

CITY COUNCIL “HYBRID”

MEETING AGENDA

May 31, 2022

CIP Hearing 6:45 pm

City Council Meeting 7:00 pm

LOCATION: City Council Chambers, City Hall

60 Pleasant Street, Newburyport

Zoom details for Hearing and Council Meeting:

<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

- COMM00415_05_31_2022 Global Efforts Related to Potential Residential Use of Property 5/22 Update
- APPT00326_05_31_2022 Bonnie Sontag 10 Upland Rd. Planning Board 6/30/2027
- APPT00327_05_31_2022 Patricia Peknik 4 Dove St. ZBA 6/30/2023
- ORDR00362_05_31_2022 Friends of COA Gift Acceptance \$15,700
- COMM416_05_31_2022 Ltr. Mark Harrington re: Drag Queen/NYS

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

May 9, 2022

(Approve)

8. COMMUNICATIONS

- APPL00078_05_31_2022 Block Party 14 Dove St. Saturday, August 6th 5:30pm -10pm (PS)
- APPL00079_05_31_2022 Newburyport Lions Bed Race August 4th 5pm-8pm (PS)
- APPL00080_05_31_2022 Movable Sign for Smitten at State St. & Threadneedle Alley (PS)
- APPL00081_05_31_2022 Block Party 31 Howard St. Friday June 17th 12pm-9pm (PS)
- APPL00082_05_31_2022 Ride to end ALZ Saturday, June 4th 8am-11am (PS)
- COMM00410_05_31_2022 Ltr. Lawrence Cavalieri Coffin St. Ext (GG)
- COMM00411_05_31_2022 Waterfront Trust Ltr re: July 4-5th Event property use (PS)
- COMM00412_05_31_2022 Ltr Ann Jaroncyk re: Traffic Safety (PS)
- COMM00413_05_31_2022 Ltr. Bob Keller re: Speed Limits (PS)
- COMM00414_05_31_2022 Ltr. Emily Dunn re: Traffic on Merrimac Street (PS)

9. TRANSFERS

- TRAN00128_05_31_2022 Library Staff Salary \$25,955 to Library Heat/Electricity \$6,000 (B&F)
and Library Maint. Expense \$18,535 and Library Admin Expense \$1,420
- TRAN00129_05_31_2022 Mayor's Office Multiple See Attached \$3,021,480.56 to (B&F)
Multiple See Attached \$3,021,480.56

10. APPOINTMENTS

- APPT00322_05_31_2022 Richard B. Jones 283 High St. City Clerk 06/30/2025 (GG)
**Re-appointment*
- APPT00323_05_31_2022 George Sass 37 Jefferson St. Asst Harbormaster/Shellfish Constable/ (PS)
**Re-appointment* Special Police Officer 5/31/2025
- APPT00324_05_31_2022 Justin Dutcher 7 Morin Rd. St. Asst Harbormaster/Shellfish Constable/ (PS)
**Re-appointment* Special Police Officer 5/31/2025
- APPT00325_05_31_2022 Marilyn Cohodas 66 Washington St. Tree Commission 6/30/2025

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

BUDGET & FINANCE

- ORDR00338_04_11_2022 Capital Improvement Program FY2023-2027 (COTW)
- TRAN00125_05_09_2022 Health Ins. Stabilization Fund \$60K to INS Health Ins. Premiums \$60K
- TRAN00126_05_09_2022 SUS Solid Waste \$50,000 to LGL City Solicitor \$50,000
- TRAN00127_05_09_2022 Gen. Fund Free Cash \$222,166.68 to
Snow & Ice-Labor \$29,559.88 and Snow & Ice-Expenses \$192,606.80
- ORDR00349_05_09_2022 FY22 Revolving Fund Spending Limit Increase (COTW)
- ORDR00351_05_09_2022 Loan Order \$750,000 Bulkhead Project (COTW)
- ORDR00354_05_09_2022 FY23 CPC Recommendations (COTW) (PARTIAL only the \$216K for
Bartlett Mall Design)
- ODNC00110_05_09_2022 Updating Departmental Revolving Funds

PUBLIC SAFETY

- APPL00074_05_09_2022 12th Annual GNOCA 5K Sunday, Sept. 25th 10am-1pm
- APPL00075_05_09_2022 Hoedl-Bilinski Dinner Sat. Oct. 8th 6-9pm (Tent on 69th St 10/7-10/9)
- APPL00076_05_09_2022 High St. Mile Sunday, Aug. 7th (YHC) 9-10am
- APPL00077_05_09_2022 Pride in the Port Saturday, June 11th 12-8pm Market St/Bullnose-Inn Street
- ORDR00357_05_09_2022 USACE Merrimack River Dredging Noise Waiver
- APPT00319_05_09_2022 Jeevan Kowalski Asst. Harbormaster/Shellfish Constable/
**Re-appointment* Special Police Officer 5/31/2025
- APPT00320_05_09_2022 Brian Cutler Asst Harbormaster/Shellfish Constable/
**Re-appointment* Special Police Officer 5/31/2025

END OF CONSENT AGENDA

REGULAR AGENDA

9. MAYOR'S UPDATE

10. FIRST READING APPOINTMENTS

- APPT00326_05_31_2022 **Late File** Bonnie Sontag 10 Upland Rd. Planning Board 6/30/2027
**Re-appointment*
- APPT00327_05_31_2022 **Late File** Patricia Peknik 4 Dove St. ZBA 6/30/2023

11. COMMUNICATIONS

- COMM00415_05_31_2022 **Late File** Global Efforts Related to Potential Residential Use of Property 5/22 Update
- COMM416_05_31_2022 **Late File** Ltr. Mark Harrington re: Drag Queen/NYS

12. TRANSFERS

13. SECOND READING APPOINTMENTS

14. ORDERS

- ORDR00358_05_31_2022 Acceptance of Stables - Colby Farm Lane Lot 3
- ORDR00359_05_31_2022 Gift Acceptance FONT \$9,000
- ORDR00360_05_31_2022 Authorizing City Clerk Contract 2022
- ORDR00361_05_31_2022 Free Cash Transfer & Grant Acceptance – LWCF Grant for Bartlet Mall
- ORDR00362_05_31_2022 **Late File** Friends of COA Gift Acceptance \$15,700

15. ORDINANCES

- ODNC00105_02_14_2022 **2nd Reading** Zoning Amendment Business Park Uses (COTW)
- ODNC00112_05_31_2022 Amendment Brown Sq Way No Parking
- ODNC00113_05_31_2022 Amendment Brown Sq Way Drop Off Zone
- ODNC00114_05_31_2022 Amended Liberty St Resident Parking

16. COMMITTEE ITEMS

Ad Hoc Committee on Economic Development

In Committee:

Ad Hoc Committee on Market Landing Park and COTW

In Committee:

Budget & Finance

In Committee:

- ORDR00338 04 11 2022 Capital Improvement Program FY2023-2027 (COTW)
- TRAN00125 05 09 2022 Health Ins. Stabilization Fund \$60K to INS Health Ins. Premiums \$60K
- TRAN00126 05 09 2022 SUS Solid Waste \$50,000 to LGL City Solicitor \$50,000
- TRAN00127 05 09 2022 Gen. Fund Free Cash \$222,166.68 to Snow & Ice-Labor \$29,559.88 and Snow & Ice-Expenses \$192,606.80
- ORDR00349 05 09 2022 FY22 Revolving Fund Spending Limit Increase (COTW)
- ORDR00351 05 09 2022 Loan Order \$750,000 Bulkhead Project (COTW)
- ORDR00354 05 09 2022 FY23 CPC Recommendations (COTW) (PARTIAL only the \$216K for Bartlett Mall Design)
- ODNC00110 05 09 2022 Updating Departmental Revolving Funds
- ORDR00336_03_28_2022 ARPA Amesbury 250K
- ORDR00355_05_09_2022 Loan Order \$2,574,000 Bartlet Mall Improvements Project
- ORDR00356_05_09_2022 Loan Order \$3,000,000 Market Landing Park Expansion Project
- ORDR00350_05_09_2022 FY2023 Budget Order (COTW)

Education

In Committee:

General Government

In Committee:

- COMM00402_04_11_2022 12 Cushing Ave Paper St. Inquiry
- COMM00405_04_11_2022 Mayor's Strategic Plan (COTW)

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:

- COMM299_02_08_2021 Phillips Dr. Neighborhood Committee Ltr
- ODNC00103_01_10_2022 Streets, Sidewalks, and Other Public Places Alterations & Maintenance
- COMM00406_04_11_2022 Pioneer League Letter re: Pickleball

Planning & Development

In Committee:

- ODNC046_01_27_2020 Zoning Amendment Short Term Rental Unit (STRU) (COTW)
- COMM00398_03_28_2022 Memo DHCD MBTA Housing Choice Briefing (COTW)
- APPT00316_04_25_2022 Stephen Moore 10 N. Atkinson St. Conservation Comm. 5/1/2025
- APPT00317_04_25_2022 Lynn Schow 75 High St. ZBA 5/15/2023
- APPT00321_05_09_2022 Charles Aloviseti 60 Bromfield St Conservation Comm. 6/1/2025
- ODNC00111_05_09_2022 Amendment Net Zero Energy Public Projects

Public Safety

In Committee:

- APPL00074 05 09 2022 12th Annual GNOCA 5K Sunday, Sept. 25th 10am-1pm
- APPL00075 05 09 2022 Hoedl-Bilinski Dinner Sat. Oct. 8th 6-9pm (Tent on 69th St 10/7-10/9)
- APPL00076 05 09 2022 High St. Mile Sunday, Aug. 7th (YHC) 9-10am
- APPL00077 05 09 2022 Pride in the Port Sat., June 11th 12-8pm Market St/Bullnose-Inn Street
- ORDR00357 05 09 2022 USACE Merrimack River Dredging Noise Waiver
- APPT00319 05 09 2022 Jeevan Kowalski Asst. Harbormaster/Shellfish Constable/
*Re-appointment Special Police Officer 5/31/2025
- APPT00320 05 09 2022 Brian Cutler Asst Harbormaster/Shellfish Constable/
*Re-appointment Special Police Officer 5/31/2025
- 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:

- APPT00314_04_25_2022 Daniel A. Simon 11 Jackson St. Water/Sewer Comm. 4/30/2024
- ORDR00352_05_09_2022 Licensed Contractor Robert Pike Construction, Inc.
- ORDR00353_05_09_2022 Licensed Contractor Commonwealth and Consulting Co., Inc.

Rules

In Committee:

- ORDR239_02_8_2021 Council Rule 7 and 10B

17. GOOD OF THE ORDER

18. ADJOURNMENT

19. EXECUTIVE SESSION

(1) Pursuant to G.L. c. 30A, s 21 et Exemption #6 of the Open Meeting Law this discussion will relate to the purchase, exchange, lease of value of real property if the chair declared that an open meeting may have a detrimental effect on the negotiating position of the public body. Discussion on Releasing Attorney Client Privilege and the Legal Opinion by KP Law on Short Term Rentals.

(2) Pursuant to G.L.c.30A, s.21 et al Exemption #6 of the Open Meeting Law this discussion will relate to the purchase, exchange, lease of value of real property if the chair declared that an open meeting may have a detrimental effect on the negotiating position of the public body and any draft minutes related thereto. The locus is Coffin Street.

CONSENT AGENDA

CITY COUNCIL “HYBRID”

MEETING MINUTES

May 9, 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**

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: Wright, Zeid, Cameron, Donahue, Khan, Lane, McCauley, Preston, Vogel, Wallace, and Shand. 11 present (MW, JD, BL, and CW remote).

4. LATE FILE

- APPL00077_05_09_2022 Pride in the Port Saturday, June 11th 12-8pm Market St/Bullnose-Inn Street **(PS)**
- APPT00321_05_09_2022 Charles Aloviseti 60 Bromfield St Conservation Comm. 6/1/2025 **(P&D)**
- ORDR00354_05_09_2022 FY23 CPC Recommendations **(B&F)**
- ORDR00355_05_09_2022 Loan Order \$2,574,000 Bartlet Mall Improvements Project **(B&F)**
- ORDR00356_05_09_2022 Loan Order \$3,000,000 Market Landing Park Expansion Project **(B&F)**
- ORDR00357_05_09_2022 USACE Merrimack River Dredging Noise Waiver **(PS)**

Motion to waive the rules to accept the late files and refer to respective committees listed by Councillor Zeid, seconded by Councillor McCauley. Roll call vote. 11 yes. Motion passes.

5. PUBLIC COMMENT

Patricia Boetnig 18 Merrill St.
Laura DePalma 5 Perkins Way
Lori Towle 351 High St.
Ann Maurer 17 Otis Place
Brian Callahan 29 Warren St.
Katherine Stark 86 High St.
Deborah Mousley 126 Merrimac St.
Sarah Lord 40 Merrimac St.
Renee Ames 17 Forrester St.
Mike Brennan 16 Eagle St.
Jack Ames
Ian Cowen
Larry Russell 10 Turkey Hill Road

6. MAYOR'S COMMENT

Motion to waive the rules to move ODNC00105_02_14_2022 to the beginning of the meeting by Councillor Preston, seconded by Councillor Vogel. Councillor Lane recused himself. Roll call vote. 9 yes, 1 no (SZ), 1 recused (BL). Motion passes. Motion to divide the question at 216, including footnote (i), and the friendly amendment by Councillor Cameron to include the last paragraph referring to “parking requirements” for Community Center use, and to table the remainder of the Ordinance by Councillor Vogel, seconded by Councillor Cameron. Roll call vote. 7 yes, 3 no (MW, SZ, JM), 1 recused (BL). Motion passes. Motion to approve as amended by Councillor Cameron, seconded by Councillor Preston. Motion to amend the stated 216 use to change I1 to SP and R2 to SP meaning to apply footnote (j) by Councillor McCauley, seconded by Councillor Khan. Roll call vote. 10 yes, 1 recused (BL). Motion passes. Motion to approve as amended on the floor by Councillor Cameron, seconded by Councillor Preston. Roll call vote. 7 yes, 3 no (MW, SZ, JM), 1 recused (BL). Motion fails.

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

- April 21, 2022 (Approve)
- April 25, 2022 (Approve)

8. COMMUNICATIONS

- APPL00074_05_09_2022 12th Annual GNOCA 5K Sunday, Sept. 25th 10am-1pm (PS)
- APPL00075_05_09_2022 Hoedl-Bilinski Dinner Sat. Oct. 8th 6-9pm (Tent on 69th St 10/7-10/9) (PS)
- APPL00076_05_09_2022 High St. Mile Sunday, Aug. 7th (YHC) 9-10am (PS)

9. TRANSFERS

- TRAN00125_05_09_2022 Health Ins. Stabilization Fund \$60K to INS Health Ins. Premiums \$60K (B&F)
- TRAN00126_05_09_2022 SUS Solid Waste \$50,000 to LGL City Solicitor \$50,000 (B&F)
- TRAN00127_05_09_2022 Gen. Fund Free Cash \$222,166.68 to (B&F)
Snow & Ice-Labor \$29,559.88 and Snow & Ice-Expenses \$192,606.80

10. APPOINTMENTS

- APPT00319_05_09_2022 Jeevan Kowalski Asst. Harbormaster/Shellfish Constable/
*Re-appointment Special Police Officer 5/31/2025
- APPT00320_05_09_2022 Brian Cutler Asst Harbormaster/Shellfish Constable/
*Re-appointment Special Police Officer 5/31/2025

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

BUDGET & FINANCE

- TRAN00124_04_11_2022 RRFA Sale of Municipal Buildings \$30K to
NYS Center Schematic Design \$30K (COTW)
- ORDR00344_04_25_2022 Harbormaster Truck Appropriation
- ORDR00346_04_25_2022 Brown School Fund Establishment
- ORDR00347_04_25_2022 Brown School Fund Appropriation
- ORDR00348_04_25_2022 Brown School Loan Order

GENERAL GOVERNMENT

- ORDR00319_02_14_2022 Kelley School Funds Order (COTW)
- ORDR00340_04_11_2022 Fair Share Resolution (COTW)
- COMM00402_04_11_2022 12 Cushing Ave Paper St. Inquiry

PLANNING & DEVELOPMENT

- ODNC00105_02_14_2022 Zoning Amendment Business Park Uses (COTW)
- ODNC046_01_27_2020 Zoning Amendment Short Term Rental Unit (STRU) (COTW)
- ORDR00330_03_28_2022 License Agreement between City and Friends of Plum Island Light
- ORDR00341_04_11_2022 Blue Wave Solar Pilot Negotiation

PUBLIC SAFETY

- APPL00072_04_25_2022 Block Party 8/4/25 (YHC) 6pm-10pm Temple St. b/w Federal & Lime
- APPL00073_04_25_2022 Olive's Backyard Artisans Market 7/16/22 10am-3pm 341 High St.
- APPT00315_04_25_2022 Chris Charos 10 82nd St. Harbor Comm. 5/1/2025
- APPT00318_04_25_2022 Paul Hogg 4 Coltin Dr. Harbormaster 5/1/2025
Sp. Police Officer
- ORDR00345_04_25_2022 Intermunicipal Agreement by & between Salisbury North Jetty
Dredging Project

END OF CONSENT AGENDA

At the request of Councillor Cameron APPT00319_05_09_2022 and APPT00320_05_09_2022 are removed from the Consent Agenda.

Motion to approve the Consent Agenda as amended by Councillor Zeid, seconded by Councillor McCauley. Roll call vote. 11 yes. Motion passes.

REGULAR AGENDA

9. MAYOR'S UPDATE

10. FIRST READING APPOINTMENTS

- APPT00321_05_09_2022 **Late File** Charles Aloviseti 60 Bromfield St Conservation Comm. 6/1/2025
- APPT00319_05_09_2022 Jeevan Kowalski Asst. Harbormaster/Shellfish Constable/
**Re-appointment* Special Police Officer 5/31/2025
- APPT00320_05_09_2022 Brian Cutler Asst Harbormaster/Shellfish Constable/
**Re-appointment* Special Police Officer 5/31/2025

Motion to refer APPT00319 and APPT00320 collectively to Public Safety by Councillor McCauley, seconded by Councillor Zeid. Roll call vote. 11 yes. Motion passes.

11. COMMUNICATIONS

- APPL00077_05_09_2022 **Late File** Pride in the Port Saturday, June 11th 12-8pm
Market St/Bullnose-Inn Street

12. TRANSFERS

13. SECOND READING APPOINTMENTS

- APPT00313_04_25_2022 Joe Carper 8 Fruit St. Cultural Council 4/29/2025

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

14. ORDERS

- **ORDR00349_05_09_2022** FY22 Revolving Fund Spending Limit Increase
Motion to refer to Budget & Finance and COTW by Councillor Zeid, seconded by Councillor McCauley. Roll call vote. 11 yes. Motion passes.
- **ORDR00350_05_09_2022** FY2023 Budget Order
Motion to refer to Budget & Finance and COTW by Councillor Zeid, seconded by Councillor McCauley. Roll call vote. 11 yes. Motion passes.
- **ORDR00351_05_09_2022** Loan Order \$750,000 Bulkhead Project
Motion to refer to Budget & Finance and COTW by Councillor Zeid, seconded by Councillor McCauley. Roll call vote. 11 yes. Motion passes.
- **ORDR00352_05_09_2022** Licensed Contractor Robert Pike Construction, Inc.
Motion to refer to Public Utilities by Councillor Zeid, seconded by Councillor McCauley. Roll call vote. 11 yes. Motion passes.
- **ORDR00353_05_09_2022** Licensed Contractor Commonwealth and Consulting Co., Inc.
Motion to refer to Public Utilities by Councillor Zeid, seconded by Councillor McCauley. Roll call vote. 11 yes. Motion passes.
- **ORDR00354_05_09_2022** **Late File** FY23 CPC Recommendations
- **ORDR00355_05_09_2022** **Late File** Loan Order \$2,574,000 Bartlet Mall Improvements Project
- **ORDR00356_05_09_2022** **Late File** Loan Order \$3,000,000 Market Landing Park Expansion Project
- **ORDR00357_05_09_2022** **Late File** USACE Merrimack River Dredging Noise Waiver

15. ORDINANCES

- **ODNC102_11_08_2021** **2nd Reading** Ch. 17 Stormwater Management Revisions
Motion to approve on second reading by Councillor Zeid, seconded by Councillor McCauley. Roll call vote. 11 yes. Motion passes.
- **ODNC00110_05_09_2022** Updating Departmental Revolving Funds
Motion to refer to Budget & Finance by Councillor Zeid, seconded by Councillor McCauley. Roll call vote. 11 yes. Motion passes.
- **ODNC00111_05_09_2022** Amendment Net Zero Energy Public Projects
Motion to refer to Planning & Development by Councillor Zeid, seconded by Councillor McCauley. Roll call vote. 11 yes. Motion passes.

16. COMMITTEE ITEMS

Ad Hoc Committee on Economic Development

In Committee:

Ad Hoc Committee on Market Landing Park and COTW

In Committee:

Budget & Finance

In Committee:

- **TRAN00124_04_11_2022** **RRFA Sale of Municipal Buildings \$30K to**
NYS Center Schematic Design \$30K (COTW)
Motion to approve by Councillor Zeid, seconded by Councillor McCauley. Roll call vote. 10 yes, 1 no (BV). Motion passes.
- **ORDR00344_04_25_2022** **Harbormaster Truck Appropriation**
Motion to approve by Councillor Zeid, seconded by Councillor Preston. Roll call vote. 11 yes. Motion passes.
- **ORDR00346_04_25_2022** **Brown School Fund Establishment**
Motion to approve collectively ORDR00346 and ORDR00347 by Councillor Zeid, seconded by Councillor McCauley. Roll call vote. 9 yes, 2 no (AK, CP). Motion passes.
- **ORDR00347_04_25_2022** **Brown School Fund Appropriation**
Motion to approve collectively ORDR00346 and ORDR00347 by Councillor Zeid, seconded by Councillor

McCauley. Roll call vote. 9 yes, 2 no (AK, CP). Motion passes.

- **ORDR00348 04 25 2022 Brown School Loan Order**

Motion to approve by Councillor Zeid, seconded by Councillor McCauley. Friendly amendment by Councillor Zeid to add “prior to the issuance of the bond, the vote shall require a super majority and it shall refer to a ‘plan’”. Motion to approve as amended by Councillor Zeid, seconded by Councillor McCauley. Roll call vote. 7 yes, 4 no (EC, JD, AK, CP). Motion fails.

- ORDR00336_03_28_2022 ARPA Amesbury 250K
- ORDR00338_04_11_2022 Capital Improvement Program FY2023-2027 (COTW)

Education

In Committee:

Councillor Khan gave an update announcing that there will be a discussion on the Cultural Council on June 6th.

General Government

In Committee:

- **ORDR00319 02 14 2022 Kelley School Funds Order (COTW)**

Motion to approve by Councillor Shand, seconded by Councillor Vogel. Motion to amend to reduce the amount from \$695,500 to \$595,500 and adding the \$100,000 to the Brown School Stabilization Fund by Councillor Zeid, seconded by Councillor McCauley. Roll call vote. 6 yes, 5 no (EC, AK, CP, BV, HS). Motion passes. Motion to amend to add to the second page after *at the discretion of the Mayor,*” with the approval of the majority of the City Council for cost” and striking *for any and all* by Councillor McCauley, seconded by Councillor Donahue. Roll call vote. 5 yes (SZ, JD, BL, JM, CW), 6 no. Motion fails. Motion to approve as amended by Councillor Shand, seconded by Councillor Vogel. Roll call vote. 10 yes, 1 no (BV). Motion passes.

- **ORDR00340 04 11 2022 Fair Share Resolution (COTW)**

Motion to approve by Councillor Cameron, seconded by Councillor Preston. Roll call vote. 7 yes, 4 no (MW, SZ, BL, JM). Motion passes.

- **COMM00402 04 11 2022 12 Cushing Ave Paper St. Inquiry**

Motion to refer back to General Government by Councillor Vogel, seconded by Councillor McCauley. Roll call vote. 11 yes. Motion passes.

- COMM00405_04_11_2022 Mayor’s Strategic Plan (COTW)

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:

- COMM299_02_08_2021 Phillips Dr. Neighborhood Committee Ltr
- ODNC00103_01_10_2022 Streets, Sidewalks, and Other Public Places Alterations & Maintenance
- COMM00406_04_11_2022 Pioneer League Letter re: Pickleball

Planning & Development

In Committee:

- **ODNC00105 02 14 2022 Zoning Amendment Business Park Uses (COTW)**

Councillor Lane recused. Motion to remove from table by Councillor Cameron, seconded by Councillor Preston. Roll call vote. 10 yes, 1 recused (BL). Motion passes. Motion to approve on first reading by Councillor Cameron, seconded by Councillor Preston. Roll call vote. 10 yes, 1 recused (BL). Motion passes.

- **ODNC046 01 27 2020 Zoning Amendment Short Term Rental Unit (STRU) (COTW)**

Motion to refer back to Planning & Development and COTW by Councillor Cameron, seconded by Councillor Vogel. Roll call vote. 10 yes, 1 no (JM). Motion passes.

