and seconded by **Brian Callahan, Sean Reardon** was nominated for the Vice-Chair.

Motion Passed Unanimously

Motion

On a motion by **Mayor Holaday** and seconded by **Steve Cole, Bruce Menin** was Nominated for the Vice-Chair.

Motion Passed Unanimously

Brian Callahan stated that **Bruce Menin** has done a good job; **Sean Reardon** can do a good job too.

Sean Reardon stated that **Bruce Menin** has done a good job.

Roll Call Vote:

Steve Cole	-	Bruce Menin
Mayor Holaday	-	Bruce Menin
David Hochheiser	-	Sean Reardon
Brian Callahan	-	Sean Reardon
Sean Reardon	-	Sean Reardon
Bruce Menin	-	Bruce Menin
Sheila Spalding	-	Bruce Menin

VOTE - **Bruce Menin - 4 Votes**
Sean Reardon - 3 Votes

Bruce Menin is elected to serve as the Vice-Chair.

ORGANIZATION:

Mayor Holaday recommended the following committee assignments:

Finance:

Chair - Steve Cole

Bruce Menin

Brian Callahan

Mayor Holaday

Policy:

Chair: David Hochheiser

Sean Reardon

Sheila Spalding

Joint Education:

Chair: Sean Reardon

Bruce Menin

Brian Callahan

Superintendent Evaluation

Bruce Menin

Mayor Holaday

Liaison to NEF: Sean Reardon

Special ED PAC: Sheila Spalding

Brian Callahan stated that the Committee doesn't get the Agenda early enough

ADJOURNMENT:

Motion:

On a motion by **Sean Reardon** and seconded by **Brian Callahan** it was

VOTED: To adjourn the Organizational Meeting at 9:12 PM.

Motion Passed Unanimously



Newburyport Public Schools

Facilities Department
241 High Street
Newburyport, MA 01950

January 29, 2021

Community Preservation Committee
Re: Nock Tennis Court Renovations

Dear CPC Members,

It is with great enthusiasm that I support the Parks Department's application for the renovation of the tennis courts at the R.A. Nock Middle School. This is a project that is long overdue, and will be beneficial to both the schools and the community at large. I can envision the renovated courts being used both as a practice facility for the high school teams, as well as by the Nock and Molin Physical Education Departments to introduce students to the game of tennis.

Additionally, I would like to assure the committee that the Newburyport Public Schools' Facilities Department will assume the responsibility of maintaining the courts once the renovations are completed.

Please do not hesitate to contact me if you have any questions or would like additional information.

A large, stylized handwritten number '4' in black ink, which serves as the signature of Steve Bergholm.

Steve Bergholm
Director of Facilities
Newburyport Public Schools

Mr. Mike Dissette, Chair
Community Preservation Committee
c/o Office of Planning and Development
City of Newburyport
60 Pleasant St
Newburyport, MA 01950

January 16, 2021

Dear Members of the Newburyport Community Preservation Committee:

As Chair of the Parks Commission, I'd like to personally thank this Committee for your past support in helping to fund improvement projects within the Open Spaces of our great City. Without your support, many outdoor recreational opportunities for our residents would not be possible, and we would not be able to improve upon the beautiful Open Spaces we have today.

I am writing to ask for your help in connection with a long-overdue restoration of the Nock Middle School tennis courts.

As you know, our community has a large tennis population, and several of our Parks feel daily pressure to accommodate their needs. This year in particular, with the onset of COVID-19, we have witnessed even more pressure on our Parks and Open Spaces as residents seek out safe, outdoor recreational activities. We have watched the tennis court at the Nock School fall into disrepair over many years, sitting dormant as needs escalate. The renovation of the Nock tennis courts is well overdue: the schools need it and the general public needs it in order to give some relief to the modest number of tennis courts we have sprinkled within the city.

We appreciate your consideration of funding to ensure this facility can be used to its fullest potential. Your past support is greatly appreciated and we look forward to continuing to work with you.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kimberly Turner', with a stylized flourish at the end.

Kimberly Turner, Newburyport Parks Commission Chair
27 High St.
Newburyport, MA 01950
781.632.6004

January 23, 2021

Community Preservation Committee
c/o Office of Planning and Development
City Hall
60 Pleasant St.
Newburyport MA 01950

To: Community Preservation Commission

We are very excited about the community effort to restore the two Nock Middle School tennis courts. This would be a fantastic addition to the town.

As owners of the Newburyport Tennis Club, we enthusiastically support all efforts to provide more opportunities and locations for people to play and enjoy tennis. Tennis is a great sport for all ages and abilities. The more places people have to play, the better!

There is no doubt that these courts are much needed. The high school tennis team constantly scrambles to find courts to practice and play matches on and the Newburyport Youth Services has a robust summer tennis program that would benefit from additional courts. The location of these courts is ideal for use by the middle school children both for gym classes and after school programs. Additionally, Newburyport's existing outdoor tennis courts typically have people waiting to play. It is frustrating and many people give up and go home.

During Covid-19 our Club has seen a solid uptick in the numbers of people playing tennis. It's exciting that more people are playing and that they understand that tennis is a safer sport. What we've seen at the Club is a trend across the country. The United States Tennis Association (USTA) reports an almost 30% increase in the numbers of people playing tennis in their last report! With so many new people now playing tennis there will be an even larger need for more public courts in our town.

We are VERY MUCH in favor of restoring these courts. They are sorely needed and we are thrilled to support this community effort to restore the courts at Nock Middle School!

Sincerely,

Daryl Colden, Kristen Tallman, Gary Gastman, Laura Goldberg

Owners, Newburyport Tennis Club

Dear Community Preservation Committee,

The popularity of tennis is on the rise and providing adequate facilities on school grounds to encourage and foster the love for this great game is needed. Over the years, courts have been removed from the Bresnehan school grounds (formerly Belleville), Mosley Pines and Atwood Park shrinking access. Additionally, the courts at the Middle School have been neglected and are now in severe disrepair. It is also worth considering that these broken-down courts are at common entrance point where kids enter and depart the school on a daily basis. It would be wonderful if some of the CPA money could be dedicated to brightening up this gateway to the school so that the students feel better about their school, while at the same time providing much needed courts for a game that gets kids outside and off their phones!

Thank you for your consideration!

Sincerely,

The Bradshaws
5 Payson St.
Newburyport, MA

20 Johnson Street
Newburyport, MA 01950

January 25th, 2021

Dear Community Preservation Commission (CPC):

We were thrilled to learn that an end may be in sight for the complete restoration of the Nock Middle School tennis courts in Newburyport. As 10-year residents of abutting Johnson Street, we've been dismayed by the unsafe condition of the courts, while having witnessed unnecessary injuries to athletes during use. Today, it largely remains inactive and is nothing short of an eyesore to residents and visitors alike to our City.

As parents of an aspiring tennis player, this would selfishly be ideal! In broader context, the City is woefully short the necessary facilities to adequately host varsity/JV/middle school tennis competition. The addition of two courts would certainly be a step in the right direction in helping to realize a student/athlete's dream, additional space for Newburyport Youth Services to operate, or perhaps help rejuvenate a resident that would like to revisit their past game.

Thank you kindly for your due diligence and consideration for this project.

Sincerely,
Jake & Meagan King

195 High Street
Newburyport, MA
01950

January 29, 2021

Dear Community Preservation Commission:

We are told there is renewed interest in restoring the community tennis courts at the Nock Middle School. We support this effort entirely as this is an underutilized community asset. These courts were once well maintained and constantly used for tennis or other sporting activities. Restoration of these courts would provide another public tennis venue beyond Atkinson Common, where the courts are often full. In addition, we understand that additional courts would allow Newburyport High School to host home matches, which would certainly benefit our student-athletes.

Furthermore, because of its prominent location, it seems it would benefit the community in more ways than just for those looking to play tennis. Not only do residents who have children at the school pass these courts every day, but out of town visitors who are participating in activities at the school pass by this area as well. In their present condition, these courts send the wrong message about Newburyport to our citizens and visitors to town alike.

It would be wonderful to breathe some new life into that lovely little space. We hope you will consider it.

Sincerely,
Brin and Stephen DeLisle

From: **Sarah Holden** <sholden@fishboneprojectmanagement.com>
Date: Thu, Jan 28, 2021 at 6:39 PM
Subject: Support for Tennis Court at Middle School
To: Tara Sullivan <trocksully@gmail.com>

To whom it may concern:

I am writing in support of updating the tennis courts at the Rupert Nock Middle School to two regulation courts with a backboard.

Although there are other courts in the City, the neighborhood around the Nock does not have easy access to acceptable courts. The existing court area has been in disrepair for many years—I have lived in the neighborhood for 23 years and it was never maintained for quality tennis play. The area around the Nock has become a vibrant area both after school and during the summer, with the skate park and the baseball and soccer/lacrosse fields and unfortunately the corner where the old court sits remains unused.

There are many tennis enthusiasts in close proximity to this area that would guarantee a return on the investment of installing and maintaining these courts. In addition, PE classes could use it for instruction to enhance the current high school tennis program.

Please support this much needed upgrade for the City!

Sarah Holden
34 Toppans Lane
978-335-0745
Sent from my iPhone

On 1/28/21, 11:33 AM, "Sara Thurston" <sk_thurston@yahoo.com> wrote:

Hi Rosie!

Here is a copy of the letter that I just sent regarding the tennis courts at the Nock :-) hope we can make it happen, that would be awesome!!

Sara

Dear Community Preservation Committee,

I am writing to inform you of my support to rebuild the tennis courts at the Nock Middle School in Newburyport. As a long time resident, both of my children have attended the Nock, and we have seen these courts unused and becoming an eyesore in our city.

In addition to the community at large being able to enjoy these tennis courts, Newburyport High School is lacking court space for matches and practices. The courts can be also used for gym class at the middle school (the USTA mentioned they could help provide equipment and training for physical ed. teachers).

And finally, Newburyport Youth Services could use them for camps and clinic.

I hope you will consider all the above for rebuilding the tennis courts and continuing to improve our beautiful city.

Sincerely,
Sara Thurston

From: Rachel Forrest-Hay <rachelforresthay@yahoo.co.uk>
Date: Thursday, January 28, 2021 at 10:41 AM
To: "chuckturgeon3@comcast.net" <chuckturgeon3@comcast.net>
Subject: Tennis Courts on Johnson St

Hello,

I wanted to write a quick note expressing my support for the proposal to refurbish the dilapidated tennis courts on Johnson St.

I am a Johnson St resident and know that the current site is an eyesore and hazard, with broken fencing and an uneven surface that makes it difficult to play tennis there safely. It would be great to have the courts repaired and refurbished, to allow students from the Nock / Molin and High schools to play tennis on site, and indeed all community members too!

If you want me to write another message to anyone else i am happy to do so.

Regards
Rachel Forrest-Hay

From: Lindsey O'Keefe <lindsok@gmail.com>
Date: Thursday, January 28, 2021 at 10:25 AM
To: <chuckturgeon3@comcast.net>
Subject: Middle school tennis courts

Dear CPC,

I was recently made aware of the potential restoration of the Nock Middle School tennis court.

As residents of Johnson street we really hope that this restoration goes through. The conditions of the courts now are terrible and extremely unsafe. In restoring these courts you would give the children a safe place to play.

Thank you for your consideration!

Sincerely,
Lindsey and James Sarno at 22 Johnson street

Sent from my iPhone

From: Chuck Turgeon <chuckturgeon@yahoo.com>
Date: Wednesday, January 27, 2021 at 8:02 AM
To: Rosemary Turgeon <chuckturgeon3@comcast.net>
Subject: Tennis Court Project Endorsement

Community Preservation Committee
c/o Office of Planning and Development
City Hall
60 Pleasant St.
Newburyport MA 01950

Dear CPC,

As a long time Newburyport resident, who's helped raise three children in the community, I'm writing to add support to the tennis court renovation project at the Nock/Molin school.