• **ORDR00330 03 28 2022 License Agreement between City and Friends of Plum Island Light**

Motion to approve by Councillor Cameron, seconded by Councillor Zeid. Motion to amend by Councillor Zeid, seconded by Councillor McCauley to add New Paragraph 'G' inserted into Paragraph 1. USE, PURPOSE of the lease agreement with the City and Friends of Plum Island Light, Inc.

g. Under the supervision of the Board Members of the Licensee, there may be no more than two (2) marriage ceremonies per month with no more that twenty-five (25) attendee and lasting no more than two (2) hours in duration. Parking for the ceremony shall be off-site. Only minor amplification is allowed without any music, bands, food, alcohol, installation of any temporary or permanent structures, or alteration of the property. Roll call vote. 11 yes. Motion passes. Motion to approve as amended by Councillor Cameron, seconded by Councillor Zeid. Roll call vote. 11 yes. Motion passes.

• **ORDR00341 04 11 2022 Blue Wave Solar Pilot Negotiation**

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

- COMM00398_03_28_2022 Memo DHCD MBTA Housing Choice Briefing (COTW)
- APPT00316_04_25_2022 Stephen Moore 10 N. Atkinson St. Conservation Comm. 5/1/2025
- APPT00317_04_25_2022 Lynn Schow 75 High St. ZBA 5/15/2023

Public Safety

In Committee:

• **APPL00072 04 25 2022 Block Party 8/4/25 (YHC) 6pm-10pm Temple St. b/w Federal & Lime**

Motion to approve collectively APPL00072 and APPL00073 by Councillor McCauley, seconded by Councillor Vogel. Roll call vote. 11 yes. Motion passes.

• **APPL00073 04 25 2022 Olive's Backyard Artisans Market 7/16/22 10am-3pm 341 High St.**

Motion to approve collectively APPL00072 and APPL00073 by Councillor McCauley, seconded by Councillor Vogel. Roll call vote. 11 yes. Motion passes.

• **APPT00315 04 25 2022 Chris Charos 10 82nd St. Harbor Comm. 5/1/2025**

Motion to approve collectively APPT00315 and APPT00318 by Councillor McCauley, seconded by Councillor Zeid. Roll call vote. 11 yes. Motion passes.

• **APPT00318 04 25 2022 Paul Hogg 4 Coltin Dr. Harbormaster 5/1/2025
Sp. Police Officer**

Motion to approve collectively APPT00315 and APPT00318 by Councillor McCauley, seconded by Councillor Zeid. Roll call vote. 11 yes. Motion passes.

• **ORDR00345 04 25 2022 Intermunicipal Agreement by & between Salisbury North Jetty
Dredging Project**

Motion to approve by Councillor McCauley, seconded by Councillor Zeid, noting a scrivener's error to add the word "side" before *dredging*. Roll call vote. 11 yes. Motion passes.

- 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:

- APPT00314_04_25_2022 Daniel A. Simon 11 Jackson St. Water/Sewer Comm. 4/30/2024

Rules

In Committee:

- ORDR239_02_8_2021 Council Rule 7 and 10B

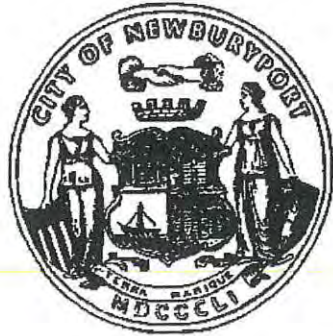
17. GOOD OF THE ORDER

Council President Shand noted that there would be an open house on May 15 at Congregation Ahavas Achim. Councillor Wallace spoke on the issues of the night.

18. ADJOURNMENT

Motion to adjourn at 10:06 pm by Councillor Shand, seconded by Councillor Vogel. Roll call vote. 11 yes.
Motion passes.

COMMUNICATIONS



RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2022 MAY -5 PM 5:00



CITY OF NEWBURYPORT
60 PLEASANT STREET
NEWBURYPORT, MA 01950

BLOCK PARTY APPLICATION

Please fill out the application below and obtain the approving signatures for the street closure. Mail or drop off the completed signed application at: City Clerk's Office, City Hall, 60 Pleasant St., Newburyport, MA 01950 at least 8 business days prior to a City Council meeting. The requested Block Party needs approval by the City Council. For any questions, please contact The City Clerk's Office at (978)465-4407.

DATE OF REQUEST: 5/5/22

CONTACT INFORMATION

FIRST AND LAST NAME: Milissa Duncan

MAILING ADDRESS: 14 Dove St., Newburyport

PHONE NUMBER: 978.764.1019

E-MAIL ADDRESS: milissaduncan@hotmail.com

BLOCK PARTY INFORMATION

BLOCK PARTY DATE: Sat. Aug. 6

DESIRED STREET CLOSING LOCATION: Dove St between Monroe

Please indicate cross streets when requesting the closing of street sections

& Merrimac

STREET TO BE BARRICADED: Dove St.

DESIRED STREET CLOSING TIME: 5:30pm - 10pm

Block Parties should run no later than 10:00 p.m.

REGULATIONS

By signing, I agree that I am a legal adult 18 years of age or older and understand this permit does not release me of any liability for damages that may result from the conducting of this Block Party. Further, I agree to comply with all requirements listed below:

I understand that applications for block party permits may take up to four weeks to process.

Block parties will be conducted only on low-volume residential streets, dead-end streets, or cul-de-sacs, No thoroughfares or collector streets may be used.

It is hereby agreed that, by signing and presenting this application, signer(s) represents to the City of Newburyport that the following statements are true and correct, and agrees to and will abide by the following:

1. All residents living on the street or block for which the party is planned request the Block party, or have been contacted and do not object to the Block Party.
2. To be responsible for placement, maintenance and removal of barricades.
3. A block party permit does not allow the sale of alcohol or the consumption of alcohol on public property (in city streets, sidewalks, parks, etc.) alcohol is allowed only on private property. All state and city alcohol laws still apply during Block Parties.
4. Amplified music shall be permitted with permission of the City Council.
5. To leave AT LEAST a TWELVE (12) FOOT AISLE in the street to permit passage of emergency vehicles or vehicles of residents. Failure to maintain a ten foot aisle during the entire period of the party will necessitate denial of requests for subsequent block parties. Public safety personnel will monitor the party for strict adherence to this rule.
6. To maintain adult supervision at all times during the party.
7. Applicant(s) shall be responsible for the pick-up of trash and garbage within 2 hours of the end the party.
8. Streets may not be barricaded later than 10:00 P.M.
9. No residents of the area designated shall be prohibited from attending the party.
10. No such activity may be conducted within 500 feet of any school, church, hospital, nursing home or similar operation unless endorsed by the management of such institution e
11. Only approved readily removable Barricades will be permitted such as, orange cones and sawhorses with a sign. No vehicles will permitted to be used as a Barricade.
12. Block parties are permitted 10AM-10PM

Applicant Signature Melissa Duncan Date 5/5/22

APPROVAL SIGNATURES REQUIRED FOR STREET CLOSURE

CITY MARSHALL

4 Green Street

FIRE CHIEF

Greenleaf Street

DEPUTY DIRECTOR

1 Perry Way

CITY CLERK

60 Pleasant St.

[Signatures]

City use only:

Approved _____ -Denied _____ Date _____

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT MA

NEWBURYPORT SPECIAL EVENT APPLICATION

2022 MAY 23 AM 11:15

Tel.

Fax.

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

NAME OF EVENT: Newburyport Lions Bed Race

Date: August 4, 2022 Time: from 5:00 PM to 8:00 PM

Rain Date: August 5, 2022 Time: from 5:00 PM to 8:00 PM

2. Location*: FEDERAL STREET

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

3. Description of Property: STREET Public Private

4. Name of Organizer: Newburyport Lions Club City Sponsored Event: Yes No

Contact Person Robert Colomycki

Address: 7 Goldsmith Dr. Telephone: 978-462-7356

E-Mail: jobohyeat@comcast.net Cell Phone: 617-275-9217

Day of Event Contact & Phone: Bob Colomycki cell # 617-275-9217

5. Number of Attendees Expected: Between 20 to 25 beds

6. MA Tax Number: 1198893056

7. Is the Event Being Advertised? yes Where? social media, newspaper, radio

8. What Age Group is the Event Targeted to? 20 to 65 years old.

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 N/A Beverages N/A Alcohol N/A Goods N/A Total # of Vendors _____

*If checked, signature from Health Director required (Page 3)

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

Performers N/A Dancing _____ Amplified Sound _____ Stage _____

C. Games /Rides: Adult Rides _____ Kiddie Rides _____ Games _____ Raffle _____

Other N/A Total # _____

Name of Carnival Operator: _____

Address: N/A

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? None
- b) How many recycling receptacles will you be providing? None
- 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 ? LIONS will pick up and dispose of all trash

If no:

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

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

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

_____ Standard # _____ ADA accessible

Name of company providing the portable toilets: _____

FOR STREET CLOSURE OR ANY USE OF A PUBLIC WAY

PARADE _____ ROAD RACE _____ ~~WALKATHON~~ BED RACE ✓

1. Name of the Group or Person Sponsoring the ^{Bed} Road Race, Parade, Walkathon: Newburyport Lions Club

2. Name, Address & Daytime Phone Number of Organizer: Bob COLOMYCKI
7 GOLDSMITH DR.
NBPT MA Tel. 978-462-7356

3. Name, Address & 24/7 Telephone Number of Person Responsible for Clean Up Lion club members will clean up.
Same as # 2

4. Date of Event: AUGUST 4, 2022 Expected Number of Participants: 20-25 beds

5. Start Time: 5:00 PM Expected End Time: 8:00 PM

6. ^{Bed} Road Race, Parade or Walkathon Route: (List street names & **attach map of route**): Federal Street

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

8. Will Detours for Motor Vehicles Be Required? yes If so, where? Top & bottom of Federal

9. Formation Location & Time for Participants: Top of Federal 5:00 PM

10. Dismissal Location & Time for Participants: Bottom of Federal 8:00 PM

11. Additional Parade Information:
- Number of Floats: N/A
 - 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] 10 Greenleaf St.
 DEPUTY DIRECTOR [Signature] 16A Perry Way CITY CLERK [Signature] 60 Pleasant St.
 HEALTH DIRECTOR _____ 60 Pleasant St. (only needed when Food & Beverage Vendors are included in the event)

DEPARTMENT APPROVAL (for Committee Member use only):

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

Approval
Required

Date: _____ Signature: _____

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

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

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

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

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

(c) *Definitions.*

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

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

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

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

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

(d) *Limitations.*

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(e) *Enforcement.*

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

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

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

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

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

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

Signed:  Date: 05/19/22

Permit Issued: # _____

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

APPLICATION FOR MOVABLE SIGNAGE ON PUBLIC PROPERTY

2022 MAY 10 AM 11:44

Application Fee \$100.00
Date: 5/6/22

| | |
|------------------------------|-------|
| FOR CITY CLERK'S OFFICE ONLY | |
| Date Recorded | _____ |
| Expiration Date: | _____ |
| Amount Paid | _____ |

To the City Council of the City of Newburyport:

The undersigned requests that he/she may be granted permission to place one (1) movable sign on public property and private rights-of-way open to the public. This permission will only be effective for the listed location, and will be subject to all of the terms, conditions, and limitations set forth in the Newburyport Code of Ordinances, and any applicable State and Federal laws and any condition prescribed by the City Council and/or City Departments, including, but not limited to, those conditions appearing below.

Name of applicant Alanna Pastman

Home address of applicant 29 Hope Dr

City, State, Zip of applicant Amesbury MA 01913

Telephone of applicant 978 314 1149

Name of business Smitten LLC

Address of business 23 Inn St Newburyport MA 01950

Telephone of business 978 499 7912

Description of the location and movable sign to placed on the Public Way.

near the Village Silversmith, + Bar 25 - It has been there since the beginning and has not been an issue.

RELEASE AND INDEMNITY AGREEMENT TO ENCUMBER A PUBLIC WAY

I, the undersigned Applicant or Duly Authorized Agent, hereby agree to RELEASE, discharge and hold harmless, the City of Newburyport, a municipal corporation of the Commonwealth of Massachusetts, and its officers, employees, agents and servants from all actions, causes of action, claims, demands, damages, costs, loss of services, expenses and compensation associated with the undersigned's use of the public way as described herein.

Signature of Applicant or Duly Authorized Agent Alanna Pastman Date 5/6/22



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

05/06/22

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

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

| | | |
|--|--|-----------------------------|
| PRODUCER Jay Colangelo Insurance Agency Inc 289 Chelmsford Street Chelmsford, MA 01824 | CONTACT NAME: PHONE (A/C, No, Ext): 800-286-8603 | FAX (A/C, No): 978-250-0488 |
| | E-MAIL ADDRESS: | |
| INSURER(S) AFFORDING COVERAGE | | NAIC # |
| INSURER A : Arbella Protection Ins Co | | |
| INSURER B : | | |
| INSURER C : | | |
| INSURER D : | | |
| INSURER E : | | |
| INSURER F : | | |

INSURED

 Alanna Pastman
 dba Smitten LLC
 23 Inn St
 Newburyport, MA 01950

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 SUBR | | POLICY NUMBER | POLICY EFF (MM/DD/YYYY) | POLICY EXP (MM/DD/YYYY) | LIMITS | |
|----------|--|-----------|-----|---------------|-------------------------|-------------------------|---|--------------|
| | | INSD | WVD | | | | | |
| A | <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY | | | 7520045394 | 09/02/21 | 09/02/22 | EACH OCCURRENCE | \$ 1,000,000 |
| | <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> OCCUR | | | | | | DAMAGE TO RENTED PREMISES (Ea occurrence) | \$ 100 |
| | | | | | | | MED EXP (Any one person) | \$ 10,000 |
| | | | | | | | PERSONAL & ADV INJURY | \$ 1,000,000 |
| | GEN'L AGGREGATE LIMIT APPLIES PER: | | | | | | GENERAL AGGREGATE | \$ 2,000,000 |
| | <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC | | | | | | PRODUCTS - COMP/OP AGG | \$ 2,000,000 |
| | OTHER: | | | | | | | \$ |
| | AUTOMOBILE LIABILITY | | | | | | COMBINED SINGLE LIMIT (Ea accident) | \$ |
| | <input type="checkbox"/> ANY AUTO | | | | | | BODILY INJURY (Per person) | \$ |
| | <input type="checkbox"/> OWNED AUTOS ONLY | | | | | | BODILY INJURY (Per accident) | \$ |
| | <input type="checkbox"/> HIRED AUTOS ONLY | | | | | | PROPERTY DAMAGE (Per accident) | \$ |
| | <input type="checkbox"/> SCHEDULED AUTOS NON-OWNED AUTOS ONLY | | | | | | | \$ |
| | UMBRELLA LIAB | | | | | | EACH OCCURRENCE | \$ |
| | <input type="checkbox"/> EXCESS LIAB | | | | | | AGGREGATE | \$ |
| | <input type="checkbox"/> OCCUR | | | | | | | \$ |
| | <input type="checkbox"/> CLAIMS-MADE | | | | | | | \$ |
| | DED | | | | | | | \$ |
| | RETENTION \$ | | | | | | | \$ |
| | WORKERS COMPENSATION AND EMPLOYERS' LIABILITY | | | | | | PER STATUTE | OTH-ER |
| | ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) | | | | | | E.L. EACH ACCIDENT | \$ |
| | If yes, describe under DESCRIPTION OF OPERATIONS below | | | | | | E.L. DISEASE - EA EMPLOYEE | \$ |
| | | | | | | | E.L. DISEASE - POLICY LIMIT | \$ |

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

certificate holder to be added as additional insured

CERTIFICATE HOLDER**CANCELLATION**

City of Newburyport
 City Clerk
 60 Pleasant Street
 Newburyport, MA 01950

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

From: Alanna Pastman <smitten@comcast.net>
Sent: Tuesday, May 10, 2022 12:41 PM
To: Richard Jones <RJones@CityofNewburyport.com>
Subject: permit

Dear Clerk Jones

Nice speaking with you today!

As we discussed, the city of Newburyport granted the permit for the A frame sign two years ago. It is located on the corner of the alley, well out of the way of foot traffic.

There was also outside seating when the restaurant was Ceia at the time of approval 2 years ago.

Bar 25 as well as The Village Silversmith both agreed the sign does not interfere in either of their spaces and are supportive of the sign being there.

In addition, 3/4 of walking traffic new to Newburyport tell us they had no idea Smitten and/or Inn St were even behind State St.

Having the sign in that location brings us at least 40% of our revenue.

Please continue to allow us the sign in that location.

Thank you!

Alanna Pastman

Smitten



RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2022 MAY -9 PM 1:30

CITY OF NEWBURYPORT
60 PLEASANT STREET
NEWBURYPORT, MA 01950

BLOCK PARTY APPLICATION

Please fill out the application below and obtain the approving signatures for the street closure. Mail or drop off the completed signed application at: City Clerk's Office, City Hall, 60 Pleasant Street, Newburyport, MA 01950 **at least eight (8) business days prior** to a City Council meeting. The requested Block Party needs approval by the City Council. For any questions, please contact The City Clerk's Office at (978) 465-4407.

| | |
|--|--|
| DATE OF REQUEST: | <u>5/9/2022</u> |
| <u>CONTACT INFORMATION</u> | |
| FIRST AND LAST NAMES: | <u>Christina Manning</u> |
| MAILING ADDRESS: | <u>31 Howard St.</u> |
| PHONE NUMBER: | <u>978-790-5828</u> |
| E-MAIL ADDRESS: | <u>christina216@gmail.com</u> |
| <u>BLOCK PARTY INFORMATION</u> | |
| BLOCK PARTY DATE: | <u>Friday 6/17/2022</u> |
| DESIRED STREET CLOSING LOCATION: | <u>Howard St (Forrester to Butler)</u> |
| Please indicate cross streets when requesting the closing of street sections | |
| STREET TO BE BARRICADED: | <u>Howard St.</u> |
| DESIRED STREET CLOSING TIME: | <u>Noon - 9pm</u> |
| Block Parties should run no later than 10:00 p.m. | |

REGULATIONS

By signing, I agree that I am a legal adult 18 years of age or older and understand this permit does not release me of any liability for damages that may result from the conducting of this Block Party. Further, I agree to comply with all requirements listed below:

I understand that applications for block party permits may take up to four (4) weeks to process.

Block parties will be conducted only on low-volume residential streets, dead-end streets, or cul-de-sacs. No thoroughfares or collector streets may be used.

It is hereby agreed that, by signing and presenting this application, signer(s) represents to the City of Newburyport that the following statements are true and correct, and agrees to and will abide by the following:

1. All residents living on the street or block for which the party is planned request the block party, or have been contacted and do not object to the Block Party.
2. To be responsible for placement, maintenance and removal of barricades.
3. A block party permit does not allow the sale of alcohol or the consumption of alcohol on public property (in city streets, sidewalks, parks, etc.) alcohol is allowed only on private property. All state and city alcohol laws still apply during Block Parties.
4. Amplified music shall be permitted with permission of the City Council.
5. To leave **AT LEAST A TWELVE (12) FOOT AISLE** in the street to permit passage of emergency vehicles or vehicles of residents. Failure to maintain a ten (10) foot aisle during the entire period of the party will necessitate denial of requests for subsequent block parties. **Public safety personnel will monitor the party for strict adherence to this rule.**
6. To maintain adult supervision at all times during the party.
7. Applicant(s) shall be responsible for the pick-up of trash and garbage within two (2) hours of the end of the party.
8. Streets may not be barricaded later than 10:00 P.M.
9. No residents of the area designated shall be prohibited from attending the party.
10. No such activity may be conducted within five hundred (500) feet of any school, church, hospital, nursing home or similar operation unless endorsed by the management of such institution.
11. Only approved readily removable Barricades will be permitted such as orange cones and sawhorses with a sign. No vehicles will be permitted to be used as a Barricade.
12. Block parties are permitted 10 A.M. – 10 P.M.

Applicant signature: Christina Manning Date: 4/28/22

APPROVAL SIGNATURES REQUIRED FOR STREET CLOSURE

CITY MARSHALL

4 Green Street

[Signature] 4/27/22

FIRE CHIEF

0 Greenleaf Street

[Signature] 4/29/22

DEPUTY DIRECTOR

16A Perry Way

[Signature] 5/9/22

CITY CLERK

60 Pleasant Street

[Signature]

City use only:

Approved _____ Denied _____ Date _____

NEWBURYPORT SPECIAL EVENT APPLICATION

Tel.

Fax.

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

NAME OF EVENT: Ride to End ALZ

Date: 6/04/2022 Time: from 8 AM to 11AM

Rain Date: NA Time: from _____ to _____

2. Location*: See attached map

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

3. Description of Property: _____ Public _____ Private _____

4. Name of Organizer: Alzheimer's Association City Sponsored Event: Yes _____ No X

Contact Person Mark LeBlanc

Address: 172 Trademark Drive / Buda TX 78610 Telephone: 281-704-0539

E-Mail: mark@cadencesports.com Cell Phone: _____

Day of Event Contact & Phone: Mark LeBlanc / 281-704-0539

5. Number of Attendees Expected: 500

6. MA Tax Number: 13-3039601

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

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

9. Have You Notified Neighborhood Groups or Abutters? Yes X No _____, Who? Local cities/towns along rou

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 X No _____

If yes:

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

If no:

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

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

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

_____ Standard # _____ ADA accessible

Name of company providing the portable toilets: _____

FOR STREET CLOSURE OR ANY USE OF A PUBLIC WAY

PARADE _____ ROAD RACE X WALKATHON _____
Charity Cycling Ride

1. Name of the Group or Person Sponsoring the Road Race, Parade, Walkathon: Alzheimer's Association MA/ NH

2. Name, Address & Daytime Phone Number of Organizer: Mark LeBlanc / 281-704-0539
172 Trademark Drive
Buda TX 78610

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

4. Date of Event: 6/04/2022 Expected Number of Participants: 500

5. Start Time: 8 AM Expected End Time: 11 AM

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

7. Locations of Water Stops (if any): 8 Graf Road

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

9. Formation Location & Time for Participants: See attached log sheet

10. Dismissal Location & Time for Participants: See attached log sheet

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 _____ 50 Pleasant St.

5/20/22

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.

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

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

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

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

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

(c) *Definitions.*

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

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

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

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

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

(d) *Limitations.*

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(e) Enforcement.

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

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

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

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

(5) *Failure to notify.* If the event fails to notify residents and provide documentation to the city clerk, pursuant to subsection (d)(5) above, shall render that organization ineligible to receive an event permit for a period of twelve (12) months unless special leave is granted by two-thirds superevot 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: Mark J. LeBlanc Date: 2/1/22



Newburyport

A

US 1

Route 1

Ride to End ALZ
- Newburyport

From: Lawrence Cavaliere <larryc2454@yahoo.com>
Subject: Coffin St. Extention
Date: May 5, 2022 at 1:11:56 PM EDT
To: "christine.wallace.ward4@gmail.com" <christine.wallace.ward4@gmail.com>,
"HShand@cityofnewburyport.com" <HShand@cityofnewburyport.com>

Hello, Councilor Wallace.

My property is located at 3 Jefferson St. Newburyport. It is abutted by what used to be named Coffin St Extension on the Assessors map, but someone has removed that designation and it now is undesignated. The property appears to be a paper street belonging to the city of Newburyport.

I have spoken to Andy Port, and Jill Brennan recently about this property and so far, no one can tell me for certain who, or what entity owns this land, or who removed the Coffin St Extension designation from the Assessors maps.

My neighbor, Kevin McGee, Parcel # 68-22 has planted a row of trees in the middle of the Coffin St Extension and bulldozed a gravel berm across the right of way, also. He also brought in 10 wheel dump trucks of fill and filled the marsh at the end of the Coffin St Extension, and installed granite curbing, pea stone, and chairs on what appears to be city of Newburyport land.

In the 20 years that I have owned 3 Jefferson St, there have been numerous times that residents of lower Jefferson st and Jefferson Court have used the Coffin St Extension to access Merrimac St during road paving, and underground Utility work. It is now blocked by Kevin McGee's trees and gravel berm.

I would like to formally request that the City of Newburyport perform the title search and possibly survey this untaxed property to determine it's rightful owner.

Unfortunately, my neighbor Bill Hadly, passed away recently and his property 68-15 is for sale and it is very likely that a developer will want to build very expensive waterfront homes on the property. This ownership issue will certainly be a big problem in the near future and it would make sense for the city to address the Coffin St Extension issue ASAP.

If this land belongs to the city of Newburyport, Can you please see that the proper City department demands that all impediments to it's use by abutters be removed?