I'd like to strongly support the advancement of this project along several points of backing:

- 1) The high school tennis team needs 5 tennis courts for hosting proper matches and also needs more practice space.
- 2) The courts can be used for gym class at the middle school (Outside!)
- 3) NBPT Youth Services could use them for camps and clinics
- 4) The community at large can use them. With the pandemic over the last year, many have found outdoor activities like tennis (myself included!) as new and safe ways to be outside, exercising and in a safe socially distant activity. More tennis courts allows for more safe and healthy means for us all.
- 5) It seems that the current site/footprint is an eyesore and a safety hazard.

Thank you so much for your consideration of this important project.

Sincerely,
Charles Turgeon
20 Daniel Lucy Way
Newburyport MA 01950
617-852-3461

Susan Turner
10 William Hall Dr
Newburyport, Ma 01950

Community Preservation Committee
% Office of Planning and Development
City Hall, 60 Pleasant St
Newburyport, Ma 01950

January 26, 2021

To Whom It May Concern,

I am writing on behalf of an initiative that was just brought to my attention to upgrade 2 of the Newburyport tennis courts, at the Nock Middle School on Low Street. As a parent to two girls that are currently just learning to play, I have realized over the past several months that there are very limited outdoor playing areas in a town that seems to have a lot of talented players, of all ages. The tennis courts that we do have in town (Cashman, Perkins, and Atkinson) are really run down. I would love to see the schools eventually be able to compete in tennis in their home town one day, which I believe would require 5 usable courts. Upgrading the two at the Nock Middle School would be a great start. It would also be able to be used to get more kids interested in the sport during gym class, and summer camps.

I hope that you will seriously consider the efforts that are being brought to you to fix up these two courts as soon as possible.

Thank you,
Susan Turner

From: Kristin Keller <kristinkeller@gmail.com>
Date: Tuesday, January 26, 2021 at 9:32 AM
To: rosemaryturgeon <chuckturgeon3@comcast.net>
Subject: My letter to Andy about tennis courts

Hi Rosie, I wanted to copy you on the letter I sent to Andy at Town Hall. Please let me know anything more I can do!

Hi Andy,

My family enjoys playing tennis at Atkinson Common and in the winter we play at the Newburyport Tennis Club. It has come to my attention that there is a possibility to plan and design updated tennis courts at the Nock Middle School. This would serve 4 much needed goals:

1. NBPT high school needs 5 tennis courts for hosting proper matches and for more practice space.
2. The courts can also be used for gym class at the middle school (the USTA mentioned they could help provide equipment and training for physical ed. teachers)
3. NBPT Youth Services could use them for camps and clinics.
4. And the community at large can use as the tennis courts in town are increasingly harder to get on for court time.

I believe these goals support the plan and I would be happy to support this in ongoing town meetings. Thank you in advance for your consideration.

From: Arik Keller <arikkeller@gmail.com>
Date: Tuesday, January 26, 2021 at 8:27 AM
To: Rosemary Turgeon <chuckturgeon3@comcast.net>
Subject: letter of support for tennis courts

Community Preservation Committee
c/o Office of Planning and Development
City Hall
60 Pleasant St.
Newburyport MA 01950

I'm writing in support of investing in our tennis courts and tennis programs in Newburyport. Investing in this has multiple positive outcomes, Newburyport High School can properly host matches, courts could be used for gym classes and teaching kids the sport of tennis, or even pickleball. NBPT Youth Services could use them for camps and clinics. This is an investment in our kids, but also people of all ages who are often waiting around town to get onto a dilapidated court.

Arik Keller
50 Jefferson St, Newburyport, MA 01950

From: Tara Sullivan <trocksully@gmail.com>
Date: Monday, January 25, 2021 at 10:43 AM
To: Rosemary Turgeon <chuckturgeon3@comcast.net>
Subject: Letter of support for tennis court

To the Community Preservation Commission:

My name is Tara Sullivan and I reside at 41 Summit Place in Newburyport. My home abuts the Nock Middle School property including the sports fields and the old tennis courts. I am an avid tennis player (I am a member of the Newburyport Tennis Club) and it is with great excitement that I write this letter in full support of renewing the tennis courts at the Nock Middle school!

This space needs updating and I hope that the Community Preservation Commission will consider supporting this project.

Sincerely,

Tara Sullivan
(978)618-2172

From: **Kerry Jones** <kerry.jones.ma@outlook.com>
Date: Wed, Jan 13, 2021 at 9:30 PM
Subject: Tennis courts
To: trockssully@gmail.com <trockssully@gmail.com>

January 13, 2020

To whom it may concern at
the Community Preservation Committee,

My name is Kerry Jones. I live at 39 Summit Place in Newburyport, MA. I am in full support to put in two regulation sized tennis courts and a blackboard near the Nock Middle School property.

I walk my dog by this location almost every day and the space desperately needs help. I hope the Community Preservation Committee will consider the neighborhood's support. Our community needs it!

Best,

Kerry Jones
303.549.8295

From: Anders Jahn <ajahn@klonelab.com>
Date: Saturday, January 9, 2021 at 1:49 PM
To: <chuckturgeon3@comcast.net>
Cc: Greg Lynch <greglynch@hotmail.com>
Subject: Nock tennis courts

Rosemary – please see the Serve & Volley regarding the Nock Tennis Courts initiative. I will put hard copy in the US Mail to the CPC today.

I am fired up.

Anders
45 Hill Street

Hello Rosie and Happy New Year,

My wife, Christine and I are writing to you this month to request help in the much needed repair or replacement of the tennis courts at the Nock. We supplied our own tennis net several years ago and that alone has provided many hours of play for the children in the region. As you know, there are only a handful of courts in our town, and not everyone can afford to join a tennis club. Growing up in my hometown of Melrose, we had the opportunity to play tennis outside all of high schools and middle schools, and this allowed me to learn and develop a game that we still enjoy today. Please let us know if there is anything we can do to help push this project forward in the months ahead. I appreciate any feedback and thanks again for trying to improve our community.

Sincerely,

Richard and Christine Riccardi MD
30 Summit Place
Newburyport, MA

Community Preservation Committee
c/o Office of Planning and Development
City Hall
60 Pleasant St.
Newburyport MA 01950

To whom it may concern,

I am writing to express my support around the proposed tennis court renovation project at the Middle School. As a lifelong tennis player, having outdoor options for tennis play have been invaluable throughout my life. When I moved to Newburyport in 2003, I was always surprised that there were not more tennis courts and with the exception of the courts at Atkinson Commons only individual courts spread around town. While it has been nice to have those options, there have been many times that we have driven court to court to find an open court at times having to then move on to another town to be able to play especially during the high school tennis season and when camps are in session.

Especially over the past year, the number of people at all age levels who I have seen playing or have expressed interest in playing, has made it more clear that Newburyport needs more courts available to accommodate the growing numbers. This need should be celebrated and focusing on restoring the Middle School courts should be a priority item. I know many people have written in support of this project and I can only reiterate the many key points that I am sure are on the table. The fact that the run down courts have been left in disarray for so long is disappointing. It does not project the pride that Newburyport typically has on maintaining quality outdoor areas. The fact that the courts could be multi-use for the school, NYS and the community at large would be another invaluable asset for our city. I applaud the committee who has put in countless hours advocating for this restoration of this space. Their efforts alone have already done much of the research and legwork of looking into cost options and layout proposals paving the way to make this a worthwhile and viable additional to our town.

Thank you in advance for considering the efforts of all those in support of this project. I am hopeful that your department will agree to prioritize this proposal and provide the funding requested.

Sincerely,
Megan Arel
73 Curzon Mill Road
Newburyport, MA 01950

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

March 28, 2022

THAT, at the recommendation of the American Rescue Plan Act (ARPA) Ad Hoc Committee, \$2,400,000 is hereby appropriated from the City's allocation of the Coronavirus State and Local Fiscal Recovery Funds (SLFRF) to pay costs of maintaining and/or repairing public streets, ways, walkways, and sidewalks in accordance with years one and two of the City's five-year street and sidewalk improvement plan. Fifty percent (50%) of said appropriation shall take effect forthwith with the remaining fifty percent (50%) of said appropriation to take effect upon receipt of the second tranche of the City's SLFRF allocation. It is the intent that any funds remaining upon completion of this project shall be reappropriated to another project as recommended by the ARPA Ad Hoc Committee.

Councillor Bruce L. Vogel

Councillor Christine E. Wallace

Councillor Sharif I. Zeid

In City Council March 28, 2022:

Motion to refer ORDR00333, ORDR00334, ORDR00335, and ORDR00336 collectively to Budget & Finance by Councillor Zeid, seconded by Councillor Cameron. So voted.

American Rescue Plan Act: State and Local Fiscal Recovery Funds

City of Newburyport Allocation Recommendations

March 22, 2022

ARPA Background

The Coronavirus State and Local Fiscal Recovery Funds (SLFRF) are a part of the American Rescue Plan Act (ARPA) and it delivered over \$350 billion to state, local, and Tribal governments across the country. The funds are meant to support the local response to and recovery from the COVID-19 public health emergency, and the Treasury department has allowed for significant flexibility in the use of these funds. The January 6 2022 Final Rule on the SLFRF stated that any municipality's first \$10M can be used for "Replacing Lost Public Sector Revenue," a broad category that permits most uses. Newburyport's entire allocation is under this amount, and can all be spend on this category.

Newburyport will receive \$5,466,707 total in SLFRF allocations, with the first half already received and the remaining \$2,733,353 coming in August 2022. These funds need to be obligated by December 31, 2024, and expended by December 31, 2026. An ARPA Ad Hoc Committee was convened in summer 2021 and approved an expenditure of \$1,000,000 to support the Phillips Drive Drainage Project. Mayor Reardon reconvened the Committee in February 2022 to discuss how to spend the remaining funds. The Committee is comprised of Councillors Bruce Vogel, Christine Wallace, and Sharif Zeid.

The Committee decided in their second meeting that based on the needs of the City, they should prioritize infrastructure projects for these funds. The Department of Public Services and the Mayor's Office provided the Committee a list of priority projects taken from the Capital Improvement Plan and others flagged by the Mayor's Capital Facilities Planning process. The Committee is recommending three projects for funding at this time. Should any of these projects come in under the allocated amount, the funds will be reallocated toward another infrastructure project recommended by the ARPA committee.

Recommended Projects

Streets and Sidewalks Improvements (\$1,200,000 now, \$2,400,000 total)

The City will appropriate \$2,400,000 to pay costs of maintaining and/or repairing public streets, ways, walkways, and sidewalks in accordance with years one and two of the City's five-year street and sidewalk improvement plan. Fifty percent of the appropriation will take place upon the City Council's vote, and the remaining fifty percent will take effect upon receipt of the second tranche of the City's SLFRF allocation in August 2022.

This plan was introduced to the City Council in their 3/14 Council Packet and is under consideration by the Neighborhoods and City Services Committee. The City is sharing information about the plan on its website and through social media, and has a petition program in place for residents to request reconsideration of the order of street and sidewalk repair.

Amesbury Emergency Interconnection Project (\$250,000)

The Department of Public Services has recommended approval, which was echoed by the ARPA Committee, of appropriating \$250,000 to pay costs of constructing and installing water line connection points in Newburyport and Amesbury. This will create hookups for an emergency interconnection line that will be utilized should Newburyport's water not be drinkable in the event of an algae bloom or another toxic event. Should an emergency occur, DPS will purchase the piping necessary to connect to

these connection points and install it so the City can utilize Amesbury's water until the emergency conditions have subsided. The City is completing an Intermunicipal Agreement with Amesbury so that the terms of such an arrangement are negotiated well in advance of needing to use it. Attached is a memo from Environmental Partners with more information about the project and why it has been recommended.