Thank You
Lawrence Cavaliere, 3 Jefferson St Newburyport, Ma 01950

From: wshenk@bright.net <wshenk@bright.net>

Sent: Friday, May 20, 2022 10:54 AM

To: Richard Jones <RJones@CityofNewburyport.com>

Cc: mpieniazek@darlingconsulting.com; mello.neu@gmail.com; 'Sullivan Michael' <Michael.Sullivan@daldrop.com>; 'Leslie Eckholdt' <leckholdt@comcast.net>; 'Edith Heyck' <eheyck@gmail.com>

Subject: July 4 Weekend

Richard, As a heads up, We have been approached by Dennis Palazzo who is interested in bringing in some local entertainment on July 4 and the Army Band on July 5. The Waterfront Trust are in support of his request of using the stage area of the Park for both these concerts but have requested that he have no commercial activity (booths selling stuff, food trucks, or food/drink service) on our property. We want a nice July 4-5 family concert activity free of commercial activity. He did ask about adjoining City property and I said that's between you and the City. I know that the City has allowed in the past food trucks on the lawn next to the East parking lot and up by the Pop Up Park. I am not sure about booths on City Property. Anyway he may approach you for help. Wilbur

May 25, 2022

Dear City Council and Mayor Reardon

Recently one of my neighbors, Joan Steeves, 5 Woodman Way, was hit by a pick-up truck while she was walking to the supermarket. Joan has been avid walker. Many of her neighbors offered her rides but, with few exceptions, she preferred to walk. She wanted to stay strong and keep her independence. Joan was in the crosswalk at Noble St. a congested area when she was hit. Joan is 82 and is currently in Northeast Rehabilitation in Portsmouth. Please see the attached report which was printed in **The Daily News of Newburyport**, May 17, 2022.

The section of Low St, Woodman Way and Storey Avenue is dangerous. There is a traffic light at this intersection and another one near Shaw's Plaza but they are often ignored. The sidewalk and curbs on both sides of Storey Ave are in disrepair. Several neighbors have expressed concern about the safety when walking along Storey Ave. Many school aged children cross Storey Ave to go to 7-Eleven. My heart stops as I watch them even though they are at the crosswalk. I would like to walk to Panera or CVS safely and so would many neighbors.

I realize that sections of Storey Ave are maintained by the town and other sections by the State. Years ago, area resident, the late Olga MacFarlane, worked to get the traffic lights revamped for safety. I watched her effort. I began to speak to State and local officials to revamp the intersections. A traffic study was conducted, and some improvements were made. Seventeen years have passed since I moved to Newburyport. Traffic has increased. Drivers are distracted. Help is needed.

Mayor Reardon has a five-year plan but this area is not set for work until 2024. What can the city do now to ensure the safety of hundreds of residents who frankly pay a lot of taxes but get few services (no trash pickup, no plowing)?

I would appreciate your attention to this matter.

Regards,

Ann

Ann Jaroncyk
6 Woodman Way, #303
Newburyport, MA 01950
508-612-1880

NEWBURYPORT — An 82-year-old woman was conscious and alert but sustained serious injuries Monday morning after she was struck by a truck on Storey Avenue, according to first responders.

Local firefighters and police officers responded to the intersection of Storey Avenue and Noble Street about 11:45 a.m. after the woman was hit. The victim was driven to an area hospital by an Amesbury Fire Department ambulance. An Atlantic Ambulance also responded to the scene.

City Marshal Mark Murray said the truck driver remained on scene and was cooperating with authorities. No charges were immediately filed but the incident remains under investigation.

The area where the incident took place is very close to ongoing utility work that has reduced Storey Avenue to one lane and diverted traffic to Noble Street.

Shortly after the incident, traffic getting onto Storey Avenue from Noble Street was backed up all the way to Ferry Road. Noble Street cuts through the sprawling St. Mary's Cemetery.

The name of the injured pedestrian was not released.

Dave Rogers is a reporter with the Daily News of Newburyport. Email him at: drogers@newburyportnews.com. Follow him on Twitter @drogers41008.

Bob Keller

978-465-5111

bob@SeacoastMedicalMassage.com

<http://www.SeacoastMedicalMassage.com>

Moving Muscles to relieve Your Pain



Speed Limit Silliness

Haven't seen people obeying the 25 mph speed limit? That's probably because having a one-size-fits-all speed limit is simplistic to the point of being ludicrous.

25 mph is certainly appropriate for some streets in Newburyport. Most of Washington Street is a good example as are many other residential streets like Olive or Prospect. The streets are narrow, have residences close to the street, and visibility is sometimes limited.

For Merrimac, Water, and State streets downtown as well cross streets like Pleasant or Prince Pl, 25 mph is much too fast: in fact, it's seriously dangerous. People cross, often invisibly, anywhere they choose. The lanes are cluttered with delivery trucks as well as those obstructive and offensive outside dining platforms. And, the condition of the streets is an embarrassment. Why do you want to endanger the walking public by having a 25 mph speed limit?

High Street has been at 30 mph for decades, a reasonable speed. It has been at this speed as safely as it is likely to be at 25 mph. Please return the 30 mph posts.

25 mph on Graf Road, however, is absurd. It's a broad street with no residences. Buildings are set way back from the road so that entering vehicles are visible well ahead, and in the last 20 years, I haven't seen more than a handful of people walking on this road. Most drivers go 40 mph which is suitable for Graf Road; it could even be 45 mph. What does it benefit the City to make every driver a criminal?

Low Street is now posted at 35 mph which is good, and obeyed by most drivers...thank you! If you want drivers to obey speed limits, then make speed limits appropriate to the street.

May 24, 2022

Dear Christine Wallace, Newburyport City Council, Traffic Safety Advisory Committee, and all others that this may concern,

I moved to this charming city on the water to escape the Boston traffic, population, and safety concerns. My friends thought I was crazy, but I knew this was city was home and an hour plus commute each day was well worth it to come back to Newburyport at the end of the day. As a 25-year-old I invested in this town, and would never go back and change that, but like anything as population and traffic increase throughout the years, we add in traffic lights, stop signs, cross walks, sidewalks, etc. We learn to adapt and grow to create change to meet the needs of the residents in each neighborhood and community at large to keep the character of our town intact.

As a resident of Merrimac Street for the last 5 years, I have noticed the uptick in traffic, tourism, through traffic, businesses, speeding cars, aggressive drivers, and daily almost accidents. While crossing Merrimac Street, almost daily am hit by cars, yes, even when in crosswalks. When calling the police to address this concern, the concern is dismissed quiet rudely, which is yet another concern, I will address elsewhere. I am unable to pull out of my cross-street, from Elm to Merrimac Street when leaving my house and I am not only one who shares this sentiment in our neighborhood as there is 1 hour parking allowed on Merrimac Street from Whites Ct (174 Merrimac St) to Pop Crowley Way (150 Merrimac St).

I am formally asking that the 1-hour parking sign from Whites Ct (174 Merrimac St) to Pop Crowley Way (150 Merrimac St), allowing for 1 hour parking on Merrimac Street be removed. When people see parking on that side of the street, they often assume they can park between Merrill St (175 Merrimac St) and Boardman St (151 Merrimac St) as well. This specific stretch of Merrimac is extremely dangerous, narrow, and doesn't allow for street parking. Even with the cars parking half on the sidewalk and half in Merrimac St, there isn't room for cars to go around without crossing the double yellow creating a traffic jam. When these cars try to parallel park, turnaround doing complete U-turns in the middle of Merrimac, pull out of their parking spot, etc. they aren't paying attention and it is a complete nightmare. Allowing parking here is a complete mess and just adds to the lack of safety along Merrimac Street.

As I stated above, when a city grows, we need to adjust to ensure safety is at the forefront of our decisions as a community. I believe back in the day, this parking was a good choice, but with the growth, we need to adjust, and I am looking forward to seeing it removed with your help. Photos on pages 2 and 3 of this document with videos and letters of others speaking on their concerns of safety on Merrimac Street directly taking from public records, attached to this email.

Let's make this step towards creating a safer city.

Thank you for your time,

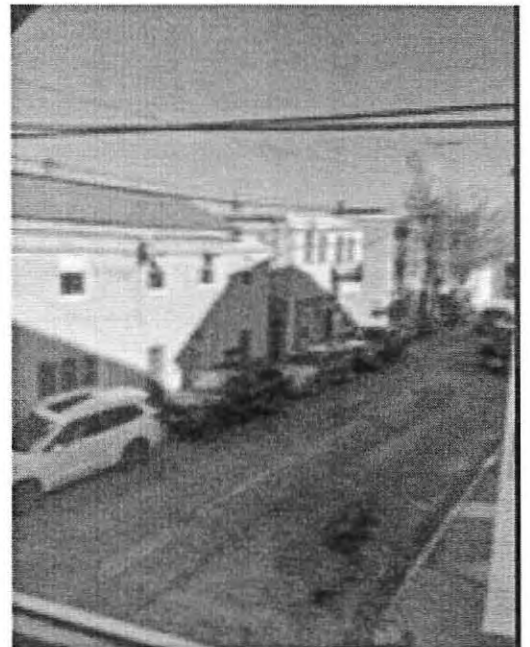
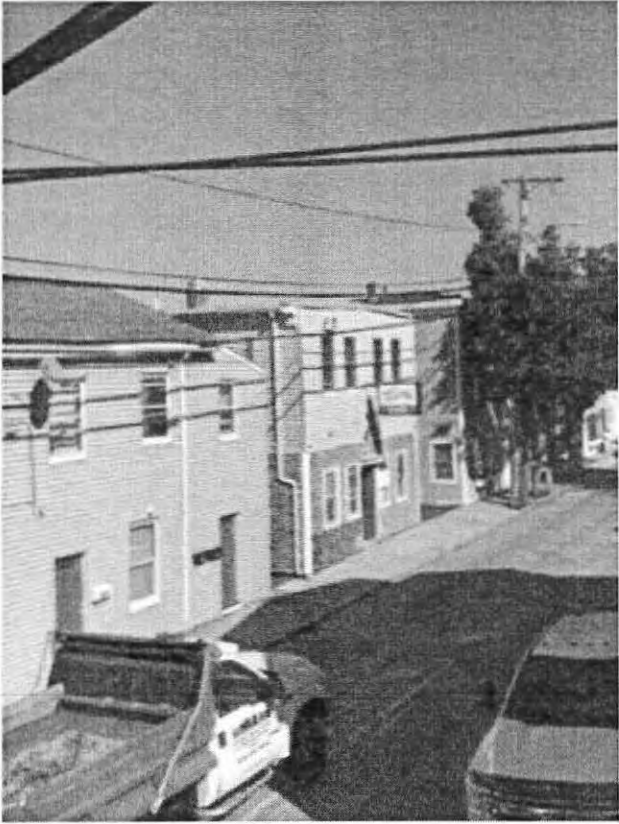
Emily Dunn

Emilydunn20@gmail.com

169 Merrimac Street Unit 4

Newburyport, MA 01950





TRANSFERS



CITY OF NEWBURYPORT FY 2022 TRANSFER/APPROPRIATION REQUEST

RECEIVED
CLERK'S OFFICE
NEWBURYPORT, MA

2022 MAY 21 PM 3:06

Department: Newburyport Public Library
Submitted by: Giselle Stevens, Head Librarian **Date Submitted:** 5/31/2022

Transfer From:

| | | | |
|-----------------|-----------------------------|------------|----------------------|
| Account Name: | <u>Library Staff Salary</u> | Balance: | <u>\$ 88,408.53</u> |
| Account Number: | <u>01610001-51156</u> | Category: | <u>\$ 190,510.58</u> |
| Amount: | <u>\$25,955.00</u> | Trans I/O: | <u>\$ -</u> |

Why Funds Are Available:

Staff turnover and retirement, as well as FMLA maternity leave has resulted in extra funds in the Library Staff Salary account.

Transfer To:

| | | | |
|-----------------|---------------------------------|------------|---------------------|
| Account Name: | <u>Library Heat/Electricity</u> | Balance: | <u>\$ 5,076.97</u> |
| Account Number: | <u>01610002-52101</u> | Category: | <u>\$ 38,901.49</u> |
| Amount: | <u>\$6,000.00</u> | Trans I/O: | <u>\$ -</u> |

Why Funds Are Needed:

Increased energy costs have resulted in additional heating and cooling expenses over the budgeted amount. \$6,000 will cover the May and June invoices.

Transfer To:

| | | | |
|-----------------|--------------------------------------|------------|---------------------|
| Account Name: | <u>Library Maintenance Equipment</u> | Balance: | <u>\$ 18,375.86</u> |
| Account Number: | <u>01610002-52402</u> | Category: | <u>\$ 38,901.49</u> |
| Amount: | <u>\$18,535.00</u> | Trans I/O: | <u>\$ -</u> |

Why Funds Are Needed:

1) The CPA grant funded Archival Center HVAC replacement project has \$2,910 in costs over the CPA grant awarded for this project. 2) Carpet replacement on the main staircase and 2nd floor landing is in the FY23-27 CIP. This funding of \$15,625 will enable the carpet project to be completed this year.

Transfer To:

| | | | |
|-----------------|------------------------------|------------|---------------------|
| Account Name: | <u>Library Admin Expense</u> | Balance: | <u>\$ (736.72)</u> |
| Account Number: | <u>01610002-55800</u> | Category: | <u>\$ 38,901.49</u> |
| Amount: | <u>\$1,420.00</u> | Trans I/O: | <u>\$ -</u> |

Why Funds Are Needed:

The Library increased the speed of the internet service, with an increase in monthly costs. This transfer will cover the current negative balance and the May and June Comcast invoices.

Sean R. Reardon, Mayor:

Sean R. Reardon

Date: 5/24/2022

Ethan R. Manning, Auditor:

Ethan R. Manning

Date: 5/24/2022

City Council Action:



**CITY OF NEWBURYPORT
FY 2022**

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2022 MAY 24 PM 3:06

TRANSFER/APPROPRIATION REQUEST

Department: Mayor's Office
Submitted by: Sean R. Reardon, Mayor **Date Submitted:** 5/31/2022

Transfer From:

| | | | |
|-----------------|--------------------------------|------------|-------------|
| Account Name: | <u>Multiple - See attached</u> | Balance: | <u>\$ -</u> |
| Account Number: | <u>Multiple - See attached</u> | Category: | <u>\$ -</u> |
| Amount: | <u>\$3,021,480.56</u> | Trans I/O: | <u>\$ -</u> |

Why Funds Are Available:

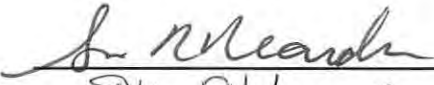
Funding from Free Cash, Retained Earnings, closed-out capital projects and other available funds. See attached detail.

Transfer To:

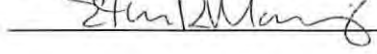
| | | | |
|-----------------|--------------------------------|------------|-------------|
| Account Name: | <u>Multiple - See attached</u> | Balance: | <u>\$ -</u> |
| Account Number: | <u>Multiple - See attached</u> | Category: | <u>\$ -</u> |
| Amount: | <u>\$3,021,480.56</u> | Trans I/O: | <u>\$ -</u> |

Why Funds Are Needed:

Funding for FY2023 capital and reserves. See attached detail and supporting documentation.

Sean R. Reardon, Mayor: 

Date: 5/24/2022

Ethan R. Manning, Auditor: 

Date: 5/24/2022

City Council Approval:

Transfer/Appropriation Request - FY2023 Capital and Non-Recurring PAYGO Funding Recommendations (Submitted: May 31, 2022)

Transfer From:

Transfer To:

| Account Name | Current Balance | Account Number | Amount | Account Name | Current Balance | Account Number | Amount |
|--|-----------------|----------------|--------------|--|-----------------|----------------|--------------|
| NBPT 40R Zoning Incentive | \$578,000.00 | 20020029 | \$578,000.00 | DPS Salt Shed Replacement/Upgrades (HW006) | \$0.00 | New | \$360,000.00 |
| | | | | Nock/Molin & NHS-Control System Upgrades (SC005) | \$0.00 | New | \$109,600.00 |
| | | | | Police Station Locker Rooms (PD002) | \$0.00 | New | \$108,400.00 |
| General Fund - Free Cash | \$1,516,007.32 | 01-35910 | \$539,517.38 | Stabilization Trust Fund | \$3,518,057.24 | 8263 | \$73,350.71 |
| | | | | Water, Sewer & Highway Downtown Utility Upgrades (HW003) | \$0.00 | New | \$66,666.67 |
| | | | | Pick-Up Truck with Utility Body & Plow (SC013) | \$0.00 | New | \$65,000.00 |
| | | | | OPEB Trust Fund | \$1,020,909.88 | 8280 | \$55,300.00 |
| | | | | Replace/Update Radio Equipment (FD003) | \$0.00 | New | \$55,000.00 |
| | | | | Nock/Molin & NHS-Control System Upgrades (SC005) | \$0.00 | New | \$50,400.00 |
| | | | | NHS-Engineering Services (SC007) | \$0.00 | New | \$40,000.00 |
| | | | | Technology Upgrades (IT001) | \$102,146.70 | 3103 | \$37,500.00 |
| | | | | Field Improvement - Fuller Complex (PK006) | \$0.00 | New | \$30,000.00 |
| | | | | Newburyport Skatepark Repairs (PK012) | \$0.00 | New | \$24,000.00 |
| | | | | Enclosed Landscape Trailer (PK021) | \$0.00 | New | \$17,300.00 |
| | | | | Infield Groomer (PK017) | \$0.00 | New | \$15,000.00 |
| | | | | Inn Street & Downtown Parks Improvements (PK010) | \$0.00 | New | \$10,000.00 |
| Maint/Capital Improve TF | \$215,125.31 | 8268 | \$215,125.31 | Stabilization Trust Fund | \$3,518,057.24 | 8263 | \$341,829.86 |
| HS Projector Upgrade | \$49,936.85 | 3816 | \$49,936.85 | | | | |
| Trackless Vehicle | \$45,357.93 | 3116 | \$45,357.93 | | | | |
| One (1) 6 Wheel Dump Truck w/Plow | \$19,810.80 | 3105 | \$19,810.80 | | | | |
| Two (2) Sander Inserts for Dump Trucks | \$4,360.00 | 3108 | \$4,360.00 | | | | |
| HS Computer Upgrade | \$2,716.50 | 3817 | \$2,716.50 | | | | |
| Laptops For Police Cruisers | \$2,443.83 | 3614 | \$2,443.83 | | | | |
| Underground Storage Tank | \$2,023.38 | 3019 | \$2,023.38 | | | | |
| Cm Law Enforcement Tr | \$55.26 | 8265 | \$55.26 | | | | |
| Dive Team Equipment | \$41,600.00 | 3110 | \$41,600.00 | Police Station Locker Rooms (PD002) | \$0.00 | New | \$41,600.00 |
| Water Retained Earnings | \$1,474,050.00 | 60-35920 | \$678,581.35 | Indian Hill Raw Water Line (WA002) | \$0.00 | New | \$218,814.69 |
| | | | | Water Treatment Plant Evaluation & Upgrades (Design) (WA005) | \$0.00 | New | \$170,000.00 |
| | | | | Watershed/Public Water Supply Protection (WA004) | \$0.00 | New | \$100,000.00 |
| | | | | Lower Artichoke Reservoir Dam Improvements (WA003) | \$0.00 | New | \$85,000.00 |
| | | | | Water, Sewer & Highway Downtown Utility Upgrades (HW003) | \$0.00 | New | \$66,666.66 |
| | | | | OPEB Trust Fund | \$1,020,909.88 | 8280 | \$23,100.00 |
| | | | | Technology Upgrades (IT001) | \$102,146.70 | 3103 | \$15,000.00 |
| Rplc 12" Wtr Supply Line WTP | \$100,000.00 | 4010 | \$100,000.00 | Indian Hill Raw Water Line (WA002) | \$0.00 | New | \$231,185.31 |
| Rplc Wtr Supply Line WTP | \$50,000.00 | 4011 | \$50,000.00 | | | | |
| Route 1 Water Main Project | \$49,343.65 | 4008 | \$49,343.65 | | | | |
| Pub Wtr Supply Resiliency Plan | \$10,057.16 | 4012 | \$10,057.16 | | | | |
| HVAC Improvements | \$43,569.00 | 3415 | \$21,784.50 | | | | |
| PI Hydrant Replacement | \$472,543.17 | 4005 | \$100,000.00 | Plum Island Chlorine Booster Station (WA007) | \$0.00 | New | \$100,000.00 |

Transfer/Appropriation Request - FY2023 Capital and Non-Recurring PAYGO Funding Recommendations (Submitted: May 31, 2022)

Transfer From:

Transfer To:

| Account Name | Current Balance | Account Number | Amount | Account Name | Current Balance | Account Number | Amount |
|--------------------------------|------------------------|-----------------------|------------------------------|--|------------------------|-----------------------|------------------------------|
| Sewer Retained Earnings | \$1,515,991.00 | 61-35920 | \$360,182.16 | Aeration System Upgrade (SW002) | \$0.00 | New | \$103,215.50 |
| | | | | WWTF and Sewer System Resiliency Plan (SW004) | \$0.00 | New | \$100,000.00 |
| | | | | Water, Sewer & Highway Downtown Utility Upgrades (HW003) | \$0.00 | New | \$66,666.66 |
| | | | | Sewer F250 Pick-Up with Plow (SW007) | \$0.00 | New | \$55,000.00 |
| | | | | OPEB Trust Fund | \$1,020,909.88 | 8280 | \$20,300.00 |
| | | | | Technology Upgrades (IT001) | \$102,146.70 | 3103 | \$15,000.00 |
| HVAC Improvements | \$43,569.00 | 3415 | \$21,784.50 | Aeration System Upgrade (SW002) | \$0.00 | New | \$21,784.50 |
| Harbormaster Retained Earnings | \$699,252.00 | 6520-35920 | \$128,800.00 | Mooring Puller (HM003) | \$0.00 | New | \$70,000.00 |
| | | | | North Jetty/Merrimack River Dredging Project (HM002) | \$54,900.00 | 4202 | \$50,000.00 |
| | | | | Technology Upgrades (IT001) | \$102,146.70 | 3103 | \$7,500.00 |
| | | | | OPEB Trust Fund | \$1,020,909.88 | 8280 | \$1,300.00 |
| Total | | | <u>\$3,021,480.56</u> | Total | | | <u>\$3,021,480.56</u> |



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: May 24, 2022
Subject: FY2023 Capital & Reserve Funding Requests

I am pleased to submit a FY2023 funding request to you that addresses the city's highest priority capital needs and makes essential investments into the city's major reserve funds. These capital needs were derived from the five-year capital improvement program, with adjustments based on feedback from the City Council and School Committee, as well as, updated cost estimates.

Consistent with the FY23-27 CIP, I am requesting appropriations for the attached listing of projects and accounts totaling \$3,021,481. This year's funding request designates \$2,506,300 for capital investments and another \$515,181 for the city's reserve accounts. Below is a summary of the funding sources, broken down in greater detail with the enclosed transfer request:

| Account Name | Amount |
|---|--------------------|
| Water Fund Retained Earnings | \$678,581 |
| 40R Zoning Incentive/Density Bonus | \$578,000 |
| General Fund - Free Cash | \$539,517 |
| Closed-Out Capital Projects | \$521,274 |
| Sewer Fund Retained Earnings | \$360,182 |
| Consolidation of Stabilization Accounts | \$215,181 |
| Harbormaster Fund Retained Earnings | \$128,800 |
| Total | \$3,021,481 |

In addition to utilizing free cash and retained earnings, this year's CIP request also draws down on the 40R zoning incentive/density bonus payment that the City has received in connection with the 40R Smart Growth District. To date, the City has received \$350,000 in the form of an incentive payment for the creation of the district and another \$228,000 as a density bonus payment for 1 Boston Way, which is calculated based on the number of units (\$3,000 x 76

units). The City anticipates being eligible for an additional \$778,000 in incentive/density bonus payments from DHCD once the proposed construction projects are completed.

On the following pages is a summary of this year's capital funding request addressing 23 projects in the capital improvement program. Other projects appearing in the CIP for FY2023 are either being funded by other sources or were not ready to be appropriated. Projects being funded with borrowing will be submitted with individual loan orders as they become ready to be reviewed and approved.

I look forward to discussing these important needs in further detail when this request has been referred to the Budget and Finance Committee for their review.

Thank you for your consideration.

| CIP # | Pg. # | Department | Project | Amount | Rationale |
|-------|-------|--------------|--|---------|---|
| NA | NA | Finance | Stabilization Trust Fund | 415,181 | Current balance of \$3.52M. A free cash appropriation of \$200,000 brings the balance from 4.7% to 5.0% of budget. Recommend consolidating two old stabilization funds totalling \$215,176 into the main account. |
| NA | NA | Finance | OPEB Trust Fund | 100,000 | Recommend appropriation of \$100,000 split pro rata between funds based on share of OPEB liability. |
| IT001 | 18 | IT | Technology Upgrades | 75,000 | Ongoing replacement and updates to servers, computer equipment and phone system. The last major update was in 2011 and the City is starting to get behind again on its technology. |
| FD003 | 25 | Fire | Replace/Update Radio Equipment | 55,000 | Replacement of outdated in-vehicle repeaters and other communications-related improvements. Fire equipment only. |
| PD002 | 30 | Police | Police Station Locker Rooms | 150,000 | The current bathroom and shower facilities in both the men's and women's locker rooms are 26 years old, used 24/7 by 40 employees and are in desperate need of replacement. The locker rooms experience frequent sewer backups, which causes damage to the floors and is very unsanitary. |
| HM002 | 37 | Harbormaster | North Jetty/Merrimack River Dredging Project | 50,000 | A shallow area of the Merrimack River has been identified in need of dredging that is located between the navigation channel and the north jetty. Dredging this area will greatly increase safety. The federal government is unable to fund dredge work outside of the navigation channel; therefore, Newburyport and Salisbury have agreed to equally share the cost of this supplemental dredging. The City's maximum remaining share is approximately \$50,000; any funds remaining would close back to retained earnings. |

| CIP # | Pg. # | Department | Project | Amount | Rationale |
|-------|-------|---------------|--|---------|---|
| HM003 | 38 | Harbormaster | Mooring Puller | 70,000 | A mooring barge would allow the department to maintain transient moorings and install and remove Private Aids to Navigation. This will also be used to install and remove docks so we do not have to use the patrol boats. This will also be used to keep our mooring fields in compliance, as well as, remove trees and other hazards to navigation. |
| HW003 | 43 | DPS - Highway | Water, Sewer & Highway Downtown Utility Upgrades | 200,000 | \$200K to survey downtown utilities system |
| HW006 | 46 | DPS - Highway | DPS Salt Shed Replacement/Upgrades | 360,000 | Replace/upgrade salt shed & storage with dome style shed and new foundation |
| WA002 | 50 | DPS - Water | Indian Hill Raw Water Line | 450,000 | Funding for 0-30% design. Redundancy and resiliency for public water supply. One of the highest priorities of the department and commission. Once designed and shovel ready, could become eligible for federal/state funding. |
| WA003 | 51 | DPS - Water | Lower Artichoke Reservoir Dam Improvements | 85,000 | 30% design of dam and working with regulatory agencies to see what we can do here. Have applied for grants to complete design. Once designed and shovel ready, could become eligible for add'l federal/state funding. |
| WA004 | 52 | DPS - Water | Watershed/Public Water Supply Protection | 100,000 | Development of watershed protection plan and implementation of corrective/preventative measures in the area surrounding the water supply. |
| WA005 | 53 | DPS - Water | Water Treatment Plant Evaluation & Upgrades (Design) | 170,000 | Assessment of the Water Treatment Plant for immediate and future improvements. |
| WA007 | 55 | DPS - Water | Plum Island Chlorine Booster Station | 100,000 | Updates and reconfiguration of Plum Island Chlorine Booster Station. |
| SW002 | 60 | DPS - Sewer | Aeration System Upgrade | 125,000 | Continuation of aeration upgrades started in 2010. This project was removed from the scope of the last plant upgrade due to budgetary constraints. |
| SW004 | 62 | DPS - Sewer | WWTF and Sewer System Resiliency Plan | 100,000 | Short-term protective measures at the Wastewater Treatment Facility until permanent protective measures are put in place. |
| SW007 | 65 | DPS - Sewer | Sewer F250 Pick-Up with Plow | 55,000 | Purchase of Ford F250 Super Duty pickup with plow to replace 2008 utility body truck. |

| CIP # | Pg. # | Department | Project | Amount | Rationale |
|--------------|--------------|-------------------|--|------------------|---|
| SC013 | 110 | Schools | Pick-Up Truck with Utility Body & Plow | 65,000 | Purchase of Ford F350 4x4 pickup truck with a utility body and plow to replace an aging 2010 Ford Econoline van and add to our fleet of plow trucks. The frame on the current van is rotted and the vehicle needs to be taken out of service. This was the #2 priority of the School Committee. |
| Total | | | | 3,021,481 | |

**APPOINTMENTS
FIRST READING**



CITY OF NEWBURYPORT

MASSACHUSETTS

CITY COUNCIL

NEWBURYPORT CITY HALL

60 PLEASANT STREET • P.O. BOX 550

NEWBURYPORT, MA 01950

TEL: 978-465-4407 • FAX: 978-462-7936

To: President and Members of the City Council

From: Heather L. Shand, President

Date: May 31, 2022

Subject: Re-Appointment

I hereby appoint, subject to your approval, the following named individual as City Clerk and Parking Clerk. This term will expire on June 30, 2025.

Richard B. Jones
283 High Street
Newburyport, MA 01950

Richard B. Jones

283 High Street Newburyport, MA 01950
email:rjones@cityofnewburyport.com
978.465.4407

Profile:

Current City Clerk, Parking Manager, Elections Manager for the City of Newburyport. Former City Solicitor, and project manager with a background in municipal affairs, civil legal matters, and expertise with information technology. A knowledge of the city, ability to work with the public in general, and a desire to serve the City of Newburyport.

Experience:

City Clerk

The Clerk and staff facilitate the preparation for the City Council meetings and provide administrative support to the Council. The City Clerk is the official record keeper of the City of Newburyport and the Records Access Officer (RAO) for the City of Newburyport. The Clerk's Office issues, records, maintains, and ensures the safekeeping and preservation of City Council actions, City Council minutes, vital records (birth, death & marriage), marriage licenses, business licenses, contracts, and other official City documents.

Elections:

The City Clerk conducts municipal, state, and federal elections with six wards and attending poll workers. The office strives to provide professional voter customer service to the citizens of Newburyport that is accurate, timely, and courteous.

In FY2020 the office prepared for and administered the September 1st Primary and the November 3rd, Presidential elections along with early voting days and vote by mail ballots.

We implemented the new ImageCast voting machines and new Poll Pads.

In the fall of 2021 we conducted the local elections.

Parking:

The City Clerk is the Parking Clerk and manages the parking system, the parking supervisor, and its seven part-time officers. It is a fairly complex system with state-of-the-art ticket writers and kiosks. There are many resident, senior, and employee permits that are annually renewed. The department has two EV vehicles, one of which is outfitted with a Mobile LPR (License Plate Reader) unit. The 18 new kiosks are from T2 Systems – Luke2 for the lots and the garage and are functioning well.

Passports:

The City Clerk manages the U.S. Passport office which has one agent. We have processed more than 1000 passport applications since the office has reopened in July 2021. Demand remains strong for passports because of the personal service. It is anticipated that the facility will continue to operate by appointment only.

Relevant Experience:

Municipal

CITY SOLICITOR

8 years

Attorney for the City of Newburyport. Handled various legal matters including civil litigation, motion sessions, and various trials. Worked closely with City Clerk's office drafting ordinances and bills; researching various legal issues as needed. Worked closely with members of the City Council, Zoning Board of Appeals, Planning Board and Conservation Commission on related issues.

ATTORNEY

14 years

Practicing attorney in the City of Newburyport concentrating on municipal law, real estate, wills and trusts, and all matters of civil litigation.

APPLICATION DEVELOPER

3 years

Independent Consultant

Developed applications using C/ Visual C++, Windows SDK, and Java; developed applications using the same.

PROJECT MANAGER

5 years

Managed business systems for a global money management firm. Launched a brokerage trading platform for brokers and shareholders. Managed on-shore and off-shore software engineering teams

CITY CLERK

16 years

City of Newburyport City Clerk and Parking Clerk, Election Manager, Records Access Officer, U.S. Passport Agency Manager

Education:

HARVARD UNIVERSITY, Cambridge, MA

Masters program, Information Technology (ALM/IT 85%)

BOSTON UNIVERSITY LAW SCHOOL, Boston, MA

Masters, Tax Law (LLM)

SUFFOLK UNIVERSITY LAW SCHOOL, Boston, MA

Juris Doctorate (J.D.).

TUFTS UNIVERSITY, Medford, MA

Masters, Art Education (M.A.)

THE COLLEGE OF THE HOLY CROSS, Worcester, MA

Bachelors, Philosophy (B.A.)

Honors:

Clerkship, Justice Paul W. Brown, Supreme Court of Ohio.

Interests:

Cityscapes, Historical Paintings; Portrait



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

To: President and Members of the
City Council

From: Sean R. Reardon, Mayor

Date: May 9, 2022

Subject: Re-Appointment

I hereby re-appoint, subject to your approval, the following named individual as Assistant Harbormaster/Shellfish Constable and Special Police Officer for the purposes of local, State and Federal laws and regulations with respect to waterways, marine activities and boating. This term will expire on May 31, 2025.

George Sass
37 Jefferson Street
Newburyport, MA 01950

A large, handwritten signature in black ink, appearing to read "George Sass", written vertically on the right side of the page.

George Sass Jr.

37 Jefferson St.
Newburyport, MA 01950
401.835.2803
gsassjr@gmail.com

Skills Summary

Marketing communications and content leader with extensive experience in digital strategy and channel development, creative execution, turnaround operations, and brand development. Innovative problem solver with deep management experience gained from working with Fortune 100 companies to fast-paced start-ups. Excellent background in content development, web development, writing, branding, and producing new streams of revenue. Strong operations background in budgeting, forecasting, and P/L management.

PROFESSIONAL EXPERIENCE

June 2019-Present

President, Blue Creative Group, Newburyport, MA

- Lead full-service marketing agency with global clients focused on digital marketing, strategic development, design, SEO, public relations, content development, and business strategy for 35 clients
- Manage web development team. Averaging one new web site every four weeks
- Work with clients on developing and implementing business strategies that couple sales objectives and data, with fully developed marketing strategy.

April 2019-Present

Expert-in-Residence, Fresnel Growth Capital, Newburyport, MA

- Serve as portfolio manager on media portfolio companies Fresnel Growth Capital, a holding company formed by three family offices. Includes acting CEO of Tring Live Media and Board Advisor to Perpetual Sports Network
- Develop marketing strategies for investor backed start-ups to pull companies out of incubation to start-up phases
- Lead market research initiatives to provide marketing insights for new investment considerations
- Own the company's communication tools, including ghost writing blogs, white papers, and investor focused communications

January 2018-May 2019

Global Marketing Director, Grand Banks Yachts, Johor, Malaysia

- Completed an 18-month contracted assignment to develop in-house marketing department in Asia, Australia, the EU, and US. Created five-year strategic marketing plan, and executed initial phases of marketing and digital media plan
- In conjunction with KPMG auditors, created full-proof processes and systems that were not in place to provide better oversight and transparency within the sales and marketing departments
- Project lead for Sales Force development and roll-out
- Wrote and produced all new collateral for 21 models, implemented new ad creative and overall branding campaigns for individual markets
- Implemented SEO strategy across two brand web sites, combined with content strategy and outbound enews campaign. Organic traffic increased 44% over six months
- Built leadership team that continues to thrive and I continue to work with on consulting basis

January 2016-January 2018

Vice President, Managing Director, Catapult Creative Labs/AIM Media, Boulder, CO

- Launched start-up Creative Services division within established enthusiast media company from ground-up. Doubled revenue YOY and delivered record profit for AIM Media

- Managed daily operations and new business development program
- Responsible for P/L management, revenue generation, forecasting for board of directors, and budgeting
- Strategic lead for key accounts, including The Four Seasons, Deer Valley Resort, Solitude Mountain Resort, The Balsams Resort, WF Young, Natural Retreats, Wiemann Metalcraft, Merle Wood & Associates, Berkshire Hathaway Home Properties, Luitpold Pharmaceuticals, and Weatherbeeta Equine
- Incorporating research and best practices, developed strategic plans for clients across social media, television, email, web, print, and events
- Honored as a Folio 100 Innovator. Recognizing key media leaders
- Built and mentored creative, digital, and account services team

February 2012-March 2016 **Editorial Director, AIM Media, Editor-in-Chief, Power & MotorYacht, Essex, CT**

- Tasked with due diligence duties during purchase of *Power & Motoryacht* by Active Interest Media and developing strategy with team to turn around brand from seven figure loss to profitability. Succeeded in 10 months
- Won multiple editorial awards and transitioned *Power & Motoryacht* to market share leader with leading subscription renewal and increased newsstand sales
- Launched new digital program and achieved record traffic numbers within eight months of launch
- Created concept, and with editor, launched the award-winning *Anglers Journal Magazine*
- Executive Producer and co-founder of Discovery Channel's *Anglers Journal Television*. Developed content plan and revenue stream. Achieved record Nielsen Ratings
- Lead re-designs of *Sail Magazine* and *PassageMaker*
- Wrote and edited multiple features each week
- Worked with boatbuilders around the world on media communications strategies to engage with North American market
- Managed editorial, production, and subscription departments, creating a cohesive, fun, goal driven team with 38 direct reports

December 2007-February 2012 **Editor-in-Chief, Yachting Magazine, New York, NY**

- Responsible for creative strategy for oldest nautical magazine in North America
- Brought in by new corporate owners to turn around magazine and return to leadership role and profitability
- Oversaw re-design and assembled highly motivated team that lead to magazine's overtaking media marine market share
- Won numerous industry awards for design and content
- Created processes to realign expenses, increasing quality of product, adding staff headcount, while reducing expenses by \$1.1 million
- Managed division P/L
- Member of parent company acquisition team during due diligence stage and coupling new investments to parent company structure, including IT, staffing, financials, and budgeting
- Grew paid subscription renewals from 51% to 92%

September 2004-Dec 2007 **Partner, Force 12 Media, LLC, Fairfield, CT**

- With business partner, purchased and re-launched *Boat Digest*, a regional niche magazine dedicated to educating serious boaters. Took to national circulation

- With business partners, developed and launched *Center Console Angler Magazine*. Grew into seven figure business. Responsible for all operations, finance department, securing financing, P/L, magazine production, and editorial staff of 13
- Served as editor-in-chief of *Boat Digest*, writing and driving editorial vision
- In 2006, launched digital only version focusing on how-to and servicing for powerboaters
- Developed and launched new web sites and digital assets

February 2000-September 2004 ***Executive Editor, Time 4 Media/ Yachting Magazine Greenwich, CT***

- Responsible for content generation and shaping content each month
- Supervised staff of 13, including production, web and senior editors
- Worked directly with freelancers, assigning and editing features and columns
- Edited all content for clarity, and quality, and ensured it was engaging for affluent demographic of magazine
- Wrote several features per issue
- Managed editorial operations budget

April 1995- February 2000 ***Marketing Director, Grand Banks Yachts, LTD, Southport, CT***

- Responsible for marketing planning and execution for luxury boat builder.
- Oversaw marketing budget
- Developed strategic marketing plans for North American, individual European and Asian markets
- Wrote and produced all ads and collateral materials, including quarterly newsletter.
- Project managed boat files with sales broker and factory
- Managed and produced all public relations, including Asia, Europe, and North America
- Responsible for managing all global photoshoots
- Created enhanced boat show plan and managed all shows
- Developed and managed yearly marketing budget with finance
- Developed branding for new Aleutian Class from initial product development phase, pre-production market research to execution of all marketing materials and messaging
- Created, hosted and managed various owner events

January 1993-April 1995 ***Account Director, Sass Communications, Annapolis, MD***

- Co-managed and developed marketing programs for several national brands, including Umbro Soccer, STX Lacrosse, Rouse Corporation, Raytheon Marine, Simrad Electronics, Menra Mills, Adcom Stereo, Head Sports, Mohamed Ali Enterprises, Delsey Luggage, Washington Wizards, and Lee Apparel
- Produced ad copy, press releases, edited and managed large apparel catalogs for Umbro and STX
- Worked at the retail level developing and executing in-store promotions with Sears, JC Penny, West Marine, Sports Authority and smaller outlets
- Coordinated marketing activities and managed co-op program on behalf of Lee Sportswear with the NFL, NASCAR, MLB, NBA, and NHL
- Coordinated television and radio production

Volunteer

- *Harbor Commission, Newburyport, MA*
- *Board of Directors; Planet Fitness New Zealand*



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

To: President and Members of the
City Council

From: Sean R. Reardon, Mayor

Date: May 9, 2022

Subject: Re-Appointment

I hereby re-appoint, subject to your approval, the following named individual as Assistant Harbormaster/Shellfish Constable and Special Police Officer for the purposes of local, State and Federal laws and regulations with respect to waterways, marine activities and boating. This term will expire on May 31, 2025.

Justin Dutcher
7 Morin Road
Newburyport, MA 01950

A large, handwritten signature in black ink, appearing to read "Justin Dutcher", written vertically on the right side of the page.

Justin Dutcher

7 Morin road, Newburyport, Massachusetts 01950
(617) 680-8679 | justindutcher@yahoo.com

Summary

A team-oriented, entrepreneurial investment marketing professional with limitless energy for consultative client relationships, especially with opportunities to teach complex concepts and advocate for clients. Comfortable working independently and skilled at leading cross-functional projects in dynamic and fast-paced environments with multiple stakeholders. Experienced at marketing communications and analysis, with the ability to and a deep understanding of how to get things done.

Key Skills

- Product positioning
- Sales and marketing communications
- Internal and external relationship management
- Project management
- Marketing program implementation
- Portfolio analysis

Experience

LOOMIS SAYLES, Boston, MA

2015

-Present

Environmental, Social and Governance Marketing Manager, Vice President, Strategic Marketing (2021-Present)

Lead the communication strategy of the firm's ESG approach to the global marketplace and collaborate with investment teams to develop and communicate their unique ESG philosophies and expertise.

- Work with Head of ESG, cross functionally and with the marketing organization to articulate the firm's ESG approach to the marketplace in best in class communications and marketing strategy.
- Partner with investment teams in development and support of products, helping in product development and to create positioning in the marketplace.
- Act as a subject matter expert on the evolving landscape of ESG product trends in the marketplace, and share expertise internally.
- Interface with consultant relations, relationship management and investment teams to help support the response to client specific ESG requirements and regulations in RFPs and other deliverables.

Senior Strategic Marketing Analyst, Strategic Marketing (2015-Present)

Work cross functionally to provide a best in class system of product support that is easily leveraged across the sales and relationship management teams, and to proactively identify and support broad sales opportunities for products. Help lead in the development of marketing strategies for distribution channels which focus firm resources on areas of growth.

- Collaborate with the Global Bond and Emerging Markets Investment Teams on product positioning in all marketing materials and throughout the sales cycle.
- Ongoing analysis of competitive universe for product coverage to identify opportunities.
- Lead the development of product distribution plans, and support for broad sales opportunities for product coverage.
- Develop sales training, collateral messaging and other internal distribution support for product coverage.
- Support RFP and consultant database groups with product specific details.

- Identify themes and trends in Asian market to aid in support of distribution strategy and product focus.
- Work with Head of Intermediary Distribution to develop marketing strategies across retail channels.

JOHN HANCOCK INVESTMENTS, Boston, MA

2012

-2015

Senior Investment Marketing Manager, Institutional Marketing Communications (2012-2015)

Work in partnership with the Head of Institutional Marketing to drive overall institutional marketing strategy for channels that include consultants/analysts, RIA, and DCIO, including brand management, advertising, conferences/industry events, segmentation, direct mail, and web.

- Develop creative briefs and work flow across department to ensure timely and effective marketing campaigns and programs. Maintain highly collaborative relationships with all areas of the organization.
- Ownership of marketing campaigns within channel coverage, including RIA, Bank Trust, consultants and analysts
- Manage content and coordinate marketing execution within asset class coverage, including alternatives and asset allocation. Products include target-risk, target-date, multi-alternative, long/short equity, absolute return and more.
- Support product messaging and provide overall content direction concerning a wide range of marketing deliverables within asset class coverage.

WELLINGTON MANAGEMENT, Boston, MA

2004

-2012

Product Management Analyst, Asset Allocation Product Management (2010-2012)

Worked closely with the Asset Allocation Strategies Group investment team to maintain the investment integrity of the products, manage and build the book of business, and represent products internally and externally in various formats. Coordinated internal and external communications for complex products verbally and in writing to audiences that ranged widely in sophistication levels. Products invest in all asset classes: Equity, Fixed Income, Commodities, Currencies, Absolute Return.

- Developed competitive intelligence in order to effectively market products.
- Completed regular detailed portfolio analysis, performance attribution and risk reviews for portfolio management teams.
- Serve as central resource on a wide variety of portfolio data reporting and analysis requirements in support of the sales and marketing process.
- Work collaboratively with investment data management on product reporting.

Marketing Analyst/Assistant, Assistant Vice President, Investment Information Group (2005-2010)

Partnered with consultant relations group to implement channel marketing for products across asset classes with consultants, by providing detailed product characteristics to investment consultants on 200+ approaches quarterly. Was given Assistant Vice President title with only five years industry experience, as recognition of contributions to the firm.

- Led firm-wide project to design and create new institutional marketing materials. Collaborated with senior stakeholders across the organization, resulting in successful creation of 150+ new materials for products across asset classes.
- Helped maintain database of responses for requests for proposals and wrote and edited RFI's for consultants.
- Served as subject matter expert for offshore fund marketing related projects and for defined contribution marketing related projects.
- Hired, trained, and mentored department interns.

Administrative Assistant, Investment Information Group (2004-2005)

ROEHRIG MARITIME, Glen Cove, NY
2003

Deckhand

BOUCHARD TRANSPORTATION COMPANY, Staten Island, NY
2003

2002-

Deckhand

E d u c a t i o n

Masters of Business Administration, Northeastern University, Boston, MA (2008)

Bachelor of Science, State University of New York Maritime College, Throggs Neck, NY (2002)

A f f i l i a t i o n s

- Serve as Commissioner and Secretary on the Newburyport Harbor Commission.
- Board member of neighborhood Home Owners Association.
- Cub Scout den leader.
- Co-led Getting Greener taskforce at Wellington Management, a volunteer group leading projects to improve firm's environmental impact.
- Previously United States Coast Guard Licensed Third Mate.

K e y T e c h n o l o g y s k i l l s

- Microsoft office suite, including excel and powerpoint
- Investment database experience including eVestment, Zephyr, and Morningstar
- Financial research with FactSet and Barclays



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

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2022 MAY 18 PM 12:12

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: May 31, 2022
Re: Appointment

I hereby appoint, subject to your approval, the following named individual as a member of the Tree Commission. This term shall expire on June 30, 2025.

Marilyn Cohodas
66 Washington Street
Newburyport, MA 01950

Marilyn Cohodas

66 Washington Street
Newburyport, Ma 01950
978 462-2607

Dynamic, high-energy editorial leader with a proven record developing high quality content and building online communities.

Professional profile

Leadership

- Creative, strategic thinker with exceptional project management, content development, writing, social media marketing, communication and organizational skills
- Team player who collaborates effectively with management, creative, editorial, marketers, vendors, technology teams, and subject matter experts
- Actively engaged in social media and avid follower of social media marketing trends involving Facebook, Twitter, LinkedIn, Google+ and other platforms
- Pioneered innovative online formats such as blogs, video, social media, community sites, Infographics, electronic books, webzines, webcasts, podcasts and user-generated content
- Intellectually curious with rich and diverse journalistic background

Content Development

- More than 15 years of industry experience in specialized online B2B media, general interest journalism, brand journalism, consumer magazines, trade journals and academic publishing
- Versed in a wide range of editorial subject matter including enterprise security, cloud computing, mobile, telecom, networking, big-data, product lifecycle management for manufacturing, financial service reform, lifestyle, work/family, and healthcare
- Knack for explaining complex subjects to a general audience
- Experience with content management systems, e-newsletter production, Microsoft Office applications and web and e-newsletter analytic tools

Strategic Planning

- Launched, managed and developed editorial plans for over 14 websites in a variety of vertical markets and social media-engaged communities for targeted audiences
- Conducted survey-based market research
- Experience with search engine optimization (SEO) and social media marketing (SMM) tools, strategies and best practices

Management

- Responsible for editorial calendars and annual freelance budgets of up to \$300,000
- Built editorial organization from scratch for TechTarget's third largest media group
- Successfully managed a geographically diverse team
- Developed companywide editorial training programs and best practices

Work History

UBM-Tech

October 2013 - Present

Managing Editor, Dark Reading & Information Week

Built an online community for UBM branded websites where security professionals discuss issues, challenges and trends surrounding attacks, data breaches, compliance and risk management.

Recruited a stable of over 75 industry thought leaders and contributors.

DeusM, a UBM company

February, 2012 – October 2013

Editor in Chief

Built specialized, custom microsites and online communities with principal emphasis on driving engagement through blogging, user-generated content and social media.

PTC

July 2011 – February 2012, Needham, MA

Marketing Program Manager

Program Manager with a content and social media marketing focus on PTC's enterprise product lifecycle management solutions.

Mouth of the River Media

January 2009 – July 2011, Newburyport MA

Content Director

Advised small- and medium-sized companies on how to map audience information needs to business goals with social media, SEO, webcasts, video and other types of digital content.

TechTarget, Inc., Needham Ma

May 2000 – December 2008

Editorial Director, Windows media group

Launched six B2B Web sites for the technology market and built the organizational structure from scratch for TechTarget's third largest media group serving corporate IT managers and administrators.

Education

The Ohio State University

Bachelor of Arts

Awards

Finalist, mins 2013 Best of Web Award, marketing campaign, Juniper Champions Program

TechTarget Bulls-Eye Award

Cahners Medal of Excellence Award

New England Press Association, second place, special section

UPI Award, first place, spot news coverage

References

References are available on request.

Please view my [LinkedIn recommendations](#)

END OF CONSENT AGENDA

BEGINNING OF REGULAR AGENDA

**APPOINTMENTS
FIRST READING**



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

Sean R. Reardon

To: President and Members of the
City Council

From: Sean R. Reardon, Mayor

Date: May 31, 2022

Subject: Re-Appointment

I hereby re-appoint, subject to your approval, the following
named individual as a member of Planning Board. This
term will expire on June 30, 2027.