Joppa Park Sea Wall (\$100,000)

The Committee is recommending \$100,000 be appropriated to pay costs of replacing and stabilizing the walkway, which runs along the Joppa Park sea wall, including the installation of accessible paver aprons that are needed to bring the park into compliance with the Americans with Disabilities Act (ADA) standards. The sea wall will be stabilized using a specialized hardscape detail that is designed to prevent future degradation due to tidal action and increasingly intensified storms and tidal action of the Merrimack River. This will be supplemented by \$60,000 from the Morrill Foundation, and the ARPA funding will expedite the timeline for the project's completion. The project will go to bid after the ARPA funds are transferred and project construction can begin this season, shortly after the contractor is selected. We anticipate the project can be completed in this calendar year, as long as there are not too many delays due to supply chain issues.

Remaining Funding and Next Steps

Should these projects be funded, the City will have \$1,716,707 left to disburse after receiving its second tranche of funding. We have attached a list of potential infrastructure projects that are under consideration, as well as the full listing of costs. As stated earlier, the ARPA Committee has reached consensus that the remaining funds would best be used on infrastructure projects. These may include design costs for larger projects so that they could be made shovel ready in case of additional funding becoming available. The Committee has also discussed the possibilities of funding traffic safety projects, and the Central Waterfront Bulkhead should more funding be needed. The Committee will plan to meet after this allocation is complete to discuss the strategy on the remaining funds.

ARPA candidates

Department	Contact Person	Asset Name	What type of asset is this?	Department or division maintains the asset?	If there is anything else to consider regarding this asset, please describe:	Priority Year (1-5)	Estimated Cost
DPS SEWER	Jamie Tuccolo	WATER ST	Building	SEWER	Currently being designed, this station might (should) be relocated to State property due to current proximity to Merrimac (8') and lack of access. Jamie is putting together a package of info.	1	\$1,000,000
DPS WATER	Jamie/Tom	WTP/SPRING LN	Building	WATER	SCADA, controls, water treatment etc. Upgrades phase 1	1	\$170,000
DPS WATER	Jamie/Tom	PLUM ISLAND STATION UPGRADE	Building	WATER	Chlorine booster	1	\$100,000
DPS SEWER	Jamie /Chris	WWTF/WATER ST	Building	SEWER	WWTF and sewer system resiliency plan	1	\$2,200,000
DPS SEWER	Jamie/Chris	WWTF/WATER ST	Building	SEWER	Aeration system upgrade	1	\$125,000
DPS SEWER	Jamie/Chris	WWTF/WATER ST	Building	SEWER	Effluent channel coatings repair	1	\$120,000
DPS SEWER	Jamie/Chris	WWTF/WATER ST	Building	SEWER	New clarifier FY23	1	\$590,000
DPS	Jamie Tuccolo	16 A/B/C PERRY WAY	Building	DPS	Salt shed	1	\$360,000
DPS	Jamie Tuccolo	CITY HALL	Building	DPS	City Hall roof replacement	1	\$424,250
DPS	Jamie Tuccolo	STREETS	Streets	DPS	Requests in CIP	1	\$2,000,000
DPS	Jamie Tuccolo	STREETS	Streets	DPS	Requests in CIP 2022- Phillips Drive, Hale St	1	\$4,275,000
DPS	Jamie Tuccolo	DAM	Bridge	DPS	Lower Artichoke reservoir dam improvement	1	\$500,000
DPS	Jamie Tuccolo	BRIDGES	Bridge	DPS	Plummer Spring Bridge	1	\$700,000
DPS	Jamie Tuccolo	SIDEWALKS	Sidewalks	DPS	Requests in CIP	1	\$500,000
DPS	Jamie Tuccolo	UTILITIES	Utilities	DPS	Water main replacement	1	\$250,000
DPS	Jamie Tuccolo	UTILITIES	Utilities	DPS	Indian Hill Water Line Phase 1	1	\$450,000
DPS	Jamie Tuccolo	UTILITIES	Utilities	DPS	Emergency water connection with Town of Amesbury	1	\$200,000
DPS	Jamie Tuccolo	UTILITIES	Utilities	DPS	Replace aging water, sewer and drainage systems in downtown area	1	\$1,500,000

DPS	Jamie Tuccolo	WATER	Water Supply Protection	DPS	Requests in CIP	1	\$250,000
POLICE	Mark Murray	POLICE STATION	Building	POLICE	Dispatch upgrade	1	\$475,000
PARKS	Lisë Reid	ATKINSON COMMON, LOWER	Park	PARKS	Drainage and parking safety improvements	1	\$800,000
PARKS	Lisë Reid	INN ST MALL/ BYRON'S COURT	Park	PARKS	Elevated walkway repairs	1	\$50,000
PARKS	Lisë Reid	JOPPA PARK	Park	PARKS	Walkway repairs along seawall, damage due to tidal action	1	\$100,000
HBR	Paul Hogg	CHANNEL DREDGE	Other	HBR	Channel dredge		\$150,000
PLANNING	Andy Port	BULKHEAD	Other	PLANNING	Central waterfront, east bulkhead	1	\$3,000,000

\$20,239,250

Committee Items-April 11, 2022

General Government

General Government

In Committee:

- ORDR00324_03_14_2022 Ad Hoc on Adaptive Reuse of Brown School
- COMM00401_03_28_2022 Ltrs. IFS Settlement
- ORDR00332_03_28_2022 Authorizing the Settlement-IFS & Planning Board Appeal (COTW)
- ORDR00337_03_28_2022 Settlement High Street Paving 150K (COTW)

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

Ad Hoc Committee on Adaptive Reuse of Brown School Property

Pursuant to Council Rule 7, the Ad Hoc Committee on Adaptive Reuse of the Brown School Property is hereby established for this two-year legislative session upon the following terms and conditions.

Purpose & Goal

The Committee will be charged with reaching consensus for a viable “highest and best” future use(s) of the Brown School building and property. The deliverables include a written report and recommendation to the full Council and Mayor. The Ad Hoc Committee will review prior studies, Council actions, community and neighborhood input, and guidance from key stakeholders with expertise and familiarity with the existing facility and any proposed future use(s).

Members:

1. Councillor Cameron, At-Large, Chair of Planning and Development Committee (Ad Hoc Chair)
2. Councillor Donahue, Ward 2
3. Councillor Preston, At-Large, Member of Planning and Development Committee
4. Councillor Wallace, Ward 4, Member of Planning and Development Committee
5. Councillor Zeid, Ward 1

Ex Officio (Non-Voting) Members:

1. Mayor Sean Reardon
2. Planning Director Andy Port
3. Designee of Mayor Reardon
4. Madeline Nash, Co-Chair, Newburyport Affordable Housing Trust
5. Karen Wiener, Member of Newburyport Affordable Housing Trust

Proposed Timeline:

1. **Facility Walkthrough & Review of Prior Reports** (feasibility studies, environmental assessments, etc.) **[March]**
April
2. **Committee Meetings with key stakeholders** (e.g. AHT, NYS, Facilities Manager, Office of Planning & Development, etc.) **[March] May**
3. **Public Meeting(s) with Brown School neighborhood and other interested stakeholders** (e.g. AHT, NYS, Ward Councilors, Facilities Manager, Office of Planning & Development, etc.) **[April] May**
4. **Committee Meetings to discuss scope and basic terms for adaptive reuse(s):** **[April] June**
 - a. Preservation of the Main Building and Playground Area

Adaptive Reuse for Housing (type, feasible and appropriate unit/parking count, target population, %/level of affordability/affordability mix) or other use deemed appropriate by the ad hoc or administration.

- b. Renovation/Reuse vs. Demolition of the Existing Gym Space
 - c. Mitigation of potential neighborhood impacts such as parking, snow parking, traffic.
 - d. Additional terms for any partner (non-profit or developer) to be included in a Request for Proposals (RFP)
5. **Submit Written Report and Recommendations to City Council and Mayor** [\[May\] July](#)
 6. **Draft Request for Proposals (RFP) and any appropriate/required zoning amendments** [\[May\]](#)
 - a. Assistance from Office of Planning & Development, based on parameters outlined by the Committee.
 7. **Issue Request for Proposals (RFP) and sponsor any appropriate/required zoning amendments if necessary** [\[June\] August](#)
 8. **Review RFP Responses and Select Highest Ranked Responsive Proposal** [\[July-August\] September-October](#)
 9. **Ad Hoc Disbands with further activities managed by Administration and as needed City Council**
 10. **Draft/sponsor Council action for disposition (by sale or lease) (defined portions as applicable)** [\[September\] November](#)
 11. **Disposition Process (e.g. lease/deed execution, closing)** [\[October-November\] January – February 2023](#)
 12. **Permitting (non-profit/developer partner)** [\[December – February 2023\] February – March 2023](#)
 13. **Construction Start** [\[March-April 2023\] May-June 2023](#)

Council President Heather L. Shand

In City Council March 14, 2022:

Motion to refer to Planning & Development by Councillor Cameron, seconded by Councillor Vogel. Motion withdrawn. Motion to refer to General Government by Councillor McCauley, seconded by Councillor Vogel. So voted. 8 yes, 2 absent (BL, AK), 1 no (SZ).

From: steve@knipmeyer.org <steve@knipmeyer.org>

Sent: Sunday, March 27, 2022 9:43 AM

To: Heather Shand

Cc: 'Sharon Knipmeyer'; steve@knipmeyer.org

Subject: IFS Settlement March 28, 2022

Councilor Shand,

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 a 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, 2021 when it denied the proposal.

We are greatly disappointed that the city is once again considering a 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

Dear City Council members,

In the event I am unable to dial-in to tonight's City Council meeting as I am traveling, I am writing to ask City Council members to deeply consider the negative impact of accepting the IFS settlement proposal as it stands now. The current settlement proposal reflects the same size of the bank's expansion that was rejected by the Planning Board and Historic Commission in an issue that has been debated since January 2020. Over and over the bank has been told to reduce the size of the structure as it fails to comply with the Downtown Overlay District, yet the bank continues to push through with its desire for an inappropriately sized structure, ignoring abutters, concerned citizens, and our city officials. Now, our very own city leadership is encouraging councilors to accept and recommend to the Planning Board a "settlement" that essentially gives the bank what it wants, thus setting a playbook for any one seeking to circumvent the DOD by simply suing and expecting the city to agree to an unfair settlement to avoid "losing" in court. If the city agrees to this settlement, it has already lost in the court of public faith and opinion. Sadly, it will make constituents and those considering public office to think twice about our city government and serving it. If the city operates out of fear of losing to a much-loved, yet formidable, determined and fiscally secure opponent, it compromises the spirit of "good" government. In short, this lengthy dispute with the bank is more about size at this point. It's about integrity and how we conduct ourselves as a community. I seriously wonder if we would be at this point if the IFS was a run-of-the-mill developer seeking to expand in a similar way in our beloved downtown.

I would like to provide background to our new city councilors as they are in the position of approaching this issue with fresh eyes. In November 2021, the then-City Council rejected the proposed Oct. 4 settlement between the IFS and the City of Newburyport concerning the bank's desired expansion plans to its State Street headquarters. Over 14 months during a pandemic, abutters, city residents and volunteer boards such as the Planning Board and Historic Commission spent numerous hours trying to negotiate with bank officials to address the massive size of the expansion. Over that same period, there were no concessions made by the bank regarding the expansion's size. Ultimately, the Planning Board rejected the bank's request to build since the size of the proposed 2-story, 16,000-square-foot addition fell short of the DOD ordinance requirements. Under the proposed settlement, however, the size of the proposed IFS expansion still falls short of DOD requirements.