Bonnie Sontag
10 Upland Road
Newburyport, MA 01950

Bonnie Sontag
21 Smith Street
Newburyport, MA 01950
978-992-6261
Bsontag21@gmail.com

Before her retirement from paid employment in 2011, Bonnie Sontag helped clients to collaboratively use their knowledge and experience to discover shared values, purposes, and projects. Her expertise in designing and facilitating participatory change projects included engagement of participants throughout an extended planning process as well as visioning sessions, workshops and interactive public meetings.

Bonnie worked with public and private sector clients to produce significant change by redesigning business processes, identifying organizational and human resource needs, and planning changes that required the effective use of information for enhanced product or service delivery. She coached consultants in the use of visual metaphors and techniques for releasing the creative and emotional energy of their clients to produce actionable results.

In addition to her many years as a management and organizational consultant in the private sector, she designed and facilitated participatory processes and events for the Boston Society of Architects, the city of Newburyport, MA, the town of Amesbury, MA, and the Essex National Heritage Area in the creation of the Essex Coastal Scenic Byway. She is a member of the Newburyport Planning Board and Vice-Chair of the Fruit Street Local Historic District Commission. Bonnie lived in Switzerland for 15 years and has worked extensively in Western Europe and other parts of the world.



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

To: President and Members
of the City Council

From: Sean R. Reardon, Mayor

Date: May 31, 2022

Subject: Appointment

I hereby appoint, subject to your confirmation, the following named individual as a member of the Zoning Board of Appeals. This term will expire on June 30, 2023.

Patricia Peknik
4 Dove Street
Newburyport, MA 01950

A large, stylized handwritten signature in black ink, reading "Sean R. Reardon".

Dear Mayor Reardon,

I would like to express my interest in serving as an associate member of the Zoning Board of Appeals, and have attached my c.v. for your consideration.

While I have not previously served on a zoning board, I would bring from academia certain habits of thought and discussion – including a commitment to patient inquiry and informed analysis – that I believe would allow me to be effective on the board. I understand that it is the board's job to protect the broad public interest; that members must be thoroughly-informed and impartial in their deliberations; that the board as a whole must be exacting and cautious in its decision-making.

Having used ordinances, statutes, case briefs and legal opinions as primary source documents for historical scholarship for the past two decades, I have always taken an interest in the City's zoning ordinances and the history of their application, and have followed the proceedings of the ZBA over the past years. I understand its past practices, its procedures, and its purposes.

Often recruited to moderate difficult discussions on controversial topics at the institution where I teach, I am a close listener, dedicated to serving the interests of the community as a whole. Should you find that my skills and experience would allow me to serve the City in this capacity, I look forward to talking with you, if and as needed, about this opportunity.

Best,

Patricia Peknik

Patricia J. Peknik
4 Dove Street
Newburyport, MA 01950
(978) 376-6275
ppeknik@berklee.edu

BERKLEE COLLEGE OF MUSIC, Liberal Arts & Sciences Department,
Associate Professor

Teach courses in American history and American legal history: “The History of Music Cities,” an interdisciplinary course focusing on the historical development of American cities that became centers of musical creation, production and consumption; “America from the Jazz Age to the MTV Age,” a survey of 20th-century intellectual and cultural history; “Law and Disorder” and “Law and Civil Liberties,” introductory courses on constitutional, criminal and civil law in American history (2005-present)

Recipient of three Faculty Development grants for research at the Library of Congress; Smithsonian Center for Folklife and Cultural Heritage; Museum of the City of New York; Rock and Roll Hall of Fame; New Orleans Historic Collection. 2015 Recipient of the Newbury Comics Faculty Fellowship. Nominated for Distinguished Faculty Award.

Co-Host, with President Roger Brown: “Conversations with Senator Ed Markey”(April 2021) “Making Sense of American Politics with Senator Tim Kaine” (April 2020); “A Conversation with Dean Alan Solomont, former U.S. Ambassador to Spain, About Civic Engagement” (October 2020)

Co-Producer, Co-Narrator: “Berklee Votes” (2018; 2020), an informational video providing students with information about voting rights and processes

Creator, “Jazz in the Courts,” an exchange that brings Berklee jazz musicians to perform in the Boston Municipal Court and Chief Justice Robert Ronquillo to Berklee annually during National Judicial Outreach Week

Invited Facilitator for Community Conversation Series: “Talking Politics in the Classroom”; “How to Engage in Constructive Dialogue in a Highly-Politicized Era”; “The Election”; “Community Organizing” (2020, 2021)

Invited Lecturer for annual Special Lecture: “Popular American Music in Historical Context: Jazz and Modernism,” David Friend Recital Hall

(October 2019) and for The Pedagogy Arts Collective (October 2021), among others.

Worked on new home construction with Berklee's Habitat for Humanity cohort, Lower Ninth Ward of New Orleans, Musicians' Village (2008)

Author of "The Faculty Experience," a guide to best principles and practices of classroom teaching; Faculty Advisory Board member (Evergreen Project of the Office of Faculty Development); Co-Chair of a Faculty Learning Community that brought together faculty from very different disciplines (science, jazz composition, music business) to develop faculty training materials, from print to podcasts. This faculty committee was recognized by Faculty Development as the longest-lasting and most productive committee in the program's history (2010-2018).

UNIVERSIDAD PANAMERICANA, Visiting Professor

Teach "Analyzing Music in Historic Context: Contemporary Popular Music" at the School of Fine Arts of the Universidad Panamericana, Mexico City (virtual) Spring semester 2021, 2022

*

BOSTON UNIVERSITY, Senior Lecturer

School of Law and Center for English and Orientation Programs, Special Programs

Taught "Introduction to the American Legal System," in the L.L.M. program. Historical foundations of American jurisprudence and the cultural foundations of criminal law and civil procedure. (2001-2005)

Questrom School of Business

Taught client-based communications writing to management students (2004-2005)

College of Communication

Taught public relations, marketing, and media writing to graduate journalism and advertising majors (2000-2005)

BOSTON ARCHITECTURAL COLLEGE, Lecturer

Taught "Civilization and Ideas" and graduate "Ideas and Design," focusing on the connections between American intellectual culture and the development of a distinctly American design aesthetic. Topics include the Founders' neoclassicism, Romanticism, modernism, and postmodern design. (2002-2003)

PUBLICATIONS:

French Louisiana Music and Its Patrons: The Popularization and Transformation of a Regional Sound (Palgrave-Macmillan, 2019)

“*‘City of the World!’: A New Generation’s American Exceptionalism,*” in The Impact of 9/11 on Psychology and Education, edited by Matthew Morgan, Palgrave-MacMillan, September 2009.

“*Historical Perspectives on Liberal Arts and Professional Education at American Colleges,*” in Shaping the Future of Business Education, edited by Dan Everett and Gordon Hardy, Palgrave-MacMillan, October 2012.

CONFERENCE PAPERS:

“Great American Collaborations: The Tragic, the Comic and the Revolutionary,” at the University of Bielefeld, Germany, 2011.

“Historical Perspectives on American Privacy: Anonymity, Surveillance and the Supreme Court,” American and Popular Culture Associations Conference, Albuquerque, New Mexico, 2012.

“Music Cities and Urban Culture,” Places, Spaces and Musical Consumptions Panel, American and Popular Culture Associations Conference, Albuquerque, New Mexico, 2013.

“Walt and Whitman: “Breaking Bad” and American Legal Traditions,” American and Popular Culture Associations Conference, Albuquerque, New Mexico, 2014.

“The Common Law v. Uncommon Practice: Views of American Law from Nomocracy to Netflix, and How Undergraduate Legal Education Can Bridge the Divide,” American and Popular Culture Associations Conference, San Diego, 2017.

“Attractive Nuisances: The Literature of Trespassing and Transgressing in 19th-century America,” ACA/PCA Conference, 2022 (virtual).

SERVICE TO THE PROFESSION:

National Chair of Law and Popular Culture Area for the American Culture Association and Popular Cultural Associations (2018-present). Organize the Law Area for the annual conference: read conference paper submissions; organize session panels of legal scholars, attorneys, judges; organize roundtable discussions on current issues and enduring questions; provide commentary on papers and presentations; work with national organization’s leadership on

conference Area planning (Washington, D.C. 2019; Boston virtual 2021; Seattle 2022)

Peer review of Don't Stop Thinking About the Music: The Politics of Songs and Musicians in Presidential Campaigns, Benjamin S. Schoening and Eric T. Casper (Lanham: Lexington Books, 2011).

Peer review of "Acadian Airwaves: A History of Cajun Radio" for *Journal of Radio and Audio Media* (UK), November 2021.

Peer review of The Sixties, Terry Anderson, 4th edition, for Routledge, in preparation for 5th edition. February, 2016; of the 5th edition, for Taylor & Francis, November 2021, in preparation for the 6th edition.

Research assistant to Tomorrow Foundation Professor of History Jon H. Roberts for "Science and Christianity in America: A Limited Partnership," in American Christianities: A History of Dominance and Diversity, edited by Catherine A. Brekus and W. Clark Gilpin (Chapel Hill: The University of North Carolina Press, 2011).

Editorial assistant to Richard Wightman Fox, Director of American Studies Program at Boston University, on Trials of Intimacy: Love and Loss in the Beecher-Tilton Scandal (Chicago: University of Chicago Press, 1999).

Referee for Tenure and Promotion candidate in the Speech, Communication, and Theatre Arts Department, Borough of Manhattan Community College, City University of New York (Spring 2021)

PROFESSIONAL DEVELOPMENT:

Attended 5-day virtual conference of the National Alliance of Preservation Commissions (August 2020), including the following workshops: "What Do the Secretary's Standards Mean to You?"; "Best Practices in Conservation Districts"; "Do You Have a Permit for That? Enforcement and Violations"; "Planning for Climate Change and Cultural Heritage"

Attended conference of the Association for the Study of Law, Culture and the Humanities (Washington, D.C. April 2019)

Organizational Memberships: National Alliance of Preservation Commissions; National Trust for Historic Preservation; Melville Society; American Culture Association and Popular Culture Association

SERVICE TO THE COMMUNITY:

Served on the Newburyport Historical Commission August 2019-October 2021 (as Vice Chair from January 2020-October 2021)

Worked with “Next Generation Preservationist” high school students at Newburyport High School on, among several projects, the founding of the William Lloyd Garrison Lecture Series, and organized the Inaugural Lecture, Kate Clifford Larson’s “Lloyd and Moses: The Remarkable Friendship of William Lloyd Garrison and Harriet Tubman” at the Newburyport Public Library (virtual), December 2020.

EDUCATION:

Bachelor of Science in Journalism, Ohio University
Certificat de Français Langue Étrangère, Université de la Sorbonne Nouvelle, Paris
Master’s in Creative Writing/Poetry, Boston University, thesis advisor Nobel Laureate Derek Walcott
Master’s in American History (19th century), Boston University
Ph.D. in American Intellectual History (fields: law and literature) Boston University, 2015; awarded Teaching Fellow Prize for Innovation and Excellence

COMMUNICATIONS



PERMANENT AND TEMPORARY SOLUTION STATEMENT

Pursuant to 310 CMR 40.1000 (Subpart J)

Release Tracking Number

3 - 27998

For sites with multiple RTNs, enter the Primary RTN above.

A. SITE LOCATION:

- 1. Site Name/Location Aid: MOBIL SERVICE STATION 10586 (FMR 01-249)
- 2. Street Address: 107 STATE ST
- 3. City/Town: NEWBURYPORT 4. ZIP Code: 019506628
- 5. Coordinates: a. Latitude: N 42.80686 b. Longitude: W 70.87170
- 6. Check here if the disposal site that is the source of the release is Tier Classified. Check the current Tier Classification Category:
 a. Tier I b. Tier ID c. Tier II

B. THIS FORM IS BEING USED TO: (check all that apply)

- 1. List Submittal Date of the Permanent or Temporary Solution Statement, or RAO Statement (if previously submitted): _____ mm/dd/yyyy
- 2. Submit a **Permanent or Temporary Solution Statement**
 - a. Check here if this Permanent or Temporary Solution Statement covers additional Release Tracking Numbers (RTNs). RTNs that have been previously linked to a Tier Classified Primary RTN do not need to be listed here.
 - b. Provide the additional Release Tracking Number(s) covered by this Permanent or Temporary Solution Statement. - -
- 3. Submit a **Revised Permanent or Temporary Solution Statement** (or revised RAO Statement)
 - a. Check here if this Revised Permanent or Temporary Solution Statement covers additional Release Tracking Numbers (RTNs), not listed on the Permanent or Temporary Solution Statement or previously submitted Revised Permanent or Temporary Solution Statements. RTNs that have been previously linked to a Tier Classified Primary RTN do not need to be listed here.
 - b. Provide the additional Release Tracking Number(s) covered by this Permanent or Temporary Solution Statement. - -
- 4. Submit a **Permanent or Temporary Solution Partial Statement**

Check above box, if any Response Actions remain to be taken to address conditions associated with this disposal site having the Primary RTN listed in the header section of this transmittal form. This Permanent or Temporary Solution Statement will record only a Permanent or Temporary Solution-Partial Statement for that RTN. A final Permanent or Temporary Solution Statement will need to be submitted that references all Permanent or Temporary Solution-Partial Statements and, if applicable, covers any remaining conditions not covered by the Permanent or Temporary Solution-Partial Statements.

Also, specify if you are an Eligible Person or Tenant pursuant to M.G.L. c. 21 s.2, and have no further obligation to conduct response actions on the remaining portion(s) of the disposal site:

 - a. Eligible Person b. Eligible Tenant
- 5. Submit a **Revised Permanent or Temporary Solution Partial Statement** (or revised RAO-Partial Statement)
- 6. Submit an optional **Phase I Completion Statement** supporting the Permanent or Temporary Solution Statement
- 7. Submit a **Periodic Review Opinion evaluating the status of a Temporary Solution**, as specified in 310 CMR 40.1051 (Section F is optional)
- 8. Submit a **Retraction** of a previously submitted **Permanent or Temporary Solution Statement** (or RAO Statement) (Sections E & F are not required)

(All sections of this transmittal form must be filled out unless otherwise noted above)



PERMANENT AND TEMPORARY SOLUTION STATEMENT
Pursuant to 310 CMR 40.1000 (Subpart J)

Release Tracking Number
3 - 27998

For sites with multiple RTNs, enter the Primary RTN above.

C. DESCRIPTION OF RESPONSE ACTIONS: (check all that apply; for volumes, list cumulative amounts)

- 1. Assessment and/or Monitoring Only
- 2. Temporary Covers or Caps
- 3. Deployment of Absorbent or Containment Materials
- 4. Treatment of Water Supplies
- 5. Structure Venting System/HVAC Modification System
- 6. Engineered Barrier
- 7. Product or NAPL Recovery
- 8. Fencing and Sign Posting
- 9. Groundwater Treatment Systems
- 10. Soil Vapor Extraction
- 11. Remedial Additives
- 12. Air Sparging
- 13. Active Exposure Pathway Mitigation System
- 14. Passive Exposure Pathway Mitigation System
- 15. Monitored Natural Attenuation
- 16. In-Situ Chemical Oxidation

- 17. Removal of Contaminated Soils
 - a. Re-use, Recycling or Treatment
 - i. On Site Estimated volume in cubic yards _____
 - ii. Off Site Estimated volume in cubic yards 33

iii. Facility Name: ONDRICK MATERIALS & RECYCLING, LLC Town: CHICOPEE State: MA

ii. Facility Name: _____ Town: _____ State: _____

iii. Describe:

b. Landfill _____

i. Cover Estimated volume in cubic yards _____

Facility Name: _____ Town: _____ State: _____

ii. Disposal Estimated volume in cubic yards _____

Facility Name: _____ Town: _____ State: _____

18. Removal of Drums, Tanks or Containers:

a. Describe Quantity and Amount: ONE 6,000-GAL. UST AND TWO 10,000-GAL. USTS.

b. Facility Name: ALLIED RECYCLING CENTER, INC. Town: WALPOLE State: MA

c. Facility Name: _____ Town: _____ State: _____

19. Removal of Other Contaminated Media:

a. Specify Type and Volume:

b. Facility Name: _____ Town: _____ State: _____

c. Facility Name: _____ Town: _____ State: _____



PERMANENT AND TEMPORARY SOLUTION STATEMENT

Pursuant to 310 CMR 40.1000 (Subpart J)

Release Tracking Number

3 - 27998

For sites with multiple RTNs, enter the Primary RTN above.

C. DESCRIPTION OF RESPONSE ACTIONS (cont.): (check all that apply; for volumes, list cumulative amounts)

20. Other Response Actions:

Describe:

21. Use of Innovative Technologies:

Describe:

D. SITE USE:

1. Are the response actions that are the subject of this submittal associated with the *redevelopment, reuse* or the *major expansion of the current use* of property(ies) impacted by the presence of oil and/or hazardous materials?

a. Yes b. No c. Don't know

2. Is the property a *vacant or under-utilized commercial or industrial* property ("a brownfield property")?

a. Yes b. No c. Don't know

3. Will funds from a state or federal brownfield incentive program be used on one or more of the property(ies) within the disposal site?

a. Yes b. No c. Don't know If Yes, identify program(s): _____

4. Has a Covenant Not to Sue been obtained or sought?

a. Yes b. No c. Don't know

5. Check all applicable categories that apply to the person making this submittal: a. Redevelopment Agency or Authority

b. Community Development Corporation c. Economic Development and Industrial Corporation

d. Private Developer e. Fiduciary f. Secured Lender g. Municipality

h. Potential Buyer (non-owner) i. Other, describe: CORPORATION

This data will be used by MassDEP for information purposes only, and does not represent or create any legal commitment, obligation or liability on the part of the party or person providing this data to MassDEP.

E. PERMANENT OR TEMPORARY SOLUTION CATEGORY:

Specify the category of Solution that applies to the Disposal Site, or Site of the Threat of Release. Select either **1, 2, or 3.**

1. Permanent Solution with No Conditions (check one)

a. A threat of release has been eliminated.

b. All contamination has been reduced to Natural Background levels.

c. A condition of No Significant Risk exists or has been achieved with no Activity and Use Limitation or other limitations, assumptions, or conditions (310 CMR 40.1013).



PERMANENT AND TEMPORARY SOLUTION STATEMENT
Pursuant to 310 CMR 40.1000 (Subpart J)

Release Tracking Number
3 - 27998

For sites with multiple RTNs, enter the Primary RTN above.

E. PERMANENT OR TEMPORARY SOLUTION CATEGORY (cont.):

2. Permanent Solution with Conditions (check a and/or b):

a. **An AUL has been implemented** pursuant to 310 CMR 1012(2) (check one)

i. Required pursuant to 310 CMR 40.1012(2)

Is the AUL required because the Permanent Solution relies on an Active Exposure Pathway Mitigation Measure pursuant to CMR 310 40.1025?

1. Yes 2. No

ii. Optionally implemented pursuant to 310 CMR 40.1012(3)

b. **Limitations or conditions apply** pursuant to 310 CMR 40.1013 (check all that apply):

i. Gardening Best Management Practices (BMPs) for non-commercial gardening in a residential setting

ii. Concentrations of Oil and Hazardous Material consistent with Anthropogenic Background

iii. Residual contamination in a Public or Railroad Right-of-Way

iv. Groundwater contamination would exceed GW-2 Standards except for the absence of an occupied building or structure

3. Temporary Solution (check a or b /and c)

a. Response actions to achieve a Permanent Solution **are not currently feasible**

b. Response actions to achieve a Permanent Solution **are feasible** and are being continued toward a Permanent Solution

c. Does the Temporary Solution rely on an Active Exposure Pathway Mitigation Measure pursuant to 310 CMR 40.1026?

i. Yes ii. No

F. PERMANENT AND TEMPORARY SOLUTION INFORMATION:

1. Specify the Risk Characterization Method(s) used to achieve the Permanent or Temporary Solution, described above:

a. Method 1 b. Method 2 c. Method 3

d. Method Not Applicable-Contamination reduced to or consistent with background, or Threat of Release abated

2. Specify all Soil Category(ies) applicable. More than one Soil Category may apply at a Site. Be sure to check off all **APPLICABLE** categories:

a. S-1/GW-1 d. S-2/GW-1 g. S-3/GW-1 j. Not Applicable

b. S-1/GW-2 e. S-2/GW-2 h. S-3/GW-2

c. S-1/GW-3 f. S-2/GW-3 i. S-3/GW-3

3. Specify all Groundwater Category(ies) impacted. A site may impact more than one Groundwater Category. Be sure to check off all **IMPACTED** categories:

a. GW-1 b. GW-2 c. GW-3 d. No Groundwater Impacted



PERMANENT AND TEMPORARY SOLUTION STATEMENT
Pursuant to 310 CMR 40.1000 (Subpart J)

Release Tracking Number

3 - 27998

For sites with multiple RTNs, enter the Primary RTN above.

F. PERMANENT AND TEMPORARY SOLUTION INFORMATION (cont.):

4. Check here if the risk assessment includes any changes to the groundwater category pursuant to 310 CMR 40.0932(5)(a) through (e). Check all conditions that apply:
- a. An Interim Wellhead Protection Area does not apply based on a hydrogeologic evaluation (310 CMR 40.0932(5)(a))
 - b. Groundwater was determined not to be in a Potentially Productive Aquifer or is not feasible to be developed as a drinking water supply (310 CMR 40.0932(5)(b))
 - c. A Non-Potential Drinking Water Source Area determination was made (310 CMR 40.0932(5)(c))
 - d. Existing private wells were permanently closed (310 CMR 40.0932(5)(d))
 - e. Groundwater is located within a Zone A, but is not hydrogeologically connected to a drinking water supply (310 CMR 40.0932(5)(e))
5. Check here if the Permanent or Temporary Solution supports a finding of No Significant Risk for petroleum in a GW-1 area pursuant to 310 CMR 40.0924(2)(b)3.
6. Specify whether remediation was conducted:
- a. Check here if soil remediation was conducted.
 - b. Check here if groundwater remediation was conducted.
 - c. Check here if other remediation was conducted.
Specify: _____
7. Specify whether the analytical data used to support the Permanent or Temporary Solution used the Compendium of Analytical Methods (CAM):
- a. CAM used to support all analytical data.
 - b. CAM used to support some of the analytical data.
 - c. CAM not used.
8. Check here to indicate that the Permanent or Temporary Solution Statement includes a Data Usability Assessment and Data Representativeness Evaluation pursuant to 310 CMR 40.1056.
9. Estimate the number of acres this Permanent or Temporary Solution Statement applies to: 0.01



PERMANENT AND TEMPORARY SOLUTION STATEMENT

Pursuant to 310 CMR 40.1000 (Subpart J)

Release Tracking Number

3 - 27998

For sites with multiple RTNs, enter the Primary RTN above.

G. LSP SIGNATURE AND STAMP:

I attest under the pains and penalties of perjury that I have personally examined and am familiar with this transmittal form, including any and all documents accompanying this submittal. In my professional opinion and judgment based upon application of (i) the standard of care in 309 CMR 4.02(1), (ii) the applicable provisions of 309 CMR 4.02(2) and (3), and 309 CMR 4.03(2), and (iii) the provisions of 309 CMR 4.03(3), to the best of my knowledge, information and belief,

> if Section B indicates that either a Permanent or Temporary Solution Statement, Phase I Completion Statement and/or Periodic Review Opinion is being provided, the response action(s) that is (are) the subject of this submittal (i) has (have) been developed and implemented in accordance with the applicable provisions of M.G.L. c. 21E and 310 CMR 40.0000, (ii) is (are) appropriate and reasonable to accomplish the purposes of such response action(s) as set forth in the applicable provisions of M.G.L. c. 21E and 310 CMR 40.0000, and (iii) comply(ies) with the identified provisions of all orders, permits, and approvals identified in this submittal.

I am aware that significant penalties may result, including, but not limited to, possible fines and imprisonment, if I submit information which I know to be false, inaccurate or materially incomplete.

1. LSP#: 7432
2. First Name: DANIEL W 3. Last Name: FELTEN
4. Telephone: 4137893530 5. Ext.: 6. Email:
7. Signature: DANIEL WFELTEN
8. Date: 5/13/2022 9. LSP Stamp:
mm/dd/yyyy



H. PERSON MAKING SUBMITTAL:

1. Check all that apply: a. change in contact name b. change of address c. change in the person undertaking response actions
2. Name of Organization: GLOBAL COMPANIES LLC
3. Contact First Name: JASON C 4. Last Name: FRIGON
5. Street: 800 SOUTH ST STE 500 6. Title: ENVIRONMENTAL PROJECT MGR
7. City/Town: WALTHAM 8. State: MA 9. ZIP Code: 024531439
10. Telephone: 7818914000 11. Ext.: 12. Email: jasonf@globalp.com



PERMANENT AND TEMPORARY SOLUTION STATEMENT

Pursuant to 310 CMR 40.1000 (Subpart J)

Release Tracking Number

3 - 27998

For sites with multiple RTNs, enter the Primary RTN above.

I. RELATIONSHIP TO RELEASE OR THREAT OF RELEASE OF PERSON MAKING SUBMITTAL:

Check here to change relationship

1. RP or PRP a. Owner b. Operator c. Generator d. Transporter

e. Other RP or PRP Specify: _____

2. Fiduciary, Secured Lender or Municipality with Exempt Status (as defined by M.G.L. c. 21E, s. 2)

3. Agency or Public Utility on a Right of Way (as defined by M.G.L. c. 21E, s. 5(j))

4. Any Other Person Making Submittal Specify Relationship: _____

J. REQUIRED ATTACHMENT AND SUBMITTALS:

1. Check here if the Permanent or Temporary Solution on which this opinion is based, if any, are (were) subject to any order(s), permit(s) and/or approval(s) issued by DEP or EPA. If the box is checked, you MUST attach a statement identifying the applicable provisions thereof.

2. Check here to certify that the Chief Municipal Officer and the Local Board of Health have been notified of the submittal of a Permanent or Temporary Solution Statement that relies on the public way/rail right-of-way exemption from the requirements of an AUL.

3. Check here to certify that the Chief Municipal Officer and the Local Board of Health have been notified of the submittal of a Permanent or Temporary Solution Statement with instructions on how to obtain a full copy of the report.

4. Check here to certify that documentation is attached specifying the location of the Site, or the location and boundaries of the Disposal Site subject to this Permanent or Temporary Solution Statement. If submitting a Permanent or Temporary Solution Statement for a PORTION of a Disposal Site, you must document the location and boundaries for both the portion subject to this submittal and, to the extent defined, the entire Disposal Site.

5. Check here to certify that, pursuant to 310 CMR 40.1406, notice was provided to the owner(s) of each property within the disposal site boundaries, or notice was not required because the disposal site boundaries are limited to property owned by the party conducting response actions. (check all that apply)

a. Notice was provided prior to, or concurrent with the submittal of a Phase II Completion Statement to the Department.

b. Notice was provided prior to, or concurrent with the submittal of this Permanent or Temporary Solution Statement to the Department.

c. Notice not required. d. Total number of property owners notified, if applicable: _____

6. Check here if you are submitting one or more AULs. You must submit an AUL Transmittal Form (BWSC113) and a copy of each implemented AUL related to this Permanent Solution or Temporary Solution Statement. Specify the type of AUL(s) below: (required for Permanent Solution with Conditions Statements where an AUL is being implemented)

a. Notice of Activity and Use Limitation b. Number of Notices submitted: _____

c. Grant of Environmental Restriction d. Number of Grants submitted: _____

7. If a Permanent Solution Compliance Fee is required for any of the RTNs listed on this transmittal form, check here to certify that a Permanent Solution Compliance Fee was submitted to DEP, P. O. Box 4062, Boston, MA 02211.

8. Check here if any non-updatable information provided on this form is incorrect, e.g. Site Address/Location Aid. Send corrections to bwsc.edep@state.ma.us.

9. Check here to certify that the LSP Opinion containing the material facts, data, and other information is attached.



PERMANENT AND TEMPORARY SOLUTION STATEMENT
Pursuant to 310 CMR 40.1000 (Subpart J)

Release Tracking Number

3 - 27998

For sites with multiple RTNs, enter the Primary RTN above.

K. CERTIFICATION OF PERSON MAKING SUBMITTAL:

I, JASON C FRIGON, attest under the pains and penalties of perjury (i) that I have personally examined and am familiar with the information contained in this submittal, including any and all documents accompanying this transmittal form, (ii) that, based on my inquiry of those individuals immediately responsible for obtaining the information, the material information contained in this submittal is, to the best of my knowledge and belief, true, accurate and complete, and (iii) that I am fully authorized to make this attestation on behalf of the entity legally responsible for this submittal. I/the person or entity on whose behalf this submittal is made am/is aware that there are significant penalties, including, but not limited to, possible fines and imprisonment, for willfully submitting false, inaccurate, or incomplete information.

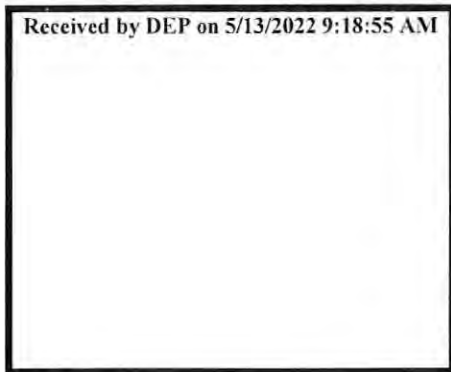
2. By: JASON C FRIGON 3. Title: ENVIRONMENTAL PROJECT MGR
Signature
4. For: GLOBAL COMPANIES LLC 5. Date: 5/12/2022
(Name of person or entity recorded in Section H) mm/dd/yyyy

6. Check here if the address of the person providing certification is different from address recorded in Section H.

7. Street: _____
8. City/Town: _____ 9. State: _____ 10. ZIP Code: _____
11. Telephone: _____ 12. Ext.: _____ 13. Email: _____

YOU ARE SUBJECT TO AN ANNUAL COMPLIANCE ASSURANCE FEE OF UP TO \$10,000 PER BILLABLE YEAR FOR THIS DISPOSAL SITE. YOU MUST LEGIBLY COMPLETE ALL RELEVANT SECTIONS OF THIS FORM OR DEP MAY RETURN THE DOCUMENT AS INCOMPLETE. IF YOU SUBMIT AN INCOMPLETE FORM, YOU MAY BE PENALIZED FOR MISSING A REQUIRED DEADLINE.

Date Stamp (DEP USE ONLY:)



5/19/22

Dear City Council members,

I am writing you today to express concerns over a recent parental request that was made to Newburyport Youth Services to obtain public records for Miz Diamond Wigfall, the drag performer who was hired to DJ the NYS drag show/teen dance at the Masonic Lodge on Friday, May 13, 2022.

On that day, a request was made by a parent for documentation related to Miz Wigfall's qualifications to perform around high school-aged children. This specific request was for the following: a copy Miz Wigfall's W-9 form, a copy of Miz Wigfall's independent contractor agreement, a copy of Miz Wigfall's contractor invoice, and a copy of Miz Wigfall's CORI background check results.

Upon receipt of the request, a member of the NYS team, Andrew Levine, replied that every adult in attendance had undergone "a successful CORI check," including Miz Wigfall. Unfortunately, no other documentation was included in Mr. Levine's response, as was requested by the parent. Mr. Levine provided NO specific paperwork, offering only his assurance that everything had been verified. This is completely unacceptable.

As I'm sure members of City Council are now painfully aware, the manner in which Newburyport Youth Services has gone about promoting and addressing parents' specific concerns with regard to the drag show has been suspect at best. From the beginning, NYS has intentionally misled members of the community with both their advertising of the event and their misrepresentation of Miz Wigfall as a suitable performer for young people.

Let's look at the facts. At first, the event in question was billed as a "drag show," only to be rebranded a "teen dance" when several parents expressed their concerns. In addition, NYS knowingly promoted the event through an Instagram-only post—instead of through their traditional website—so that tech-savvy children with social media accounts would be privy to the event before their parents could intercept. Once introduced to the drag show through Instagram, children could easily access Miz Wigfall's online portfolio of filth, including lewd dances, pornographic music videos demonstrating various sex acts and a series of still photos showing Miz Wigfall in variety of partially-nude poses, all of which are completely inappropriate for children of any age.

And if that were not enough, NYS has now refused to provide the proper documentation to those parents who have asked for it. How are adults supposed to make an informed decision as to whether or not their child should attend any event if their legitimate concerns are not being heard or addressed? If Miz Wigfall's CORI and other paperwork were in order as Mr. Levine claimed it was, then shouldn't this information have been readily available to parents? Why would NYS deliberately hide this information from public view? Whether NYS likes it or not, parents have a right to see it.

Make no mistake, this is negligence and deceit on the part of NYS. Members of our community who naturally assumed that Miz Wigfall had been properly vetted are now skeptical of the motives of NYS and are questioning their absolute lack of transparency. We are asking City Council how Newburyport Youth Services can be trusted in the future to make decisions on behalf of our children when they clearly can't be trusted to provide parents with adequate assurances that our children will be protected from harmful content at one of their events.

I urge members of City Council to consider the blatant disregard for parental concern shown by NYS over this event and hold Newburyport Youth Services accountable.

Respectfully,
Mark H.

**APPOINTMENTS
SECOND READING**

ORDERS

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

May 31, 2022

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

THAT the City Council of the City of Newburyport hereby approve and authorize the acceptance of land by deed to the City within the so-called Stables at Bashaw Farm Colby Farm Lane Open Space Residential Development (OSRD) located off Colby Farm Lane, identified as Lot 3 on a plan recorded with the Essex South Registry of Deeds as Plan 99 of Plan Book 477. Said parcel also being further identified as follows; and

| <u>Street Name</u> | <u>Assessors Reference</u> | <u>Approx. Acreage</u> |
|--------------------|----------------------------|------------------------|
| 18 Colby Farm Lane | Tax Map 98, Parcel 4 | 6.332 acres +/- |

Further, that said land accepted by the City shall be kept free of permanent structures and open to the public as permanent open space subject to the protections afforded by Article 97 of the Amendments to the Massachusetts Constitution, for the purposes of conservation; and

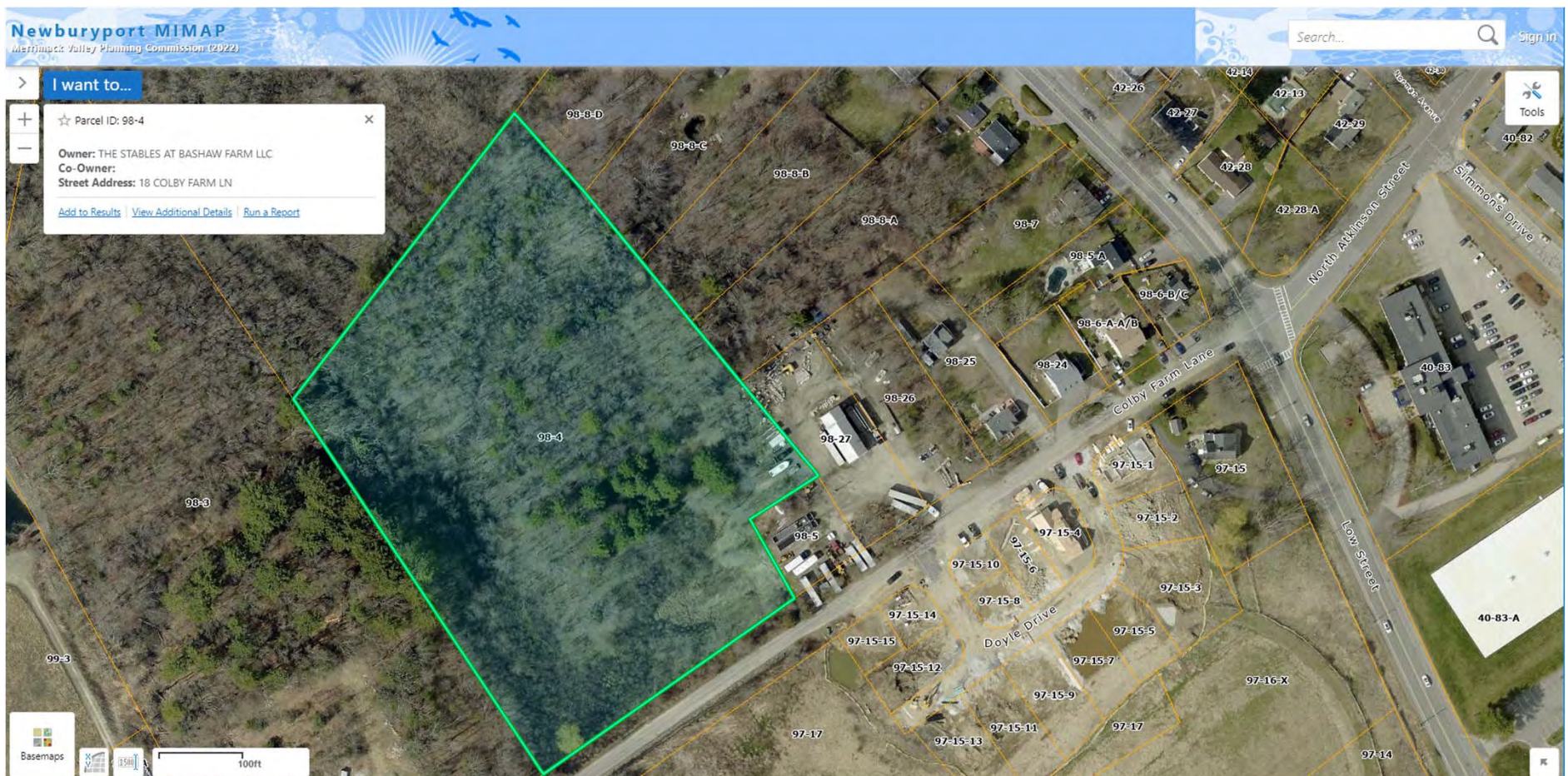
Further, that the Mayor of the City of Newburyport is hereby authorized to act on behalf of the City and enter into any and all instruments, including acceptance of a deed to the property encumbered by a permanent Conservation Restriction, or grant of such a Conservation Restriction to a designated third party after acceptance of the property deed, in accordance with Massachusetts General Laws Chapter 184, and to take any other actions necessary to execute this acceptance and the associated Conservation Restriction accordingly.

Councillor Edward C. Cameron, Jr.

City of Newburyport Geographic Information System

Location of Open Space Parcel – The Stables at Bashaw Farm (Colby Farm II OSRD)

Note: Aerial photo does not capture most recent construction activity.



PLAN BOOK 477 PLAN 97

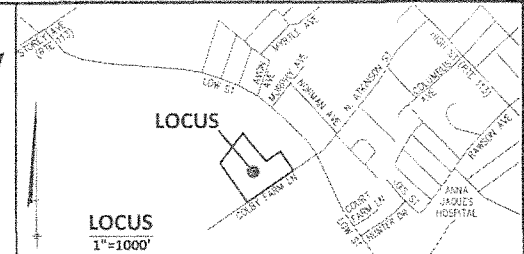
RECEIVED WITH
 July 31, 2020

APPROVED BY
 Robert M. Gell, P.E./R.L.S.

THE PREPARATION OF THIS PLAN CONFORMS WITH THE RULES AND REGULATIONS OF THE REGISTER OF DEEDS.

ROBERT M. GELL, P.E./R.L.S.

99/477



ASSESSORS
 MAP 98, LOT 26 (8 COLBY FARM LANE)
 MAP 98, LOT 27 (10 COLBY FARM LANE)
 MAP 98, LOT 5 (12 COLBY FARM LANE)
 MAP 98, LOT 4 (18 COLBY FARM LANE)

PROPERTY OWNER
 ELLSWORTH M. EATON, JR., TRUSTEE
 EATON CROW REALTY TRUST
 ELLSWORTH M. EATON, JR., TRUSTEE
 CROW'S NEST REALTY TRUST

DEED REFERENCES
 SOUTHERN ESSEX REGISTRY OF DEEDS
 1. BOOK 26178, PAGE 1
 2. BOOK 26178, PAGE 3
 3. BOOK 15739, PAGE 31

PLAN REFERENCES
 SOUTHERN ESSEX REGISTRY OF DEEDS
 1. PLAN BOOK 473, PLAN 21
 2. PLAN BOOK 335, PLAN 92
 3. PLAN BOOK 138, PLAN 72
 4. PLAN 262 OF 1975
 5. PLAN 462 OF 1961

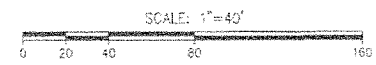
- NOTES**
1. THE PURPOSE OF THIS PLAN IS TO DIVIDE THE SUBJECT PROPERTY INTO A SINGLE-FAMILY DWELLING LOT (LOT 1), AN OPEN SPACE RESIDENTIAL DEVELOPMENT (OSRD) DEVELOPMENT LOT (LOT 2), AND AN OSRD OPEN SPACE LOT (LOT 3), IN CONJUNCTION WITH THE PERMITTING OF AN OSRD DEVELOPMENT.
 2. EXISTING CONDITIONS AND BOUNDARY LOCATION SHOWN HEREON FROM AN INSTRUMENT SURVEY IN DECEMBER OF 2019. TOPOGRAPHY SHOWN HEREON REFERS TO NORTH AMERICAN VERTICAL DATUM OF 1988.
 3. NO PORTION OF THE PREMISES SHOWN HEREON IS LOCATED WITHIN A FLOOD HAZARD AREA AS SHOWN ON DEPARTMENT H.U.D. FEDERAL INSURANCE ADMINISTRATION MAPS, PER COMMUNITY PANEL 25009C0109F, EFFECTIVE DATE JULY 3, 2012.
 4. UTILITIES OTHER THAN THOSE SHOWN MAY EXIST. CALL 811-SAFE AT LEAST 72 HOURS PRIOR TO ANY EXCAVATION OR CONSTRUCTION.

ZONING INFORMATION
 UNDERLYING DISTRICT: R1, RESIDENTIAL
 OVERLAY DISTRICT: COLBY FARM LANE RESIDENTIAL OVERLAY DISTRICT (CFL-ROD)
 FOR CFL-ROD, USE R2 ZONING REQUIREMENTS

| SINGLE-FAMILY REQUIREMENTS | REQUIRED (R2) | PROP. | | |
|----------------------------|---------------|-------------|-----------|------------|
| | | LOT 1 | LOT 2 | LOT 3 |
| DESCRIPTION | | | | |
| MIN. LOT AREA | 10,000 SF | 7,125±SF ** | 50,002±SF | 275,803±SF |
| MIN. FRONTAGE | 90' | 75.00' ** | 186.50' | 394.49' |
| MIN. FRONT YARD | 25' | 25.0' | 27.0' | N/A |
| MIN. SIDE YARD | 10' | 15.0' | 12.0' | N/A |
| MIN. REAR YARD | 25' | 32.0' | 76.9' | N/A |

| TWO-FAMILY REQUIREMENTS | REQUIRED (R2) |
|-------------------------|---------------|
| DESCRIPTION | |
| MIN. LOT AREA | 15,000 SF |
| MIN. FRONTAGE | 120' |
| MIN. FRONT YARD | 25' |
| MIN. SIDE YARD | 20' |
| MIN. REAR YARD | 25' |

** INDICATES WAIVER GRANTED BY CITY OF NEWBURYPORT PLANNING BOARD



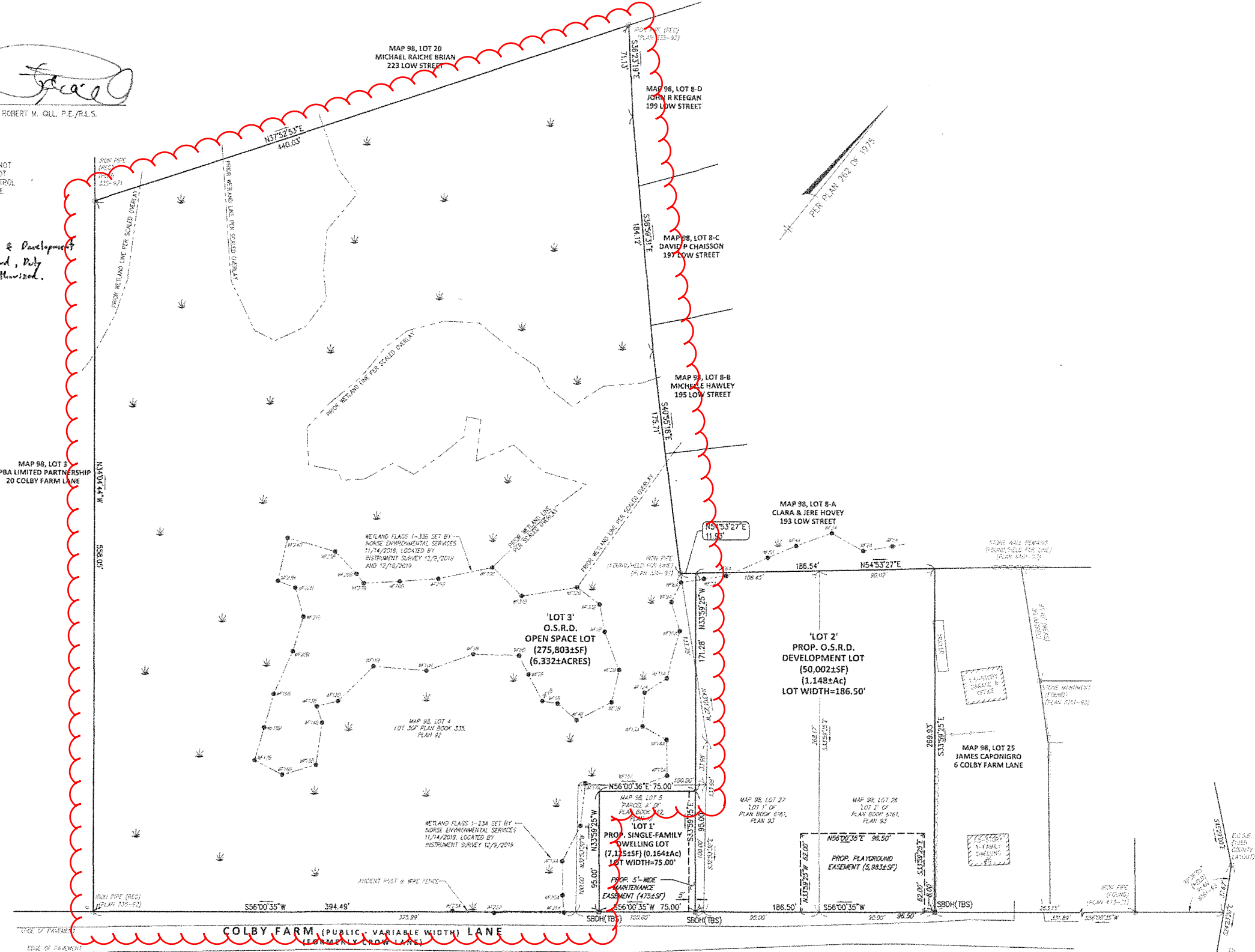
NEWBURYPORT PLANNING BOARD

APPROVAL UNDER THE SUBDIVISION CONTROL LAW NOT REQUIRED. ENDORSEMENT OF THIS PLAN AS ONE NOT REQUIRING APPROVAL UNDER THE SUBDIVISION CONTROL LAW IS NOT A DETERMINATION AS TO CONFORMANCE WITH ZONING.

SIGNATURE: *Andrew R. Pat* DATE: 6/26/20
 Andrew R. Pat, Director of Planning & Development on behalf of the Planning Board, duly Authorized.

SIGNATURE _____ DATE _____
 SIGNATURE _____ DATE _____
 SIGNATURE _____ DATE _____

MAP 98, LOT 3
 JPBA LIMITED PARTNERSHIP
 20 COLBY FARM LANE



ABBREVIATIONS

| | |
|-------|--------------|
| CALC. | CALCULATED |
| REC. | RECORD |
| SF | SQUARE FEET |
| TYP. | TYPICAL |
| UP | UTILITY POLE |
| WF | WETLAND FLAG |

LEGEND

- STONEWALL
- STONE MONUMENT
- - - WETLAND LINE WITH FLAG

**APPROVAL NOT REQUIRED
 PLAN OF LAND**

**8, 10, 12, & 18 COLBY FARM LANE
 NEWBURYPORT, MASSACHUSETTS**

PLAN PREPARED FOR:
THE DALY GROUP
 225 STEDMAN STREET
 LOWELL, MASSACHUSETTS 01851

PLAN PREPARED BY:

 CIVIL ENGINEERING - SURVEYING
 10 GEORGE STREET, UNIT 208
 LOWELL, MASSACHUSETTS 01852
 978-201-9390 - LANDPLEX.COM

SHEET: 1 OF 1 SCALE: 1"= 40' MAY 27, 2020

| | | | |
|--|-----|----------------------|------|
| | NO. | REVISION DESCRIPTION | DATE |
| | | | |

QUITCLAIM DEED

The Stables at Bashaw Farm LLC, a Massachusetts Limited Liability Company, with an address of 229 Steadman Street, Lowell, Massachusetts (hereinafter “Grantor”), for consideration paid in the amount of One Dollar (\$1.00), the receipt and sufficiency of which is hereby acknowledged, and pursuant to Special Condition 3 as set forth each of the two Special Permits both issued on June 17, 2020 and recorded in the South Essex Registry of Deeds Book 38776, Page 363, and Book 38776, Page 371, respectively, hereby grants, for open space purposes, to the **City of Newburyport**, a Massachusetts municipal corporation, acting by and through its Mayor, with an address of 60 Pleasant Street, Newburyport, Massachusetts,

with QUITCLAIM COVENANTS,

That parcel of land on Colby Farm Lane, in Newburyport, Essex County, Massachusetts, containing approximately 6.332 acres and depicted as “Lot 3 O.S.R.D. Open Space Lot on a plan entitled “Approval Not Required Plan of Land 8, 10, 12, & 18 Colby Farm Lane, Newburyport, Massachusetts”, dated May 27, 2020, prepared by Landplex Civil Engineering and Surveying, 10 George Street, Unit 208, Lowell, MA 01852, and endorsed by the Newburyport Planning Board on June 26, 2020 and recorded with the Essex Southern District Registry of Deeds in Plan Book 477 as Plan 99 (the “Plan”).