It's important to note for context that abutters, of which I was one at the time, accepted and still accept the bank's right to expand, though the bank continuously and vigorously refused to budge on the one thing that mattered most to the community: Size. And now, even with this proposed settlement, size remains the issue because once again there have been no concessions on this front from the bank.

It's understandable that the city thinks it would lose in court, thus dismantling the DOD, though the city is better off letting the litigation proceed and appealing a negative ruling in court because it has already lost if it accepts this one-sided proposal. Any entity, large or small, who wants to challenge the DOD can do so now by following the bank's strategy of appealing an adverse city vote in court, knowing that the city wants to preserve the DOD, even if it means agreeing to terms that do not comport with the DOD. I am truly disheartened by how this has played out. The settlement's fate will ultimately rest with the Planning Board, and I will again request that the Planning Board again deny this project in its current form. Unless there are meaningful revisions to the size of the IFS addition, the proposed settlement must be avoided and sent back to the land court to play out openly and fairly while the City Council revisits the DOD.

Thank you for your consideration.

Claire Papanastasiou
3 Orange St., Newburyport
(Formerly of 4 Otis Place)

--

Claire Papanastasiou
617.416.3377
claire.p.claire@gmail.com

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

March 28, 2022

AN ORDER TO AUTHORIZE THE SETTLEMENT AGREEMENT BY AND BETWEEN THE CITY AND THE INSTITUTION FOR SAVINGS RELATING TO AN APPEAL TO LAND COURT OF A PLANNING BOARD DECISION

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

THAT the City Council of the City of Newburyport hereby accepts and recommends to the Planning Board the Settlement Agreement dated October 4, 2021 and attached hereto and referred to as Attachment 'A'. Said Settlement Agreement was entered into after a Mediation with the Honorable Mitchell H. Kaplan (Ret.) serving as mediator and it was by and between the City of Newburyport and the Institution for Savings and relates to an appeal to the Land Court Docket No. 21 MISC 000237 of a Planning Board Decision by The Institution For Savings and further includes the following, to wit:

1. Exhibit 1 – the colored renderings of the proposed changes

Councillor Heather L. Shand

In City Council March 28, 2022:

Motion to refer ORDR00332 and ORDR00337 collectively to General Government by Councillor Zeid, seconded by Councillor McCauley. So voted.

Motion to waive the rules to collectively remove ORDR00332 and ORDR00337 from General Government and collectively refer back to General Government and the COTW by Councillor Zeid, seconded by Councillor McCauley. So voted.

SETTLEMENT AGREEMENT

WHEREAS the Institution for Savings in Newburyport and its Vicinity (the "INSTITUTION"), the City of Newburyport (the "CITY") and the City of Newburyport Planning Board and its Members (the "PLANNING BOARD") (together with the CITY, the "CITY DEFENDANTS") (collectively, the "PARTIES") are parties to that certain action captioned Institution for Savings in Newburyport and its Vicinity v. City of Newburyport, et al., Land Court Docket No. 21 MISC 000237 (HPS), (the "LAWSUIT") wherein the INSTITUTION seeks to overturn the PLANNING BOARD's denials of a special permit and site plan approval for an addition to the INSTITUTION's banking headquarters in downtown Newburyport, but also including a challenge to the CITY's Downtown Overlay District; and

WHEREAS the INSTITUTION and the undersigned CITY officials (the "CITY PARTIES"), on behalf of the CITY DEFENDANTS, duly-authorized, have engaged in mediation with the Honorable Mitchell H. Kaplan (Ret.), serving as mediator, and now agree to resolve the LAWSUIT, pending PLANNING BOARD approvals on remand, on the following terms and conditions, which are the product of negotiation and compromise, deemed by the PARTIES to be in their mutual interest;

NOW, THEREFORE, the PARTIES hereby agree as follows:

1. That, upon joint Motion submitted by the PARTIES by and through their respective counsel-of-record, the LAWSUIT shall be remanded to the PLANNING BOARD for a further consolidated public hearing on the INSTITUTION's special permit and site plan approval applications; and the PLANNING BOARD shall use best efforts to conclude its review in one (1) meeting if reasonably possible. The PLANNING BOARD shall reconsider its votes on said applications; it being anticipated that the PLANNING BOARD will vote to approve the same based on the materials and plans last before the PLANNING BOARD before it voted to deny, i.e. on March 17, 2021, see Exhibit I to the Complaint filed in the LAWSUIT, but subject to the following negotiated revisions thereto and other commitments:

- (a) The INSTITUTION has committed to, and will, incorporate the design changes shown on the renderings annexed hereto as **Exhibit 1**, to give the appearance of height reductions for both the addition and its connector to the existing Bank building. These changes include a lowering of the addition's cornice height; as well as continuance of said cornice height through the aforesaid connector, replacing the exterior treatment above said cornice with copper.¹ The INSTITUTION's architect shall present the PLANNING BOARD with two (2) options for copper detailing.
- (b) Along the addition's Prospect Street façade, the so-called central bay

¹ During and between mediation sessions, the INSTITUTION did establish, and support by statements from its engineer and architect, that any further reduction in the (eave) height of the addition and/or connector presents numerous challenges implicating means of egress, stormwater management, site grading and emergency access. The cost and uncertainty associated with such an attempted reduction outweighs any *de minimus* height reduction that might be achieved, which would be imperceptible to the average person.

will be given a recessed appearance by extending the building facades toward Prospect Street to provide an 18-inch return, as shown on the rendering annexed hereto as **Exhibit 1**.

- (c) The INSTITUTION confirms that the façade of the addition will utilize brick of a different color variation than that comprising the existing, i.e. circa-1980, addition to the Bank, so as to distinguish it visually; provided, however, that the brick façade of the connector shall be consistent with the brick of the 1980s addition.
- (d) First-floor, i.e on-grade, windows on the addition's Prospect Street façade will be comprised of spandrel glass. Spandrel glass is opaque glass that is often used to conceal structural building components such as columns, floors, HVAC systems, vents, electrical wiring and plumbing, preventing these from being visible from the exterior of the building. It will also function to prevent the spill of light from vehicles (or other sources) onto Prospect Street. The INSTITUTION will provide a sample of the glass to be used.
- (e) The INSTITUTION will present to the PLANNING BOARD, on remand, a comprehensive planting plan prepared by its landscape consultant including the areas immediately adjacent to the addition along both Prospect Street and Otis Place; it being understood the the PLANNING BOARD is expected to request dense plantings to soften the appearance of the addition.
- (f) The INSTITUTION will also present the PLANNING BOARD, on remand, as a part of the aforesaid planting plan, a proposal for separating the aforementioned planting beds from the adjacent sidewalks, e.g. by raising them by approximately six (6) inches above the grade of the sidewalk.
- (g) A noise and exhaust study will be provided as requested, to verify no meaningful impact(s) on the neighborhood or the City. Specifically, the INSTITUTION will measure pre- and post-developpment noise and exhaust, using a professional qualified to complete the same, and will submit the results thereof to the CITY.² Should mitigation be required, the INSTITUTION will work with the CITY DEFENDANTS in good faith to effectuate the same.

2. All CITY PARTIES agree to recommend and support the approval of the special permit and site plan upon the terms set forth herein.

3. That the within Agreement (the "AGREEMENT") and the PARTIES'

²The INSTITUTION expects a reduction in noise and exhaust, where the Bank's generator, presently outdoors, will be relocated to the interior of the structure; where vehicle parking will likewise be moved inside; and where a new mechanical exhaust system will be installed.

respective obligations hereunder are expressly contingent upon the PLANNING BOARD issuing a special permit and site plan approval to the INSTITUTION on the terms described above, and none other. The PARTIES further agree that, if the special permit and site plan approval have not been filed with the City Clerk by December 16, 2021, this AGREEMENT shall become null and void unless extended by agreement of the PARTIES.

4. That, upon the PLANNING BOARD's approvals and passage of the appeal periods without appeals, and the subsequent and immediate recording of the PLANNING BOARD's decisions with the Essex South District Registry of Deeds, the PARTIES shall forthwith file with the Land Court a Stipulation of Dismissal of the LAWSUIT, with prejudice and with all rights of appeal waived, each PARTY to be responsible for its own costs, expenses and attorney's fees incurred in connection with the LAWSUIT, whether in advance thereof, during the litigation or otherwise associated therewith, including for mediation.

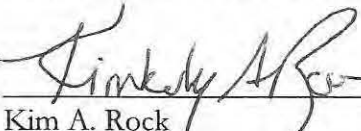
IN WITNESS WHEREOF, the PARTIES execute this AGREEMENT, under seal, as of and effective on the date indicated below.

INSTITUTION


Date: October 4, 2021

By: 
Michael J. Jones
President and Chief Executive Officer

Date: October 4, 2021

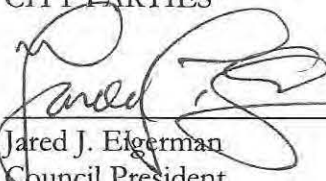
By: 
Kim A. Rock
Executive Vice-President and Chief
Operating Officer

Date: October 4, 2021



Adam J. Costa, Esq.
Counsel

CITY PARTIES

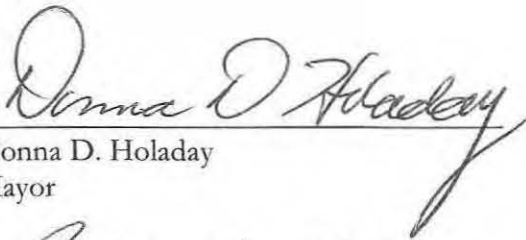
Date: October 4, 2021


Jared J. Eigerman
Council President

Date: October 4, 2021

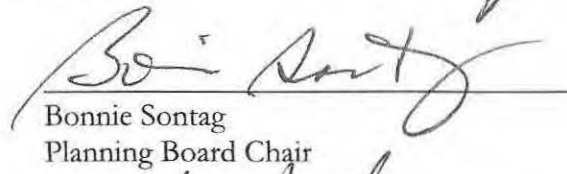

Heather L. Shand
Councilor

Date: October 4, 2021



Donna D. Holaday
Mayor

Date: October 4, 2021



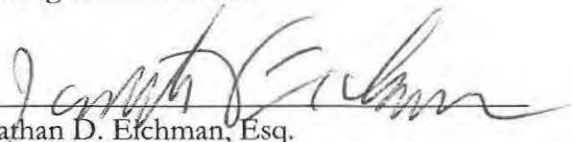
Bonnie Sontag
Planning Board Chair

Date: October 4, 2021



M.J. Verde
Planning Board Member

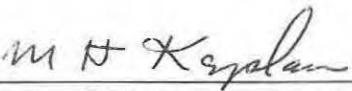
Date: October 4, 2021



Jonathan D. Eichman, Esq.
City Solicitor

MEDIATOR

Date: October 4, 2021



Honorable Mitchell H. Kaplan (Ret.)



PROPOSED - 18" SETBACK & LOWERED CORNICE HEIGHT AROUND ENTIRE ADDITION



PROPOSED - 18" SETBACK & LOWERED CORNICE HEIGHT AROUND ENTIRE ADDITION



PROPOSED - 18" SETBACK & LOWERED CORNICE HEIGHT AROUND ENTIRE ADDITION



PROPOSED - 18" SETBACK & LOWERED CORNICE HEIGHT AROUND ENTIRE ADDITION

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

March 28, 2022

AN ORDER TO AUTHORIZE THE SETTLEMENT AGREEMENT BY AND BETWEEN
THE CITY AND THE RELATING TO LAWSUIT OVER THE PAVING OF HIGH STREET

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

THAT the City Council of the City of Newburyport hereby approves and authorizes the Mayor of the City of Newburyport to enter into a Settlement Agreement relating to the civil action entitled “City of Newburyport v. Hi-Way Systems and Travelers Indemnity Company, Essex Superior Court C.A. 2177CV00128”.