Subject to and with the benefit of easement, rights, restrictions, covenants, conditions, takings and other matters of record, insofar as the same are now in force and applicable and as shown on said Plan.

Being the land conveyed to Grantor by deed of Ellsworth M. Eaton, Trustee of Crow’s Nest Realty Trust, and recorded with the Essex Southern District Registry of Deeds in Book 38776, Page 381.

The granted premises do not constitute all or substantially all of the Grantor’s assets located within the Commonwealth of Massachusetts.

The City’s acceptance of the deed is attached hereto and incorporated herein.

No deed stamp taxes are due on this conveyance pursuant to G.L. c. 64D, §1.

[signatures on following page]

Property Location: Colby Farm Lane, Newburyport, Massachusetts

Executed as a sealed instrument this _____ day of May, 2022.

THE STABLES AT BASHAW FARM LLC

By: The Daly Group, LLC; David T. Daly, Manager
Its: Manager, duly-authorized

COMMONWEALTH OF MASSACHUSETTS

ESSEX, ss:

On this ____ day of May, 2022, before me, the undersigned notary public, personally appeared David T. Daley, Manager of The Daly Group, LLC, who proved to me through satisfactory evidence of identification, which was _____, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose, as Manager of The Stables as Bashaw Farm LLC.

Notary Public:
My commission expires: _____

ACCEPTANCE OF DEED

The foregoing Quitclaim Deed from **The Stables at Bashaw Farm LLC**, is hereby accepted pursuant to the authority granted by the vote of the Newburyport City Council dated _____, an attested copy of which is recorded herewith and any other authority in any way appertaining, for open space, conservation, and passive and active recreational purposes.

EXECUTED as of this ____ day of May, 2022.

CITY OF NEWBURYPORT
By its Mayor,

Sean Reardon

COMMONWEALTH OF MASSACHUSETTS

Essex, ss.

On this ____ day of May, 2022, before me, the undersigned notary public, personally appeared Sean Reardon, Mayor of the City of Newburyport as aforesaid, proved to me through satisfactory evidence of identification, which was _____, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose on behalf of the City of Newburyport.

Notary Public:
My Commission Expires:

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

May 31, 2022

THAT, The CITY COUNCIL of the City of Newburyport accepts with gratitude a gift from the Friends of Newburyport Trees (FoNT) in the amount of \$9,000 for the purpose of purchasing, planting and caring for city street streets. Said funds are deposited into the Tree Commission Gifts & Donations Account and accepted in accordance with M.G.L. Chapter 44, Section 53A.

Councillor Sharif I. Zeid

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED

May 31, 2022

THAT THE CITY COUNCIL of the City of Newburyport hereby approves the attached Amendment #2 to the contract entitled "City of Newburyport Contract between The City Council and Richard B. Jones, City Clerk, Amendment #2 Dated July 1, 2022" to the contract originally dated June 12, 2017 by and between the City of Newburyport and Richard B. Jones, City Clerk.

Said contract is attached hereto and incorporated herewith and marked 'Amendment #2 Dated July 1, 2022.' and consisting of pages 1 through 5.

Councillor Heather L. Shand

City of Newburyport
Contract
Between
The City Council
And
Richard B. Jones, City Clerk
AMENDMENT #2 DATED
JULY 1, 2022

This Agreement originally made the TWELFTH day of JUNE, 2017 by and between the City Council (herein after City Council) and Richard B. Jones (herein after City Clerk) is hereby AMENDED AS FOLLOWS:

The City Council and the City Clerk hereby agree that the following terms and conditions of said contract, specifically **Paragraph #1 Term of the Contract, and Paragraph #4 Compensation** are **AMENDED**, subject to annual appropriation, to which Richard B. Jones shall be entitled as City Clerk for the City of Newburyport.

1. Term of Contract and Termination

A. Term of Contract and Probation Period

This agreement is for a term of three years commencing on July 1, 2022 and ending on June 30, 2025. Reappointment is subject to the majority vote of City Council. In the event the City Clerk is re-appointed for another three (3) year term, this contract can be extended and amended with terms that are agreeable to the City Council and the Clerk. This contract is also subject to amendment in the event of any significant changes in job responsibilities or duties.

If the City Clerk decides to resign from the position at any time during the three (3) year contract, the City Clerk shall provide the City at least sixty (60) calendar days written notice of said resignation.

B. Disciplinary Action and Dismissal

The City Council reserve and retain the right to discharge, suspend, or otherwise discipline for just cause the employee covered by this agreement. The City Council shall provide the City Clerk with written notification of any contemplated discipline or dismissal for just cause.

C. Non-Reappointment

The Clerk position is subject to appointment. In the event that the Clerk is not to be reappointed, the City Council shall ordinarily notify the Clerk, in writing, ninety (90) days in advance. Such notice shall be hand delivered to the City Clerk with signed confirmation by the City Council President. The City shall provide one (1) month severance pay to the City Clerk if the ninety (90) days advance written notice of non-appointment is not provided by the City Council to the City Clerk.

2. Hours of Work

The City Clerk is a salaried position requiring at least a 40 hour work week. The days worked include all week days and also weekends as part of the Clerk's responsibilities extend to managing the paid parking program and its enforcement officers. The total hours worked will be based on the fulfillment of the duties and responsibilities of the position with full understanding the total number of hours of work may vary from week to week. The City Clerk is expected to attend evening and weekend meetings and events.

3. AMENDED Essential Functions

The following are Primary Functions:

A. Clerk

The Clerk shall maintain vital records including birth, death and marriage, prepare an annual list of residents, maintain the code of ordinances, issue DBA certificates and dog licenses, offer notarial and genealogical services, serve as the State Ethics Commission liaison and training officer, and maintain associated databases

B. Council

The Clerk shall prepare council agendas, draft any orders and ordinances requested, draft and prepare minutes and assist at Council meetings – whether special or regular.

C. Elections

The Clerk shall serve on the Board of Registrars, maintain the voter registrations, manage all special and regular elections, provide and certify nomination papers, coordinate five polling places and six precincts, and manage early voting.

D. U.S. Department of State Passports

The Clerk acts as the Facility Manager for the Passport Acceptance Facility wherein he shall be an annually-certified Passport agent and manage one or more certified agents. The facility is audited and certified annually by the Boston Passport agency.

E. Parking

The Clerk shall maintain any and all kiosks, any parking vehicles including the mobile LPR unit, manage the enforcement officers, coordinate data collection, ticket payment and related systems, the parking garage, issue parking permits, handle ticket appeals and hearings, prepare monthly reports on income and expenses for the parking system.

4. AMENDED Compensation

Subject to annual appropriation, the City Clerk for Fiscal Year 2020 currently scheduled to receive \$118,982.71 annually. The budget for this salary comes from the following areas:

| City Clerk | Clerk of Council | Clerk Registrar | Registrar | Parking Clerk | Total |
|-------------------|-------------------------|------------------------|------------------|----------------------|--------------|
| \$86,762.08 | \$4,686.64 | \$2,343.32 | \$585.83 | \$24,604.85 | \$118,982.71 |

Subject to annual appropriation, for the next three next three Fiscal Years, at the beginning of the Fiscal Year, the City Clerk will receive a salary increase and a 3.5% Cost of Living Adjustment per the schedule below.

| Fiscal Year | City Clerk | Clerk of Council | Clerk Registrar | Registrar | Parking Clerk | Total |
|--------------------|-------------------|-------------------------|------------------------|------------------|----------------------|--------------|
| FY 2023 | \$89,798.75 | \$4,850.67 | \$2,425.37 | \$606.33 | \$25,466.02 | \$123,147.10 |
| FY 2024 | \$92,941.71 | \$5,020.44 | \$2,510.22 | \$627.56 | \$26,357.33 | \$127,457.25 |
| FY 2025 | \$96,194.67 | \$5,196.16 | \$2,598.08 | \$649.52 | \$27,279.84 | \$131,918.26 |
| | | | | | | |

5. Professional Development

Consistent with existing practice the City shall grant reasonable time off without loss of pay and without charge to any other leave to attend conferences, seminars, or professional meetings, which are directly related to improving the City Clerk’s knowledge and skills in his particular position. A request for such time off shall be made to the City Council as soon as practical and shall outline the nature and extent of the proposed leave. Attendance at such conference on non-scheduled workdays shall not entitle the employee to any additional compensation or additional time off. The City may appropriate funds for tuition and related expenses for attending conferences.

The City will reimburse the City Clerk for the cost of attendance at seminars, conferences, and other meetings attended by employees, with prior approval of the Mayor. Mileage for travel shall be reimbursed at the current IRS rate.

6. Education

The City Clerk shall hold a bachelor’s degree from an accredited institution. A law degree is preferred.

7. Longevity

The City Clerk hereby waives any claim to longevity payment.

8. Insurance

The City Clerk is eligible for all health insurance benefits in accordance with the agreement negotiated the City and the Public Employee Committee (PEC agreement) pursuant to MGL Chapter 32B, Section 19. The city will pay seventy-five percent (75%) of the premium for the first \$2000.00 worth of Life insurance and the employee will pay twenty-five (25%) of the cost for the first \$2000.00 worth of Life insurance. The difference between the \$2000.00 life insurance and the \$5000 life insurance will be paid 100% by the City.

9. Equipment

The City will provide the following equipment to support the Position Title in the fulfillment of their duties:

| |
|------------------|
| Equipment |
|------------------|

| |
|------------|
| Cell Phone |
|------------|

10. Vacation, Personal, Bereavement, Sick, and Jury Duty

A. Vacation

The City Clerk will be entitled to six (6) weeks vacation, each Fiscal Year. Vacation for the fiscal year is provided on July 1 of that Fiscal Year. With the City Council President's permission, the City Clerk may carry over ten (10) days of unused vacation from one fiscal year to the next. Upon termination of employment, the City Clerk shall be paid for any unused vacation previously accrued. If termination is caused by death, such payment shall be made to the City Clerk's spouse or beneficiary.

B. Personal

The City Clerk shall be entitled to four (4) personal days per Fiscal Year. Unused personal days shall not be carried from year to year. Personal days are not cumulative from one Fiscal Year to the next and unused amounts are not eligible for buy-back upon retirement or termination of employment.

C. Bereavement Leave

The City Clerk shall be entitled to five (5) days of paid bereavement time, without loss of pay, vacation, or other leave. This time off will be granted upon the death of an immediate family member (spouse, parent, child, step-child, foster-child, brother, sister, mother and father in-law, grandmother, grandfather, spouse's mother father grandmother, grandfather). Should the death occur during the City Clerk's scheduled vacation or days off, then the five (5) days of bereavement leave will be substituted for said vacation or days off, and the vacation.

D. Sick Leave

The City Clerk has accumulated sick leave and will continue to accumulate 1.25 days of sick leave each month. Sick leave is cumulative and carried forward from one Fiscal Year to the next. Upon retirement, the City Clerk will be paid 50% of the number of unused sick days with a maximum of days paid not to exceed eighty-five (85) days. There will be no buy-back of sick leave if the employee resigns or is terminated.

E. Jury Duty

If the City Clerk is requested for Jury Duty, he shall be given the time off without the loss of pay.

11. Holidays

The City Clerk shall be entitled to twelve (12) paid holidays. These are:

| | |
|------------------------|-----------------|
| 1. New Year's Day, | 7. Labor Day |
| 2. Martin Day King Day | 8. Columbus Day |

| | |
|--------------------------|----------------------------|
| 3. Washington's Birthday | 9. Veteran's Day |
| 4. Patriot's Day | 10. Thanksgiving Day |
| 5. Memorial Day | 11. Day after Thanksgiving |
| 6. Independence Day | 12. Christmas Day. |

The City Clerk shall receive one day's pay for each Holiday worked in association with his parking clerk responsibilities. Payment for these days worked will come from the paid parking program.

12. Other

Other information and guidance for the City Clerk *not* covered in this Agreement can be found in the Employee Handbook.

IN WITNESS WHEREOF, the parties hereunto have set their hands and seal to this instrument the date and year first above written.

City Council President
 Heather L. Shand
 43 Warren St.
 Newburyport, MA 01950

City Clerk
 Richard B. Jones
 283 High Street
 Newburyport, MA 01950

Signature

Signature

Date

Date

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED

May 31, 2022

AN ORDER TO FILE AND ACCEPT GRANTS WITH AND FROM THE COMMONWEALTH OF MASSACHUSETTS, EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS FOR THE LAND AND WATER CONSERVATION FUND GRANT PROGRAM FOR IMPROVEMENTS TO BARTLET MALL

- Whereas: The Bartlet Mall is by far a community-wide asset and the preservation and improvements to this facility are a City priority as evidenced in the most recent Open Space and Recreation Plan; and
- Whereas: The Bartlet Mall is dedicated to park and recreation purposes under M.G.L. Chapter 45, Section 3; and
- Whereas: The Bartlet Mall's ultimate restoration, guided in principal by the Master Plan, will greatly enhance this facility with improved infrastructure, path systems, universal access, etc.; and
- Whereas: The main focus of the Plan is to restore the Bartlet Mall to its historic condition while ensuring such improvements enhance the universal accessibility of the facility. The overall cost and fiscal budget constraints prevented the City from proceeding forward with implementation as one project; and
- Whereas: The project was instead viewed as a series of phases, to be implemented over time, by priority as fiscal resources were available, with the intention of securing grant funding, when and if available, to assist in this effort; and
- Whereas: The Executive Office of Energy and Environmental Affairs (EEA) is offering reimbursable grants to cities and towns to support the preservation and restoration of urban parks through the Land and Water Conservation Fund Act (P.L. 88-578, 78 Stat 897); and
- Whereas: The Project will cost a total of \$606,270 (Six Hundred and Six Thousand Two Hundred Seventy Dollars) for the Bartlet Mall Restoration Project and the City has secured \$203,135 in Community Preservation Act funds and private grants and donations.

NOW, THEREFORE, BE IT

1. That the Mayor be and is hereby authorized to file and accept grants from the Executive Office of Energy and Environmental Affairs; and
2. That the Mayor be and is hereby authorized to take such other actions as are necessary to carry out the terms, purposes, and conditions of this grant to be administered by the Parks Department; and
3. That \$100,000 is hereby appropriated from Free Cash to the Bartlet Mall Restoration Project; and
4. That this resolution shall take effect upon passage.

Councillor Heather Shand

Councillor Jennie L. Donahue

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

May 31, 2022

THAT, The CITY COUNCIL of the City of Newburyport amends a prior gift acceptance of \$15,700 from the Friends of the Newburyport Council on Aging (COA), which was originally intended to pay costs of designing a Multi-Purpose Outdoor Space at the Senior/Community Center (ORDR269_08_09_2021), to allow the remaining \$5,850 to be used for any general benefit of the COA and seniors, as directed in the attached letter from the Friends of the Newburyport COA dated May 6, 2022.

Councillor Sharif I. Zeid



FRIENDS OF THE NEWBURYPORT COUNCIL ON AGING (FONCOA)

Senior/Community Center · 331 High Street, Newburyport, · MA 01950
www.foncoa.com www.facebook.com/Friends-of-the-Newburyport-Council-on-Aging

May 6, 2022

Mayor Sean Reardon

City Hall Pleasant Street

Newburyport, MA 01950

Dear Mayor Reardon,

Thank you for participating in our recent Friends of the Newburyport COA "Meet and Greet" with you and giving our board members an opportunity to introduce themselves and interact with you. Over the years the Friends and the respective Mayors have had a close and supportive relationship with a mutual objective in supporting the COA and the needs of the area seniors.

The reason for this letter is to discuss the issue of our donation towards the Multi Use and Pickleball facility at the COA. In August 2021, the COA staff presented to Mayor Holaday the need and benefits of a dedicated Pickleball area at the Center to satisfy significant interest in this sport and to meet a growing demand of younger seniors for court time. Mayor Holaday showed immediate support and enthusiasm for the project and asked the Friends to consider funding the initial engineering design phase. Buy-in by the Friends was viewed as a significant factor in propelling the project forward. Since our "mission" role has been to augment City funds or making up a shortfall, the upfront funding was asked with the understanding that additional funding was to be required and CPC funding was intended to be a major source as well as community donations.

As we now know, the project met resistance in the way it was rolled out and much discussion has occurred since. The resistance elevated to the point that when the Council was tasked to accept our \$15,700 donation, the funds were accepted but amendments were applied with its acceptance that negated the intent of the use of these funds. To date \$11,250 has been spent with no facility or prospects in the near term. At this point the board, in their fiduciary responsibility, has been discussing what to do with the funds that were donated. Should we ask for the funds to be refunded or leave them in the City's hands.

We were encouraged to hear your comments of support for this project and your intention of exploring ways that this project at the Center will come to fruition. The Friends will continue to support this effort and ultimately expect to see the proper use of our donation for the benefits of the COA and seniors. With this positive expectation, we have agreed not to ask for a refund of the entire funds.

In the possibility that this facility cannot be realized, then we would ask the City to earmark our donation of \$15,700 for the exclusive use and benefit of the COA and for senior services.

We ask for a concurrence for this understanding.

Respectfully,



Ben Iacono

President

Friends of the Newburyport COA

978-337-6554

Copy to: Ethan Manning

Paula Burke

ORDINANCES

ORDERED:

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 <u>NP</u> | NP | NP | NP | NP | NP |
| Boat sales/ service storage/rental | 701 | NP | NP | NP | NP | NP | NP | <u>NP</u> | NP | NP | NP | NP | NP | P | P |
| Marine equipment sales | 703 | NP | NP | NP | NP | NP | NP <u>NP</u> | <u>NP</u> | NP | NP | NP | NP | NP | P | P |
| Marine repair services | 704 | NP | NP | NP | NP | NP | NP | NP | NP | NP <u>NP</u> | NP <u>NP</u> | NP | NP | P | P |
| Marine manufacturing | 705 | NP | NP | NP | NP | NP | NP | NP | NP | NP <u>NP</u> | NP <u>NP</u> | NP | NP | NP | NP |
| Shipbuilding/repair | 706 | NP | NP | NP | NP | NP | NP | NP | NP | NP <u>NP</u> | NP <u>NP</u> | NP | NP | NP | NP |
| Canvas and canvas products | 707 | NP | NP | NP | NP | NP | NP | NP | NP | NP <u>NP</u> | NP <u>NP</u> | NP | NP | NP | NP |
| Seafood handling/distribution | 708 | NP | NP | NP | NP | NP | NP | NP | NP | NP <u>NP</u> | NP <u>NP</u> | NP | NP | P | SP |
| Marine retail | 709 | NP | NP | NP | NP | NP | NP | P | SP | NP | NP | NP | NP | P | P |
| Indoor rack Boat storage | 711 | NP | NP | NP | NP | NP | NP | NP | NP | NP <u>NP</u> | NP <u>NP</u> | 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>Storage of boats, including rack storage</u> |

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.

In City Council April 11, 2022:

Motion to refer to Planning & Development and COTW by Councillor Cameron, seconded by Councillor Vogel. Councillor Lane recused. So voted. 1 no (JM), 1 recused (BL).

In City Council May 9, 2022:

Councillor Lane recused. Motion to remove from table by Councillor Cameron, seconded by Councillor Preston. Roll call vote. 10 yes, 1 recused (BL). Motion passes. Motion to approve on first reading by Councillor Cameron, seconded by Councillor Preston. Roll call vote. 10 yes, 1 recused (BL). Motion passes.

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

May 31, 2022

AN ORDINANCE TO LIMIT ON-STREET PARKING ON BROWN SQUARE

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

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

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

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

| <i>Street</i> | <i>Zones</i> |
|----------------------------|---|
| <u><i>Brown Square</i></u> | Northerly side from a point beginning approximately 400 <u>120</u> feet from the beginning of the square (Titcomb Street end) and extending for 60 <u>50</u> feet in an easterly direction. |

Furthermore, the area above described shall be cross-hatched to clearly delineate the no parking zone.

Councillor Jennie Donahue

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

May 31, 2022

AN ORDINANCE TO ALLOW A DROP OFF ZONE ON BROWN SQUARE

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

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

Sec. 13-171.1. - Pick-up and drop-off areas.

(1) A designated area located on the north side of Low Street from the Low Street entrance of the main parking lot to the exit of the circular driveway in front of the Rupert A. Nock Middle School, for the express purpose of allowing vehicles to stop temporarily for pick-up and drop-off of persons utilizing the middle school facilities. The driver of the vehicle must remain in the vehicle at all times while in this designated area. There is a twenty-five dollar (\$25.00) fine for violation of this section.

(2) A designated area consisting of one (1) parking space on the East side of Summer Street at the entrance to St. Paul's Episcopal church, 35 Summer Street for the express purpose of allowing vehicles to stop temporarily for pick-up and drop-off of persons. There is a twenty-five dollar (\$25.00) fine for violation of this section.

(3) A designated area consisting of one (1) parking space on the North side of Brown Square Way beginning at point 100 feet from Titcomb Street and running for a distance of 20 feet in an easterly direction for the express purpose of allowing vehicles to stop temporarily for pick-up and drop-off of persons. There is a twenty-five dollar (\$25.00) fine for violation of this section.

Furthermore, the designated area described above in paragraph (3) shall be marked on the ground with the words 'Drop Off Zone'.

Councillor Jennie Donahue

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

May 31, 2022

AN ORDINANCE TO AMEND THE RESIDENTIAL PARKING PERMIT PROGRAM FOR LIBERTY STREET

CHAPTER 13 TRAFFIC AND MOTOR VEHICLES
ARTICLE IV SPECIFIC STREET SCHEDULES
DIVISION 6 STOPPING, STANDING AND PARKING
SEC. 13 – 180 RESIDENT PARKING

THAT the City Council of the City of Newburyport hereby amends existing subsection (g) of section 13-180 the City of Newburyport Code of Ordinances as follows, with deletions ~~double-stricken through and in bold~~, and additions **double-underlined and in bold**:

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

(1) *Zone 1:* Includes the following streets between State Street and Federal Street:

Liberty Street. From ~~State~~ Center Street to Independent Street, both sides

Middle Street. From ~~State~~ Center Street to Federal Street, southerly side

Councillor Jeannie Donahue

COMMITTEE ITEMS

Committee Items-May 31, 2022

Budget & Finance

In Committee:

- ORDR00338_04_11_2022 Capital Improvement Program FY2023-2027
- TRAN00125_05_09_2022 Health Ins. Stabilization Fund \$60K to INS Health Ins. Premiums \$60K
- TRAN00126_05_09_2022 SUS Solid Waste \$50,000 to LGL City Solicitor \$50,000
- TRAN00127_05_09_2022 Gen. Fund Free Cash \$222,166.68 to
Snow & Ice-Labor \$29,559.88 and Snow & Ice-Expenses \$192,606.80
- ORDR00349_05_09_2022 FY22 Revolving Fund Spending Limit Increase (COTW)
- ORDR00351_05_09_2022 Loan Order \$750,000 Bulkhead Project (COTW)
- ORDR00354_05_09_2022 FY23 CPC Recommendations (COTW): (PARTIAL only the
\$216k for Bartlett Mall design)
- ODNC00110_05_09_2022 Updating Departmental Revolving Funds

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

In City Council April 11, 2022:

Motion to refer to Budget & Finance and COTW by Councillor Zeid, seconded by Councillor Cameron.
So voted.



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 FY 2022

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

TRANSFER/APPROPRIATION REQUEST

MAY 11 2022 2:10 PM

Department: Finance Department

Submitted by: Ethan Manning, Finance Director

Date Submitted: 5/9/2022

Transfer From:

| | | | |
|-----------------|--|------------|----------------------|
| Account Name: | <u>Health Insurance Stabilization Fund</u> | Balance: | <u>\$ 439,675.00</u> |
| Account Number: | <u>8264-59600</u> | Category: | <u>\$ -</u> |
| Amount: | <u>\$60,000.00</u> | Trans I/O: | <u>\$ -</u> |

Why Funds Are Available:

The City established a Health Insurance Stabilization Trust Fund as part of the FY2022 budget due to the one month "premium holiday" that was provided by the City's insurance provider.

Transfer To:

| | | | |
|-----------------|--------------------------------------|------------|------------------------|
| Account Name: | <u>INS Health Insurance Premiums</u> | Balance: | <u>\$ 1,574,573.01</u> |
| Account Number: | <u>01914001-51700</u> | Category: | <u>\$ 1,675,051.43</u> |
| Amount: | <u>\$60,000.00</u> | Trans I/O: | <u>\$ -</u> |

Why Funds Are Needed:

The FY2022 budget projection assumed a full one month "premium holiday." However, the holiday only applied to active employees, therefore the City did still have to pay premiums on the plans for retirees, which was not budgeted. An additional \$60,000 is needed to pay remaining health insurance costs through year-end (May and June invoicing).