The total settlement amount is One Hundred and Fifty Thousand (\$150,000) Dollars. Once this authorization is approved, the Defendants’ attorney will provide a release to the City of Newburyport..

Councillor Heather L. Shand

In City Council March 28, 2022:

Motion to refer ORDR00332 and ORDR00337 collectively to General Government by Councillor Zeid, seconded by Councillor McCauley. So voted.

Motion to waive the rules to collectively remove ORDR00332 and ORDR00337 from General Government and collectively refer back to General Government and the COTW by Councillor Zeid, seconded by Councillor McCauley. So voted.



CITY OF NEWBURYPORT
OFFICE OF THE MAYOR
SEAN R. REARDON, MAYOR

60 PLEASANT STREET - P.O. BOX 550
NEWBURYPORT, MA 01950
978-465-4413 PHONE
MAYOR@CITYOFNEWBURYPORT.COM

March 28, 2022

President Heather Shand
Newburyport City Council
60 Pleasant Street
Newburyport, MA 01950

Dear Council President Shand and Council Members,

I am writing to inform you and the Newburyport City Council that I am recommending a settlement with Hi-Way Systems and Travelers Indemnity Company regarding the High Street Paving Project. After multiple rounds of discussions and negotiations, we arrived at an arrangement that I believe is fair and equitable. The City will receive \$150,000, which we will plan to use for improvements on High Street. I look forward to having this settlement approved by the Council, and please do not hesitate to be in touch with any questions.

Respectfully,

Sean R. Reardon
Mayor
City of Newburyport

Committee Items-April 11, 2022

Neighborhood & City Services

Neighborhoods & City Services

In Committee:

- ODNC00109_03_14_2022 Amendment to Sidewalks Specifying Sidewalk Materials
- COMM00395_03_14_2022 St. & Sidewalk Repair Plan

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

March 14, 2022

Sec. 12-54. Street, way or grounds specifications.

- (a) *Design and methods specifications.* Any change in grade of any such street, way or grounds, or of any sidewalk of any such street, way or grounds, or the width of any such sidewalk, including, without limitation, by installing, constructing, maintaining, repairing, replacing, reconstructing installing a sidewalk and/or a driveway opening, or in any manner alter the grade, width or direction of any curbstone of such sidewalk, including when undertaken by the department of public services itself, shall be undertaken in compliance with both this section and also the "Construction and Traffic Standard Details" promulgated by the department of public services.
- (1) For the purposes of clarification, neither the Clipper City Rail Trail nor the Harbor Walk constitute sidewalks under the meaning of this section.
 - (2) The department of public services may amend its Construction and Traffic Standard Details, from time to time, provided, however, that no such amendment shall take effect until a copy has first been posted on the city website for a period of thirty (30) calendar days to solicit comment from interested parties, including other city departments, and has been approved by order of the city council.
- (b) *Sidewalk materials.*
- ~~(1) *Brick or cement surfaces only.*~~ Required and permitted materials. At the time of installation, construction, maintenance, repair, replacement, or reconstruction of any sidewalk located in the city and open to public travel, whether such sidewalks are located on public or private land, the surface material shall be either brick or cement, and no other materials, as follows:
- a. *Downtown.* Brick shall be the required surface material for all sidewalks located within the Downtown Overlay District, established under section XXVIII of the zoning ordinance.
 - b. *Historic areas outside of downtown.* Brick shall be the encouraged surface material for all sidewalks located outside of the Downtown Overlay District but within the Newburyport Historic District, which was listed on the National Register of Historic Places and the State Register of Historic Places on August 2, 1984, and both brick and cement shall be permitted therein.
 - c. *All other areas.* Cement shall be the required surface material for all sidewalks located outside of the Newburyport Historic District.
 - d. Exception: Asphalt may be used as an alternative material anywhere in the City upon obtaining a waiver granted by City Council Order.

- e. Asphalt or stone dust as a sidewalk material to go over tree roots anywhere in the City where it is deemed that such material would ensure the continued good health of the tree.
- (2) *Existing nonconforming sidewalk surfaces.* Any sidewalk open to public travel whose surface does not comply with this section as of its effective date may remain in such noncompliance until such time as it is maintained, repaired, replaced, and reconstructed, at which time it shall be brought into compliance.
- (3) *Temporary asphalt surfaces.* Notwithstanding anything in this section to the contrary, the department of public services may, in its discretion, permit the temporary use of asphalt surface material for sidewalks: (A) for a period no than two (2) months, tolled from November 1 through April 30; and/or (B) for sidewalks abutting undeveloped parcels until issuance of a certificate of occupancy. The department shall specify in writing the time by which brick or cement surface material, as the case may be, shall replace the temporary asphalt material.
- (c) *City supervision.* In all cases, any work subject to this section 12-54 shall be performed by the department or a licensed contractor of the city supervised by the department.
- (2) *Existing nonconforming sidewalk surfaces.* Any sidewalk open to public travel whose surface does not comply with this section as of its effective date may remain in such noncompliance until such time as it is patched, substantially repaired, replaced, and reconstructed, at which time it shall be brought into compliance.
- For the purposes of this section, “patches” shall mean repairs that involve 25 sq ft. of sidewalk area or less. Generally, patches are intended to address immediate public safety and accessibility issues. Patches shall not be performed together on the same block face so avoid the requirements of a non-substantial repair.
- For the purposes of this section, non-substantial repairs shall constitute repairs of a continuous stretch of sidewalk where the linear distance of the repair is no more than thirty-five (35) feet in length, and all other repairs shall be deemed to be “substantial repairs.” Non-substantial repairs shall not be performed together on the same block face and so avoid the requirements of a substantial repair.
- (3) *Temporary asphalt surfaces.* Notwithstanding anything in this section to the contrary, the Department of Public Services may, in its discretion, permit the temporary use of asphalt surface material in areas of the City where asphalt would otherwise not be permitted under this section but solely in the following two instances:
- a. Temporary patches, as defined in subsection (2) above, provided that the material is restored to the materials required or permitted under subsection (1), above, as soon as is practicable, and in no case later than one (1) year from the date such temporary patch is installed; or
- b. Temporary non-substantial repairs, as defined in subsection (2) above, where the surface material being repaired is existing asphalt.
- (4) *Special material allowance for sidewalks with tree roots.* Notwithstanding anything to the contrary in this section, 12-54, the Department of Public Services may utilize asphalt or stone dust as a sidewalk material to go over tree roots anywhere in the City where it is deemed that such material would ensure the continued good health of the tree

Sharif I. Zeid, Ward 1 City Councillor

James J McCauley, Ward 5 City Councillor

In City Council March 14, 2022:

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

Newburyport Street and Sidewalk Repair Plan

Introduction

Street Selection

In 2020, engineering consultant BETA finished an audit of all City streets and sidewalks and evaluated their condition and what paving work is recommended to be completed, including mill and overlay, reclamation, or surface treatment. They also estimated the costs of all these improvement on the various streets and sidewalks. The Newburyport Department of Public Services (DPS) used this information to create a prioritization plan based on a budget of \$2M per/year. The Mayor's office made the decision to work on three wards at a time, beginning with wards 1, 3, and 5, and following up with 2, 4, and 6, to make sure all wards received attention. The plan prioritizes roads in each ward that are classified as being in the worst condition, and groups them by geography and cost. This means DPS and their contractors will be able to complete the work in the different wards for around the same cost amount each year and all wards will have their priority roads addressed.

Street and Sidewalk Repair Process

DPS, with the collaboration of the City Engineer, will create and design plans for all new roads and sidewalks and will seek additional input for any new crosswalks. Most paving and sidewalk work will be Replacement In Kind (RIK) and will follow existing plans and conditions. DPS has awarded a contract to D&R Paving following the process laid out in MA General Law which requires that they then pursue a contract with the lowest qualified bidder. The work done will fit into the following categories:

- Reclamation: Removes all asphalt by grinding and pulverizing in place to create a uniform base material before the road is repaved.
- Mill & Overlay: Removes the top layer of asphalt typically ranging between 2-2.5 inches, and then replaces this layer with a new Hot Melt Asphalt surface.
- Surface treatment: Patching and seal coating of the road, with no removal process. Appropriate for roads that are currently classified as fair or good.

Plan for Including Additional Streets

As the initial study used for this plan was completed in 2020, we understand conditions may have changed in some places and want to be responsive to any streets urgent in need of service. The Mayor's Office and DPS have created a petition process that can be used to request another look at any streets not included in the plan. Residents may submit a petition signed by five residents on a street, or a majority of houses on the street (whichever is smaller). After receiving the petition, a committee will review the street and determine if it can be added to the plan. A public meeting will be held to respond to all received petitions and discuss next steps.

Ward System

Wards 2, 4, and 6 will receive street and sidewalk repairs in the first year following the end of this plan, FY28. While this is a five-year plan, we anticipate repeating this process in the future and prioritizing the next round of repairs in a similar manner. It will make more sense to evaluate the needs of Wards 2, 4, and 6 for FY28 when we are closer to that date.

Communication

The City will have a dedicated page on its website with updates on this project, including maps of the streets scheduled for repair and reminders on when the repairs are underway. We will also use our social media channels to share updates. There will be an annual public meeting discussing the streets and sidewalks scheduled for repair and covering the progress made in the year before.

Committee Items-April 11, 2022

Planning & Development

Planning & Development

In Committee:

- COMM00382_01_31_2022 Update from Global re 107 State Street
- ODNC00105_02_14_2022 Zoning Amendment Business Park Uses
- APPT00305_03_14_2022 Dan Mello 2 B Fulton St. Waterfront Trust 3/31/2027

Copies of status reports dated 1/10, 2/11 and 3/17 submitted to City representatives by Global Companies pursuant to Para. 1(C) of its 12/13/2021 Maintenance and Cooperation Agreement with the City

From: Jaclyn Harrison <jaclyn.harrison@globalp.com>
Sent: Monday, January 10, 2022 11:23 AM
To: Richard Jones
Cc: Jeffrey Roelofs; Sean Geary; Stacey Hickey; Steve Barakian; Ryan Lawlor; Dino DeThomas; jenniedonahue2021@gmail.com; Andrew Port; Jennifer Blanchet; Jeffrey T. Blake; Councillor Shand; Sean Reardon
Subject: Global Efforts Related to Potential Residential Use of Property - January 2022 Update

Richard,

Please find below Global's monthly written report regarding the status of its efforts under Paragraph 1(B) of the Maintenance and Cooperation Agreement.

1. We have negotiated a preliminary agreement with ExxonMobil pursuant to which ExxonMobil will begin their preliminary environmental review of the existing conditions at Newburyport property, a precondition of their approval to lift the deed restriction prohibiting residential uses of the property. The agreement will be executed this week. Pursuant to the agreement, we have agreed to pay ExxonMobil \$20,000 to cover their costs of completing their environmental review and engaging outside counsel to review and prepare a proposed deed modification.
2. We are finalizing a listing agreement with a real estate broker to begin marketing the property for residential redevelopment, subject to ExxonMobil's agreement to remove the residential deed restriction. We expect to execute the listing agreement week of 1/17.

Regards,

Jaclyn Harrison

Corporate Communications & PR Manager

C 774.463.7130 | W www.globalp.com

Global Partners LP | 800 South Street, Suite 500 | Waltham, MA 02453



CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

February 14, 2022

AN ORDINANCE TO AMEND CERTAIN PROVISIONS OF THE NEWBURYPORT ZONING ORDINANCE, INCLUDING BUT NOT LIMITED TO THOSE USES PERMITTED WITHIN THE NEWBURYPORT BUSINESS PARK

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

THAT Section V-D of the Newburyport Zoning Ordinance, entitled “Table of use regulations” is hereby amended to read as follows with respect to the specific uses so noted, with deletions ~~double-stricken through and in bold~~, and additions double-underlined and in bold:

USE	NUM	CON	HSR-A, HSR-B	R-1	R-2	R-3	B-1	B-2	B-3	I-1	I-1B	I-2	M	WMD	WMU
Community center	216	NP	NP	NP	P	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP
Boat sales/ service storage/rental	701	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P
Marine equipment sales	703	NP	NP	NP	NP	NP	NP <u>SP</u>	NP	NP	NP	NP	NP	NP	P	P
Marine repair services	704	NP	NP	NP	NP	NP	NP	NP	NP	NP <u>SP</u>	NP <u>SP</u>	NP	NP	P	P
Marine manufacturing	705	NP	NP	NP	NP	NP	NP	NP	NP	NP <u>SP</u>	NP <u>SP</u>	NP	NP	NP	NP
Shipbuilding/repair	706	NP	NP	NP	NP	NP	NP	NP	NP	NP <u>SP</u>	NP <u>SP</u>	NP	NP	NP	NP

Canvas and canvas products	707	NP	NP	NP	NP	NP	NP	NP	NP	<u>NP</u> <u>SP</u> ⁽ⁱ⁾	<u>NP</u> <u>SP</u> ⁽ⁱ⁾	NP	NP	NP	NP
Seafood handling/distribution	708	NP	NP	NP	NP	NP	NP	NP	NP	<u>NP</u> <u>SP</u> ⁽ⁱ⁾	<u>NP</u> <u>SP</u> ⁽ⁱ⁾	NP	NP	P	SP
Marine retail	709	NP	NP	NP	NP	NP	<u>NP</u> <u>SP</u> ⁽ⁱ⁾	<u>SP</u> <u>NP</u>	<u>SP</u> <u>NP</u>	NP	NP	NP	NP	P	P
Indoor rack <u>Boat storage</u>	711	NP	NP	NP	NP	NP	NP	NP	NP	<u>NP</u> <u>SP</u> ⁽ⁱ⁾	<u>NP</u> <u>SP</u> ⁽ⁱ⁾	NP	NP	P	P
Marina and related	712	NP	NP	NP	NP	NP	P	NP	NP	<u>NP</u>	<u>NP</u>	P	<u>NP</u>	P	P

NOTES:

- (i) ~~Reserved.~~ Within the I-1 District any Community center facility shall be located within five hundred feet (500') of an existing public school (Use 202).
- (i) The planning board shall act as the designated special permit granting authority (SPGA) for this use.

AND FURTHER, THAT Section V-E of the Newburyport Zoning Ordinance, entitled "List of allowable uses" is hereby amended to read as follows with respect to the specific uses so noted, with deletions ~~double stricken through and in bold~~, and additions double-underlined and in bold:

USE	NUM	DESCRIPTION
Boat sales, service, storage and rental	701	Boat sales, service, storage, and rental.
Indoor rack <u>Boat storage</u>	711	Indoor <u>s</u> Storage of boats, including rack storage

AND FURTHER, THAT Section VII-B of the Newburyport Zoning Ordinance, entitled "Parking requirements" is hereby amended to read as follows with respect to the specific uses so noted, to be added therein with deletions ~~double stricken through and in bold~~, and additions double-underlined and in bold:

USE	NUM	PARKING REQUIREMENT
<u>Community center</u>	<u>216</u>	<u>1 per 500 square feet of GFA</u>

Councillor Heather L. Shand

Councillor Constance Preston

Councillor Bruce L. Vogel

In City Council February 14, 2022:

Councillor Lane recused. Motion to refer to Planning and Development by Councillor Vogel, seconded by Councillor Preston. Roll call vote. 7 yes, 3 no (JM, MW, SZ), 1 recused (BL). Motion passes.



RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2022 MAR -8 AM 11:40

CITY OF NEWBURYPORT
OFFICE OF THE MAYOR
SEAN REARDON, MAYOR
60 PLEASANT STREET - P.O. BOX 550
NEWBURYPORT, MA 01950
978-465-4413 PHONE
978-465-4402 FAX
WWW.CITYOFNEWBURYPORT.COM

To: President and Members of the
City Council

From: Sean Reardon, Mayor

Date: March 8, 2022

Subject: Re-Appointment

A handwritten signature in cursive script, reading "Sean Reardon", is written vertically on the right side of the page.

I hereby reappoint, subject to your approval the following named individual as a member of the Waterfront Trust. This term will expire on March 31, 2027.

Dan Mello
2B Fulton Street
Newburyport, MA 01950

Dan Mello

SUMMARY OF RELATED EXPERIENCE

Dan Mello helps states and districts transform their data systems to promote systematic and high-quality data collection, management, and use for the improvement of outcomes to meet and exceed federal requirements. He leads with expert technical and adaptive skills to bring collaborators together to address the most pressing issues of the day with an eye toward systemic change. In his technical assistance work Dan identifies needs in fiscal and program IDEA data systems, aligns resources, plans technical assistance and delivers center resources to meet states' technical and adaptive needs.

For the past 8 years, Dan has focused on the improvement of IDEA data systems. Currently he co-leads a subcontract for the IDEA Data Center (IDC), where he provides expertise on the IDEA Part B Data System Framework, IDEA Section 618 data processes, IDEA Section 618 and Section 616 public reporting, and data visualization. Similarly Dan leads the subcontract for the Center for Integration of IDEA Data (CIID) and leads the team's targeted and universal technical assistance efforts to build capacity for data systems integration.

In addition to his IDEA data work, through the Regional Education Laboratories, Dan has also supported state and district leadership to plan and implement systemic improvements to address emerging data quality challenges, such as English learner, social-emotional ("soft") skills, and project-based learning data. Further, Dan has a rich history of providing evaluation and monitoring services. Currently, he serves as a lead monitor for the Department of Education's Charter School Program (CSP) Monitoring grant, where he ensures programmatic and fiscal accountability among CSP grantees.

EDUCATION

2008 BS, Mathematics, Northeastern University

PROFESSIONAL EXPERIENCE

2008–Present

Senior Research Associate, Special Education Policy & Practice
WestEd, San Francisco, CA

Dan's work to lead/co-lead the subcontracts for CIID and IDC has ensured effective collaboration among staff to deliver high quality support to state offices of special education

across the country. Dan has managed resources to ensure quality support to states that are improving opportunities for students with disabilities using IDEA data.

As the lead of the CIID targeted and universal TA efforts Dan has brought together experts to prepare states for major data system integration efforts. In his role as a technical assistance provider for IDC, Dan has collaborated with his colleagues to develop and implement the Part B Data Systems Framework. Further, in his work, Dan has facilitated intensive technical assistance services – helping states identify needs, aligning center resources, and building teams to deliver high quality support.

In his work as a TA Facilitator on the Center for IDEA Fiscal Reporting, Dan builds state technical capacity to address federal fiscal reporting requirements and challenges that have arisen due to pandemic conditions. Dan's most recent work addresses the need for standardization and integration of IDEA fiscal and programmatic data.

2017-Present

Lead Monitor, Charter School Monitoring Program

WestEd, San Francisco, CA

As Lead Monitor, Dan has worked for 4 years under project management to plan, implement, and report on monitoring for innovating and expanding charter schools, charter management organizations, and SEAs supporting the development and expansion of charters in their states. Dan works with organizations to understand grant program and fiscal implementation through document review and extensive interviewing and analysis. Dan leads teams to develop reports for the U.S. Department of Education.

2008-2018

Technical Assistance Provider, Regional Education Laboratory, REL-Northeast and Islands and REL-Mid Atlantic, funded by U.S. Department of Education, National Center for Education Evaluation and Regional Assistance

WestEd, San Francisco, CA

In this work, Dan engaged educators to bridge education research and practice. Dan successfully facilitated collaborative partnerships to develop and deliver onsite and virtual technical assistance to improve data in emergent education fields such as equity for English Learners, social emotional (soft-) skills, early learners, and proficiency based learning portfolios. To accomplish this, Dan developed expertise and led using the Common Education Data Standards to promote data alignment and data quality.

SELECTED PUBLICATIONS AND PRESENTATIONS

Edora, F., Mello, D., Johnson, L. (2018) Part B Indicator Data Display Wizard (for of Special Education Programs, U.S. Department of Education). Rockville, MD: IDEA Data Center.

Mello, D., Long, T. (2018) Local APR Public Reporting Infographic (for of Special Education Programs, U.S. Department of Education). Rockville, MD: IDEA Data Center

Mello, D., Wise, L. (2016), IDEA Section 618 Public Reporting Checklist (for of Special Education Programs, U.S. Department of Education). Rockville, MD: IDEA Data Center

Mello, D., Watson, M., Lysy, C. (2015) IDEA Section 618 Public Reporting Requirements (for of Special Education Programs, U.S. Department of Education). Rockville, MD: IDEA Data Center

Henry, S. F., Mello, D., Avery, M.-P., Parker, C., & Stafford, E. (2017). Home Language Survey Data Quality Self-Assessment (REL 2017–198). Washington, DC: U.S. Department of Education, Institute of Education Sciences, National Center for Education Evaluation and Regional Assistance, Regional Educational Laboratory Northeast & Islands. Retrieved from <http://ies.ed.gov/ncee/edlabs>.

Petrosino, A., and Mello, D. (2014). "Institutional Review Boards" Encyclopedia of Criminal Justice Ethics (as edited by Bruce A. Arrigo, University of North Carolina, Charlotte)

Bocala, C., Morgan, C., Mundry, S., and Mello, D. (2010). Do states have certification requirements for preparing general education teachers to teach students with disabilities? Experience in the Northeast and Islands Region (Issues & Answers Report, REL 2010 – No. 090). Washington, DC: US Department of Education, Institute of Education Sciences, National Center for Education Evaluation and Regional Assistance, Regional Educational Laboratory Northeast and Islands. Retrieved from <http://ies.ed.gov/ncee/edlabs>

Bocala, C., Mello, D., Reedy, K., and Lacireno-Paquet, N. (2009). Features of state response to intervention initiatives in Northeast and Islands Region states (Issues & Answers Report, REL 2009 – No. 083). Washington, DC: US Department of Education, Institute of Education Sciences, National Center for Education Evaluation and Regional Assistance, Regional Educational Laboratory Northeast and Islands. Retrieved from <http://ies.ed.gov/ncee/edlabs>

Committee Items-April 11, 2022

Public Safety

Public Safety

In Committee:

- APPL00067_03_28_2022 Newburyport Lions Club Road Race 8/2/2022
- ORDR00331_03_28_2022 Loading Zone Green Street

RECEIVED
CITY CLERK'S OFFICE

FOR PARADE, ROAD RACE AND WALKATHON EVENTS ONLY

PARADE _____ ROAD RACE WALKATHON _____
2022 MAR 22 PM 2:23

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

2. Name, Address & Daytime Phone Number of Organizer:
Bob LaFrance
6 GOLF WINDS LANE
SALISBURY, MA 978-270-3951

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

4. Date of Event: AUG. 2, 2022 Expected Number of Participants: 3000

5. Start Time: 8 AM Expected End Time: 8:30 PM

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

7. Locations of Water Stops (if any): see attach map

8. Will Detours for Motor Vehicles Be Required? yes If so, where? see police dept.

9. Formation Location & Time for Participants: N.H.S. Grounds

10. Dismissal Location & Time for Participants: N.H.S. Grounds

11. Additional Parade Information:
- Number of Floats: N/A
 - Locations of Viewing Stations: N/A
 - 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] 3/22/22 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.

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: <u>yes</u> <u>Fire Dept. provides Detail</u> Is Fire Detail Required: <u>yes</u> # of Details Assigned: <u>2</u>
_____	9. Public Works: Fee for Special Events: \$45/hr/DPS employee for trash handling/staging etc. may apply <input type="checkbox"/> Yes: \$ _____ due on _____ <input type="checkbox"/> 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.

NEWBURYPORT SPECIAL EVENT APPLICATION

Tel. 978-270-3951

Fax. N/A

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

- NAME OF EVENT: Newburyport Lions Y.H. 5K & 10 mi Road Races
- Date: August 2, 2022 Time: from 8 AM to 8 PM
Rain Date: - Time: from - to -
2. Location: Newburyport High School and NBPT Streets
3. Description of Property: High School Grounds Public Private
4. Name of Organizer: Newburyport Lions Club City Sponsored Event: Yes No
Contact Person Bob LaFrance
Address: NBPT LIONS P.O. Box 545 Telephone: 978-270-3951
E-Mail: YANKEESEACOAST@COMCAST.NET Cell Phone: _____
Day of Event Contact & Phone: BOB LAFRANCE 978-270-3951
5. Number of Attendees Expected: 3,000
6. MA Tax Number: 47-353-2870
7. Is the Event Being Advertised? Yes Where? Lions Website, V.H. Publicity
8. What Age Group is the Event Targeted to? ALL AGE GROUPS
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 NO Goods NO Total # of Vendors 0
- B. Entertainment: (Subject to City's Noise Ordinance.) Live Music NO DJ yes Radio/CD NO
Performers N/A Dancing N/A Amplified Sound N/A Stage N/A
- C. Games /Rides: Adult Rides N/A Kiddie Rides N/A Games N/A Raffle N/A
Other _____ Total # _____
Name of Carnival Operator: N/A
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? 12
- b) How many recycling receptacles will you be providing? MOLLY ETTENBOROUGH 12
- c) Will you be contracting for disposal of : Trash Yes ___ No Recycling Yes ___ No
- i. If yes, size of dumpster(s): Trash 10 YARD Recycling AT N.H.S.
- ii. Name of disposal company: Trash G. MELLO Recycling Molly Ettenborough
- 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? Molly Ettenborough

If no:

- a) # of trash container(s) to be provided by DPS 12 NHS JANITORS
- b) # of recycling container(s) to be provided by Recycling Office CITY HEALTH DEPT. 12
- 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)

30 Standard # 2 ADA accessible

Name of company providing the portable toilets: Red's

- (e) *"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 ten (10) days in advance that neighborhood roads will be closed if no alternate route is available to those residents.
- (f) *"Insurance"* All events shall have an insurance policy or rider in effect for the event naming the "City of Newburyport" as an insured. The policy shall be no less than two million dollars (\$2,000,000.00).
- (g) *"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.
- (h) *"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 oversee the safety and security of the event. All special duty assignments will be paid by the event organizers.
- (i) *"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.

13-101 Enforcement

- (a) *"Regulations"* Consistent with this ordinance, the city shall promulgate regulations to enforce and otherwise implement the provisions of this ordinance upon passage by the City Council. Any event previously approved by City Council shall be deemed permitted.
- (b) *"Warning"* In the circumstance that this ordinance 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.
- (c) *"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 Subsection 1-17 of Chapter 1 of the Code or Ordinances of the City of Newburyport in the amounts set herein in 13-101(d)
- (d) *"Violation"* The non-criminal violation shall be \$100.00 for the first offense and \$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.

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: Robert A. Cotroneo **Date:** 03/17/22

Sec. 13-97. - Road races, walkathons, bicycle and other multidisciplinary 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) *Multidisciplinary 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,

(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.*

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(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.

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Pg 6 of 11

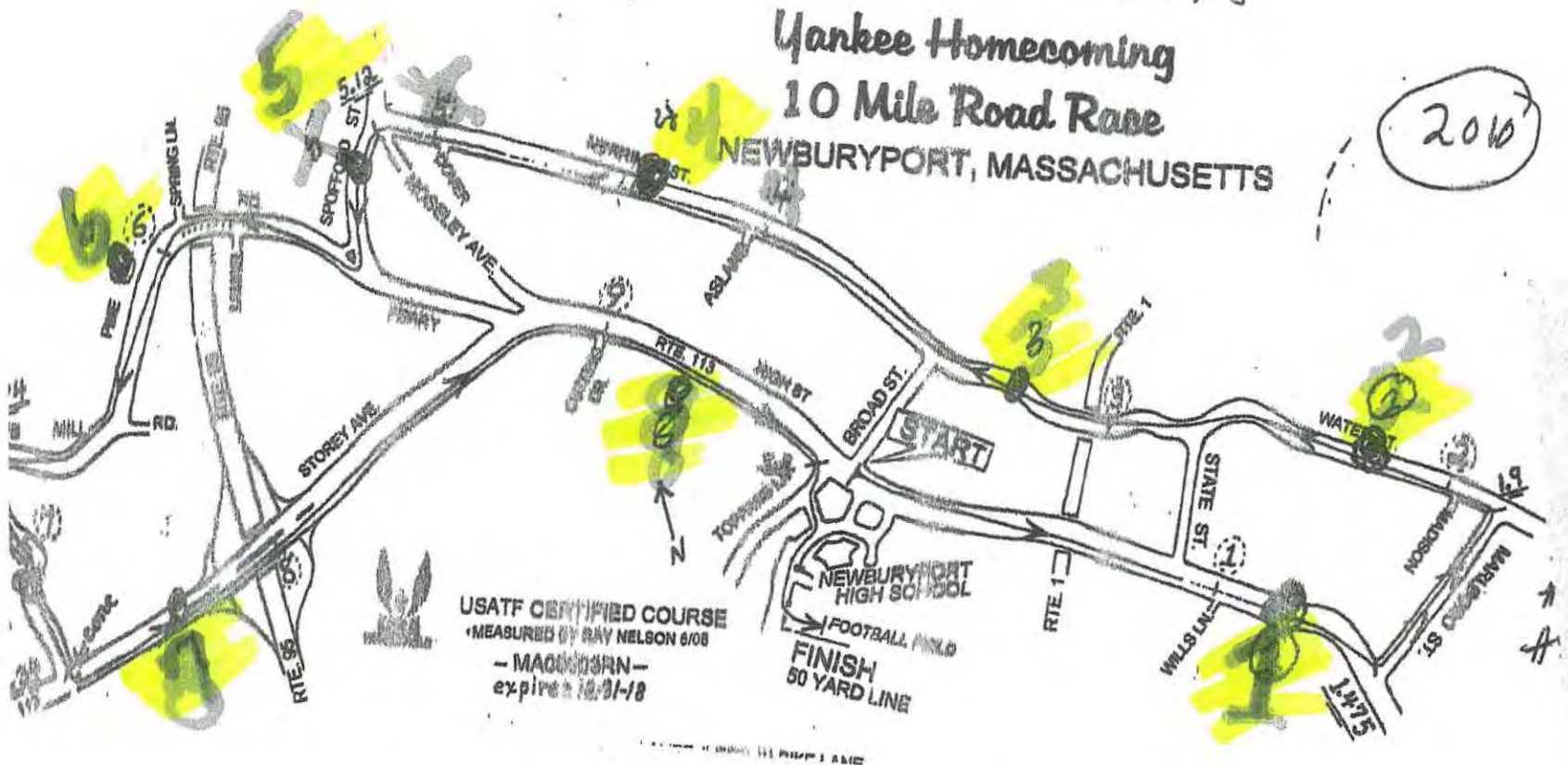
19 Feb 11

"WATER STOPS"

Yankee Homecoming 10 Mile Road Race

NEWBURYPORT, MASSACHUSETTS

2010



USATF CERTIFIED COURSE
MEASURED BY RAY NELSON 6/08
- MADDISON -
expired 12-31-18

#1 39 High ST

#2 59 WATER ST

#3 Oliver & Merrimac

#4 437 Merrimac

#5 28 Spofford ST

#6 3 Pine Hill RD

#7 Play To LA

#8 West End Fire Sta

#9 343 High ST

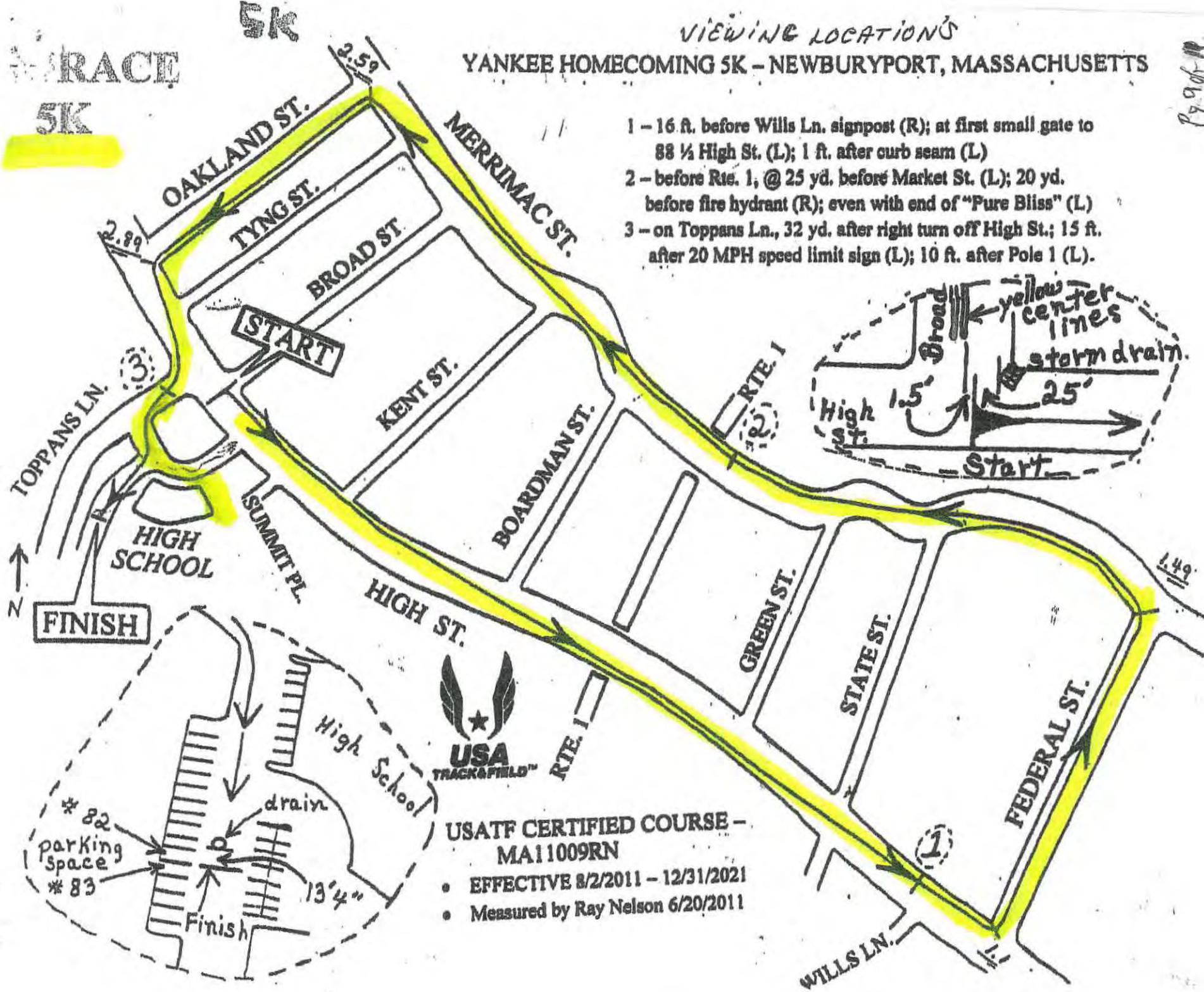
RACE

5K

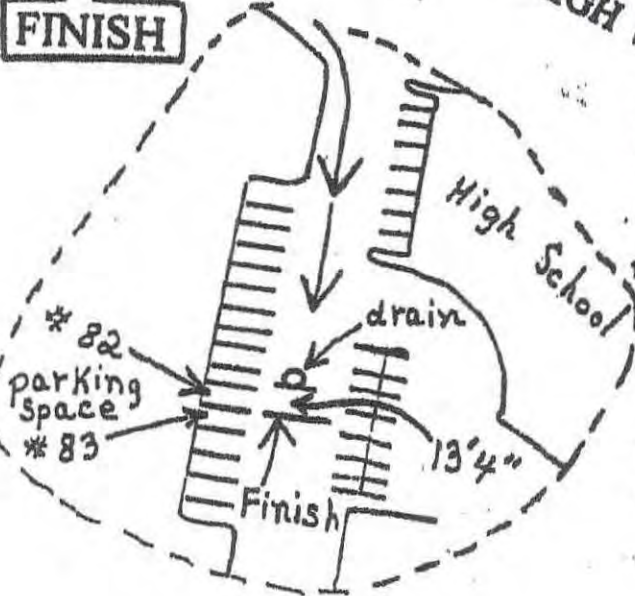
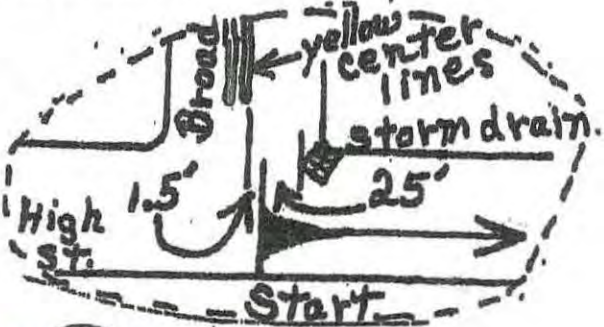
VIEWING LOCATIONS

YANKEE HOMECOMING 5K - NEWBURYPORT, MASSACHUSETTS

17906



- 1 - 16 ft. before Willis Ln. signpost (R); at first small gate to 88 1/2 High St. (L); 1 ft. after curb seam (L)
- 2 - before Rte. 1, @ 25 yd. before Market St. (L); 20 yd. before fire hydrant (R); even with end of "Pure Bliss" (L)
- 3 - on Toppans Ln., 32 yd. after right turn off High St.; 15 ft. after 20 MPH speed limit sign (L); 10 ft. after Pole 1 (L).



USATF CERTIFIED COURSE -
 MA11009RN
 • EFFECTIVE 8/2/2011 - 12/31/2021
 • Measured by Ray Nelson 6/20/2011

10M Race

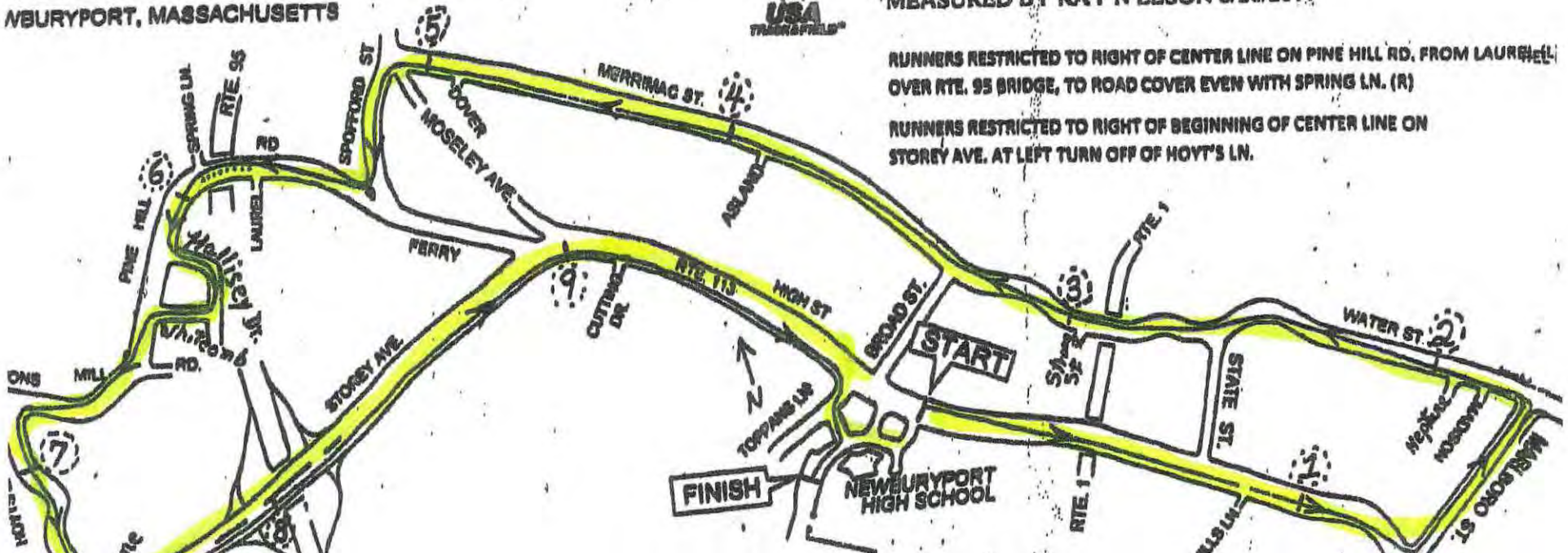
Yankee Homecoming
10 Mile Road Race
 NEWBURYPORT, MASSACHUSETTS



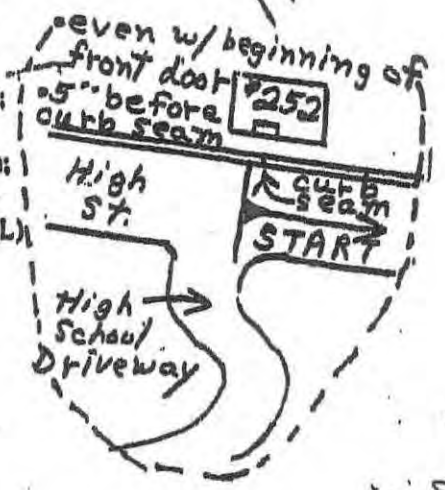
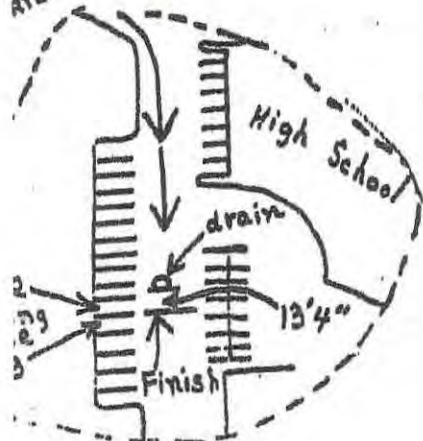
VIEWING LOCATIONS
 USATF CERTIFIED COURSE - MA11008RN
 EFFECTIVE 8/2/2011 - 12/31/2021
 MEASURED BY RAY NELSON 6/20/2011

11/10/11

RUNNERS RESTRICTED TO RIGHT OF CENTER LINE ON PINE HILL RD. FROM LAUREL OVER RTE. 95 BRIDGE, TO ROAD COVER EVEN WITH SPRING LN. (R)
 RUNNERS RESTRICTED TO RIGHT OF BEGINNING OF CENTER LINE ON STOREY AVE. AT LEFT TURN OFF OF HOYT'S LN.



- 1 - @ 110 yd. after Wills Ln., just before # 80 High St. (L); 6 ft. after the 3rd stone fence post after driveway to #73 High St. (R); 7 ft. after sewer cover (in middle of road); even with curb seam (R)
- 2 - at #196 Water St., 66 yd. after end of Neptune (L); 19.5 ft. after end of storm drain (L); 21 ft. before sewer cover (L); 10 in. after curb seam (L)
- 3 - after Rte. 1 exit, 15 ft. after end of Strong St. (L); in brick driveway to Perry Murphy construction; 15.5 ft. before storm drain (R)
- 4 - 70 yd. after Ashland (L); 30 ft. after Pole 79 (R); 10 ft. before beginning of big window to Mersen; 46 ft. before crosswalk; 6 ft. after end of single driveway immediately after the car repair place (L)
- 5 - just after # 568 Merrimac St. (R); 25 ft. after Pole 51B/80 / 123 (R); 37 ft. before driveway #571 (L)
- 6 - at end of property to # 13 Pine Hill Rd. (R); 23.5 ft. after Pole 12 (L)
- 7 - on Hoyts Ln. 55 ft. after Pole 12 (R)
- 8 - just before the actual bridge (with high fencing) over Rte. 95; 30 ft. after sign for Rte. 95 north, 30 ft. after end of storm drain; 15 ft. before water cover on sidewalk (R)
- 9 - just after Moseley Ave.(L); at beginning of building #361 High St. (Home for Aged Men); 4 ft. after Pole 113





CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

03/11/2022

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

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

PRODUCER DSP Insurance Services, Inc. 1900 E. Golf Road, Suite 650 Schaumburg, IL 60173	CONTACT NAME: John Adams	FAX (A/C, No): 847-934-6186	
	PHONE (A/C, No, Ext): 1-800-316-6705	E-MAIL ADDRESS: lionsclubs@dspins.com	
INSURED nbpt lions 33 newburyport Massachusetts	INSURER(S) AFFORDING COVERAGE		NAIC #
	INSURER A: ACE American Insurance Company		22667
	INSURER B:		
	INSURER C:		
	INSURER D:		
	INSURER E:		

COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

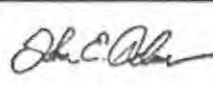
THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE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

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> Agg. Per Named Insured is \$2,000,000 GENL AGGREGATE LIMIT APPLIES PER <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input type="checkbox"/> LOC			HDOG72484757	09/01/2021	09/01/2022	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 1,000,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 10,000,000 PRODUCTS - COMPIOP AGG \$ 2,000,000 \$
A	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS			ISAH25550596	09/01/2021	09/01/2022	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE 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						WC STATUTORY LIMITS <input type="checkbox"/> OTHER <input type="checkbox"/> E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

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

Provisions of the policy apply to the named insured's participation in the following activity during the policy period shown above: nbpt lions road race 5k & 10K
 PROVISIONS OF THE POLICY DO NOT APPLY TO THE SALE OR SERVING OF ALCOHOLIC BEVERAGES.

CERTIFICATE HOLDER**CANCELLATION**

city of nbpt Pleasant Street NEWBURYPORT Massachusetts 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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CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

March 28, 2022

ORDERED:

AN ORDER SUSPENDING THE SERVICE ZONE ON GREEN STREET:

BE IT ORDERED, that:

The service zone located on the westerly side of Green Street adjacent to 26 Green Street is hereby suspended from May 1, 2022 to October 31, 2022 in order to allow the use of said zone for outdoor restaurant seating. Said service zone runs for a distance of 60 feet pursuant to Sec. 13 – 171.

Councillor Donahue

Councillor McCauley

In City Council March 28, 2022:

Motion to refer to Public Safety by Councillor Zeid, seconded by Councillor Cameron. So voted.