Sean R. Reardon, Mayor:

Sean R. Reardon

Date: 5/3/2022

Ethan R. Manning, Auditor:

Ethan R. Manning

Date: 5/3/22

City Council Action:



CITY OF NEWBURYPORT FY 2022

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

TRANSFER/APPROPRIATION REQUEST

MAY 13 2022 PM 2:10

Department: Mayor's Office
Submitted by: Sean R. Reardon, Mayor **Date Submitted:** 5/9/2022

Transfer From:

| | | | |
|-----------------|------------------------|------------|----------------------|
| Account Name: | <u>SUS Solid Waste</u> | Balance: | <u>\$ 543,526.10</u> |
| Account Number: | <u>01519002-52905</u> | Category: | <u>\$ 544,135.18</u> |
| Amount: | <u>\$50,000.00</u> | Trans I/O: | <u>\$ -</u> |

Why Funds Are Available:

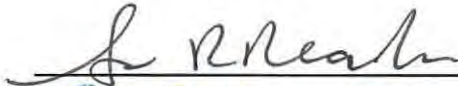
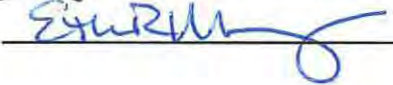
A contingency was budgeted in the FY2022 solid waste line item to cover fluctuations in market pricing. Due to favorable pricing, a surplus is anticipated at year-end.

Transfer To:

| | | | |
|-----------------|---------------------------|------------|---------------------|
| Account Name: | <u>LGL City Solicitor</u> | Balance: | <u>\$ 97,850.77</u> |
| Account Number: | <u>01914001-51700</u> | Category: | <u>\$ -</u> |
| Amount: | <u>\$50,000.00</u> | Trans I/O: | <u>\$ -</u> |

Why Funds Are Needed:

The City Solicitor line item was underbudgeted for FY2022. Total costs for this fiscal year are projected at or below \$150,000, which includes the payment of one prior year bill for \$11,420 that was previously approved for payment by the City Council.

Sean R. Reardon, Mayor: 
 Ethan R. Manning, Auditor: 
 City Council Action:

Date: 5/3/2022.
 Date: 5/3/22



CITY OF NEWBURYPORT FY 2022

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

TRANSFER/APPROPRIATION REQUEST

MAY 9 2022 2:09 PM

Department: Mayor's Office

Submitted by: Sean R. Reardon, Mayor

Date Submitted: 5/9/2022

Transfer From:

| | | | |
|-----------------|--------------------------|------------|-------------------|
| Account Name: | General Fund - Free Cash | Balance: | \$ 1,516,007.32 |
| Account Number: | 01-35910 | Category: | \$ - |
| Amount: | \$222,166.68 | Trans I/O: | \$ (1,168,060.68) |

Why Funds Are Available:

The Massachusetts Department of Revenue certified Free Cash for FY2022 at \$2,684,068. These funds are available for any legal expenditure with the approval of the Mayor and a vote of the City Council. Above balance reflects all approved and proposed appropriations to-date.

Transfer To:

| | | | |
|-----------------|--------------------|------------|----------------|
| Account Name: | Snow & Ice - Labor | Balance: | \$ (29,559.88) |
| Account Number: | 01423001-51301 | Category: | \$ - |
| Amount: | \$29,559.88 | Trans I/O: | \$ - |

Why Funds Are Needed:

Snow and ice expenses are variable depending on winter weather conditions. This account is used to pay the overtime for City employees during snow and ice events. State law allows communities to deficit spend in this category, however the deficit must be removed by fiscal year-end.

Transfer To:

| | | | |
|-----------------|-----------------------|------------|-----------------|
| Account Name: | Snow & Ice - Expenses | Balance: | \$ (192,606.80) |
| Account Number: | 01423002-52901 | Category: | \$ - |
| Amount: | \$192,606.80 | Trans I/O: | \$ - |

Why Funds Are Needed:

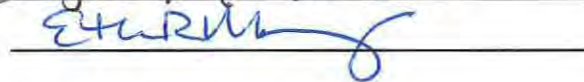
Snow and ice expenses are variable depending on winter weather conditions. This account is used to pay the cost of contractors hired to clear snow, equipment maintenance, as well as, materials such as salt and sand. State law allows communities to deficit spend in this category, however the deficit must be removed by fiscal year-end.

Sean R. Reardon, Mayor:



Date: 5/3/2022

Ethan R. Manning, Auditor:



Date: 5/3/22

City Council Action:

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

May 9, 2022

THAT, the City Council of the City of Newburyport authorizes an increase to the spending limit for the following fund(s) for fiscal year 2022 in accordance with MGL, Chapter 44 Section 53E1/2:

| <u>Account Name</u> | <u>Original FY2022 Spending Limit</u> | <u>Revised FY2022 Spending Limit</u> |
|-------------------------------------|---|--|
| Recreational Services | \$435,000 | \$535,000 |
| Electrical Inspector | \$105,000 | \$110,000 |
| Senior/Community Center Maintenance | \$15,000 | \$20,000 |

Councillor Sharif I. Zeid

In City Council May 9, 2022:

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



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 27, 2022

Subject: FY22 Revolving Fund Spending Limits

As we approach fiscal year-end, increases are requested to spending limits for three of the departmental revolving funds authorized under MGL, Chapter 44 Section 53E1/2:

Recreational Services Revolving Fund (\$435,000 to \$535,000)

It is requested that the spending limit for the recreational services revolving fund be restored back to \$535,000. When the FY2022 spending limits were set, the spending limit was decreased to \$435,000 to reflect approximately \$100,000 in funding that is now budgeted in the general fund (and then funded by a transfer from the recreational services revolving fund). That amount funds the line items in the Youth Services budget for the activities coordinators and an administrative assistant.

Unfortunately, when the \$100,000 cut to the spending limit was made, it was also during a time of lower income and spending resulting from the pandemic. During the summer of 2020, no part time staff were hired, significantly decreasing FY21 spending. Had that trend continued, the department would likely have come in at or below the \$435,000 spending limit for FY22.

Fortunately, registration numbers and programming have now returned to pre-pandemic levels. Consequently, spending has increased as the department has restored the resources that are needed to run all of those programs. Additional staff and service providers, combined with inflationary pressures from contractors, as well as, increases to the minimum wage, have collectively caused the fund to hit the spending limit that was set for FY22.

The department respectfully requests that the City Council increase the spending limit to \$535,000 so that we can continue to pay staff and contractors through the end of the fiscal year. It is anticipated that a higher spending limit will be requested for FY23.

Electrical Inspector Revolving Fund (\$105,000 to \$110,000)

An increase is requested to reflect higher wages for FY22 resulting from settled collective bargaining agreements.

Senior/Community Center Maintenance Revolving Fund (\$15,000 to \$20,000)

During FY22, the Senior/Community Center was fully reopened to the public and is once again available to be rented by outside groups on nights and weekends. As such, costs to coordinate and staff those events has increased.

Thank you for your consideration.

DEPARTMENTAL REVOLVING FUNDS

FY2022 YEAR-TO-DATE ACTIVITY (AS OF APRIL 26, 2022)

| Account Name | Fund Code | Beginning Balance | YTD Revenue | YTD Expended | Transfers Out | Current Balance | FY22 Spending Limit | Remaining Budget | % Used |
|--------------------------|------------------|--------------------------|--------------------|---------------------|----------------------|------------------------|----------------------------|-------------------------|---------------|
| Council on Aging | 2802 | (\$312) | \$14,599 | \$13,767 | \$0 | \$519 | \$40,000 | \$26,233 | 34.4% |
| Recreational Services | 2803 | \$525,687 | \$507,475 | \$432,999 | \$105,640 | \$494,523 | \$435,000 | \$2,001 | 99.5% |
| Historical Commission | 2804 | \$10,252 | \$1,525 | \$450 | \$0 | \$11,327 | \$2,500 | \$2,050 | 18.0% |
| Electrical Inspector | 2806 | \$51,920 | \$76,102 | \$81,849 | \$0 | \$46,173 | \$105,000 | \$23,151 | 78.0% |
| Plumbing Inspector | 2807 | \$1,835 | \$74,023 | \$45,952 | \$0 | \$29,906 | \$65,000 | \$19,048 | 70.7% |
| Gas Inspector | 2808 | \$2,365 | \$47,390 | \$37,768 | \$0 | \$11,987 | \$55,000 | \$17,232 | 68.7% |
| Disabilities Commission | 2809 | \$34,534 | \$5,250 | \$0 | \$0 | \$39,784 | \$3,000 | \$3,000 | 0.0% |
| Emma Andrews Library | 2810 | \$48,539 | \$10,000 | \$10,346 | \$0 | \$48,192 | \$30,000 | \$19,654 | 34.5% |
| Transient Vendors | 2812 | \$24,399 | \$3,000 | \$880 | \$0 | \$26,519 | \$20,000 | \$19,120 | 4.4% |
| Planning & Zoning | 2813 | \$563 | \$28,750 | \$25,649 | \$0 | \$3,664 | \$70,000 | \$44,351 | 36.6% |
| Animal Control | 2817 | \$12,647 | \$1,445 | \$0 | \$0 | \$14,092 | \$6,000 | \$6,000 | 0.0% |
| Tree Commission | 2818 | \$11,628 | \$0 | \$4,275 | \$0 | \$7,353 | \$10,000 | \$5,725 | 42.8% |
| Medicare/Medicaid | 2835 | \$23,257 | \$38,597 | \$13,616 | \$0 | \$48,238 | \$25,000 | \$11,384 | 54.5% |
| Veterans Services | 2836 | \$1,273 | \$0 | \$0 | \$0 | \$1,273 | \$2,000 | \$2,000 | 0.0% |
| City Hall Maintenance | 2840 | \$6,657 | \$3,415 | \$0 | \$0 | \$10,072 | \$5,000 | \$5,000 | 0.0% |
| Senior Comm. Ctr. Maint. | 2841 | \$74,129 | \$16,845 | \$14,745 | \$0 | \$76,228 | \$15,000 | \$255 | 98.3% |
| Parks Maint. | 2842 | \$1,002 | \$2,975 | \$794 | \$0 | \$3,183 | \$15,000 | \$14,206 | 5.3% |
| Solid Waste | 2843 | \$260,542 | \$63,848 | \$62,089 | \$35,000 | \$227,301 | \$100,000 | \$37,911 | 62.1% |
| Assessor | 2844 | \$3,490 | \$140 | \$0 | \$0 | \$3,630 | \$2,000 | \$2,000 | 0.0% |
| Total | | \$1,094,407 | \$895,377 | \$745,181 | \$140,640 | \$1,103,964 | \$1,005,500 | \$260,319 | 74.1% |

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

May 9, 2022

THAT, \$750,000 is appropriated to pay costs of the Central Waterfront Bulkhead Repair project, including the payment of all costs incidental and related thereto. To meet this appropriation, the Treasurer with the approval of the Mayor, is authorized to borrow said amount under and pursuant to M.G.L. c. 44, §7(1), or pursuant to any other enabling authority, and to issue bonds or notes of the City therefor; and that the Mayor and the Treasurer are authorized to take any other action necessary or convenient to carry out this vote.

THAT, the loan order adopted by this Council on February 14, 2022 that appropriated the amount of \$600,000 for the project is hereby rescinded.

Councillor Jennie L. Donahue

Councillor Sharif I. Zeid

In City Council May 9, 2022:

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



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

SEAN REARDON
MAYOR

MEMORANDUM

TO: NEWBURYPORT CITY COUNCIL
FROM: GEORDIE VINING, SENIOR PROJECT MANAGER AND ANDREW LEVINE, CHIEF OF STAFF
SUBJECT: CENTRAL WATERFRONT BULKHEAD REHABILITATION PROJECT
DATE: 5/23/22

The City is applying for multiple federal and state grants to support the Central Waterfront Bulkhead Rehabilitation Project and a revised borrowing authorization is needed to leverage one or more of these grants. This authorization would supersede the previous authorization ORDR00317_01_31_2022.

The design and permitting phase of the Bulkhead Rehabilitation project is nearing completion, and the City anticipates advertising the project for construction this late summer or fall. A cost estimate from February 2022 by the City's marine engineering consultant GEI indicated a cost of \$5,378,300. The City has applied for \$5.3M in grants: a \$1.75M grant from the U.S. Economic Development Administration (EDA) Economic Adjustment Assistance Program, a \$1.3M grant from the state Seaport Economic Council, and we are in the process of applying for a \$2.25M grant from the Federal Emergency Management Agency (FEMA) based on the Community Project Funding that Congressman Moulton earmarked for the City in the federal spending bill, the Consolidated Appropriations Act of 2022 (H.R. 2471).

While this funding has already been earmarked, the awarding agency, FEMA, is requiring that we submit the formal application through its Building Resilient Infrastructure and Communities (BRIC) Grant program to receive the funding. This application is due June 13, 2022. This application requires a 25% match, and since \$2.25M has been identified, that means we need \$750,000 in non-federal match. While the state's SEC grant could be used as a match, we cannot list it on the application because we will not know by June 13th if we have been awarded the state grant or not.

This new authorization would increase the appropriation to \$750,000 to cover the needed match for the federal allocation of \$2.25M and would remove the explicit reference to the EDA's Travel Tourism and Outdoor Recreation grant. Following the advice of Bond Counsel, it removes the qualification that the funding only be spent if the grant money is received. This language is no longer necessary because we have been informed by the Congressman's staff that the funding has been conditionally approved and that we are in position to receive the grant through FEMA.

The remaining consideration will be securing the additional match funding needed should the EDA Grant be received. The City has applied for \$1,757,576, which would require a match of \$439,394. The City will be able to use the state grant secured through the MA Seaport Economic Council (SEC) if this grant is secured, and can also count the \$50,000 pledged by the Waterfront Trust. Should the SEC money not be granted, the City could use an additional \$389,394 in either American Rescue Plan Act (ARPA) funds, or look for a different funding source. In

addition, please note that the previous authorization explicitly referenced the EDA’s Travel Tourism and Outdoor Recreation grant program, but the EDA shifted the City’s application to a different EDA grant program, the Economic Adjustment Assistance program. Removing the reference to the specific grant program will allow the administration the flexibility to leverage various other potential grants. Table 1 below shows the anticipated breakdown in funding.

As noted earlier, the exposed steel of the 1977 bulkhead that supports the edge of Newburyport’s central waterfront is now 45 years old and is at the end of its service life. Corroding holes in the old steel sheet piles are growing visibly larger, and the more they expand the more they allow fill material to escape into the river, undermining the Boardwalk’s foundations and the edge of the waterfront park if left unchecked. The exposed tie back anchor bolts in the embayment’s bulkhead structurally support the sheet piles and have begun to corrode, break and fail in recent years. In addition, the old steel mooring piles attached to the bulkhead that anchor the seasonal floats for visiting boaters have been breaking underwater.

Thank you for your consideration.

Table 1

| Source | Amount | Status | Notes |
|--|-------------|---|---|
| FEMA: BRIC/ Federal Spending Bill | \$2,250,000 | Application in Progress/ Conditionally Approved | Requires \$750k non-federal match |
| City of Newburyport/ Bonding | \$750,000 | Request of City Council | Match for BRIC or EDA Funding |
| EDA: ARPA Economic Adjustment Assistance | \$1,757,576 | Application Complete | Requires \$439,394 non-federal match |
| Seaport Economic Council | \$1,300,000 | Application Complete | Could serve as match for federal grants |
| Waterfront Trust | \$50,000 | Secured | |

Table 2

| | |
|-------------------------------|-------------|
| Total Secured | \$50,000 |
| Total Conditionally Approved: | \$2,250,000 |
| Total Outstanding Grants | \$3,047,576 |
| Total Match | \$750,000 |
| Total: | \$6,097,576 |

Note: Current cost is estimated at \$5,378,300, but costs may increase and grant amounts from the outstanding applications may be lower than the amounts for which we applied.

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

May 9, 2022

That the City Council appropriates or reserves from the Community Preservation Act FY 2023 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 **\$1,422,370**. The source of funds shall be FY2023 estimated revenues in the amount of \$1,333,644.33 and the Community Preservation Fund Balance in the amount of \$178,773.97. 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 | <u>Priority Housing Needs and Update to Housing Production Plan</u> | Affordable Housing Trust | \$230,000 | \$230,000 |
| 2 | <u>Old South Clock Face</u> | Old South Church | \$4,650 | \$4,650 |
| 3 | <u>Cushing House Architectural Preservation</u> | Historical Society of Old Newbury | \$69,750 | \$69,750 |
| 4 | <u>Bartlet Mall Frog Pond Improvements</u> | Parks Commission & Department | \$2,790,000 | \$216,000 (plus 15 yr BOND of \$2,574,000) |
| 5 | <u>Open Space Reserve Fund</u> | Open Space Committee | \$100,000 | \$100,000 |
| 6 | <u>Heritage Tree Preservation</u> | Proprietors of Oak Hill Cemetery | \$10,000 | \$10,000 |
| 7 | <u>Joppa Park Improvement Project</u> | Parks Commission & Department | \$115,000 | \$15,000 |

| | | | | |
|-----------|---|----------------------------------|--------------------|--|
| 8 | <u>Lower Atkinson Common Improvement Project</u> | Parks Commission & Department | \$1,157,803 | \$525,000 |
| 9 | <u>Market Landing Park Expansion (Central Waterfront)</u> | Office of Planning & Development | \$3,000,000 | \$0 (15 yr BOND of \$3,000,000) |
| 10 | <u>Newburyport Black History Initiative</u> | Office of Planning & Development | \$53,000 | \$53,000 |
| | | Total: | \$9,280,303 | \$1,223,400 Current \$5,574,000 Bonds |

| | | |
|-----------|--|------------------|
| 11 | <u>NHS Stadium Bond Payment</u> | \$124,980 |
| 12 | <u>Cherry Hill Soccer Field Bond Payment</u> | \$11,740 |
| 13 | <u>Fuller Field Track Renovation, Phase Two Bond Payment</u> | \$50,250 |
| 14 | <u>Administrative Costs</u> | \$12,000 |
| | Total: | \$198,970 |

Councilor Sharif I. Zeid

Approve:
Date:

Attest:

In City Council May 9, 2022:

Motion to waive the rules to accept the late files and refer to Budget & Finance by Councilor Zeid, seconded by Councilor McCauley. Roll call vote. 11 yes. Motion passes.

**NEWBURYPORT COMMUNITY PRESERVATION COMMITTEE
RECOMMENDATIONS FOR FY23 APPROPRIATIONS**

The Newburyport Community Preservation Committee recommends that the City Council appropriate or reserve, as indicated **\$1,422,370** 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 current appropriations and exclude recommended reservations and bonded amounts:

- 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 twenty-four (24) 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 32.3% of local revenue, expected in November 2022.

Attached are:

- 1. A draft Council Order and table summarizing all CPC recommendations
- 2. Recommendations for project 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 2023 total **\$1,512,418**. This figure includes estimated receipts of the local CPA surcharge through fiscal year end 2022, accumulated interest, the anticipated 32.3% state matching funds expected to be received in November 2022, current uncommitted and unreserved funds, and the returned funds from completed and closed-out projects.

Applications for all projects are available for review 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
Tom O'Brien
Don Little
Charles Griffin

Jane Healey, Vice Chair
Paul Healy
Don Walters
Joe Morgan

PROJECT NO. 1
Priority Housing Needs and Update to Housing Production Plan

The CPC recommends the appropriation of \$230,000 from the FY 2023 Estimated Revenues to the Newburyport Affordable Housing Trust for priority housing needs and to update the City's Housing Production Plan.

The CPA category is Affordable Housing.

Project Summary: The Newburyport Affordable Housing Trust (the "Trust") is requesting a total of \$230,000 in Community Preservation Act (CPA) funding for two projects: (1) a 'set-aside' of \$200,000 for affordable housing development initiatives (including the Brown School), and (2) \$30,000 to be used for consultant services to update to the City's Housing Production Plan (HPP). The Trust is seeking CPA funding to be added to the Affordable Housing Trust Fund to be used for imminent and future housing development projects located throughout the community to encourage private developers to both increase the number of affordable homes they create and to offer them at varying levels of affordability. The requested funding will be used for the purposes of incentivizing private developers to (1) create more affordable residences than the baseline minimums, if any, established by local and state regulations, and (2) offer them at varying levels of affordability, i.e. 30%, 50% and 80% AMI. The funding may also be used for the services of affordable housing specialists who understand housing development generally. This would enable the Trust to objectively review the financials of a development project to determine the feasibility of requesting deeper levels of affordability from the developer without compromising the financial success of a development project. State funds for affordable housing development are awarded through a highly competitive process and the state requires a commitment of local funding to leverage millions of dollars of state resources. Municipalities often rely on CPA funds for this local match. Thus, the Trust has sought to secure funds for this CPA purpose with the hope that there will be several affordable housing development opportunities over time.

The Trust is also requesting \$30,000 to be used for consultant services for an update of the [City's Housing Production Plan](#). A Housing Production Plan is a community's proactive strategy for planning and developing affordable housing by creating a strategy to enable it to meet its affordable housing needs in a manner consistent with the Chapter 40B statute and regulation. The City's current Housing Production Plan expires **10/31/23** and is used as a City-wide resource to guide development, through specific objectives and goals, in a way to ensure that safe, adequate housing is available to individuals and families at extremely low-, low- and moderate-income brackets. The Housing Production Plan provides a roadmap for policies, projects, initiatives, and regulatory changes that will help Newburyport create more affordable housing opportunities, retain the current stock of affordable units and support a diverse population with a range of incomes.

PROJECT NO. 2
Old South Clock Face

The CPC recommends the appropriation of \$4,650 from the FY 2023 Estimated Revenues to the Old South Church for the clock face painting project.

The CPA category for this appropriation is Historic Preservation.

Project Summary: The venerated and historic Albert Plummer memorial Old South Church clock face is in need of painting. Originally installed in 1785, and upgraded to a modern 1896 E Howard Model #2 weight driven tower clock, the clock face, hands, numerals, and minute markers are rapidly deteriorating and in need of paint. This project will paint those parts, as well as provide a fresh coat of black paint for the face of the clock.

There is a current Preservation Restriction executed in 1986 and held by the Massachusetts Historical Commission in perpetuity for the Old South Church.

PROJECT NO. 3
Cushing House Architectural Preservation

The CPC recommends the appropriation of \$69,750 from the FY 2023 Estimated Revenues to the Museum of Old Newbury for the Cushing House Architectural Preservation project.

The CPA category for this appropriation is Historic Preservation.

Project Summary: The project consists of the restoration and reconstruction of Federal period architectural elements on the exterior of the Cushing House. This work will include rope band and bead molding, crown molding, frieze board trim blocks, dentil block molding, soffit trim, fascia trim, and reconstruction of the original gutters. All woodwork will be custom milled to match the existing. Additionally, the severely deteriorated shutters will be replaced to match the originals on the High Street facade of the house. Other shutters will be salvaged and restored to replace failed shutters on the other three sides of the house. The museum will commit \$10,463 toward the full project cost of \$80,213. The primary goals of the project are to preserve as much of the original 1808 fabric, to preserve the functionality of the structure as a whole, and to improve safety for visitors to the museum and gardens. The nature of the work is highly specialized, and the cost is significant. Due to financial restraints, the museum will phase the work.

Phase I: Assess all trim elements and take samples of those to be reconstructed. Custom mill work will be implemented. The gutters will be assessed for utility. Seriously deteriorated shutters, such as the fanlight shutter over the main entrance on High Street, will be reconstructed to match the originals. All shutters will be removed, the best ones will be salvaged and restored. All of the restored shutters and all of the windowsills will be painted.

Phase II: The implementation of restoring and reconstructing the architectural elements will begin on the rear and west elevations of the house. The work will also include the replacement of the gutters, as necessary, and painting.

Phase III: Implementation of the work described above will occur on the High Street and Fruit Street elevations.

There is currently a Preservation Restriction (PR) in place that covers the Cushing House. The Museum of Old Newbury is currently working with the Massachusetts Historical Society on approval of a PR that is in perpetuity.

PROJECT NO. 4
Bartlet Mall Frog Pond Improvements

The CPC recommends the appropriation of \$216,000 from the FY 2023 Estimated Revenues to the Newburyport Parks Department and Commission for design, permitting and bidding. The CPC recommends to bond the remainder of the request in the amount of \$2,574,000 over a 15-year term.

The CPA category for this appropriation and bond is Historic Preservation.

Project Summary: The Parks Commission and Parks Department are requesting funding for the entirety of this project to breathe life back into the Bartlet Mall Frog Pond. Last year's CPC support allowed for the necessary testing (monitoring wells to determine hydrologic connection to the pond, core samples of the sediment, water testing and bathymetric survey) as well as initial engineering reports with detailed analysis, recommendations and cost estimates.

The Parks Commission and Parks Department are currently requesting flexibility and funding to complete the following items:

DESIGN, PERMITTING, AND BID (plus 20% contingency): \$216,000

OPTION 1:

Dewater, dredge and remove 6" off-site: \$530,748
Liner and site restoration: \$560,679
Pump, well, outlet: \$575,000
Aeration, water treatment, maintenance equipment: \$325,000
Pond shaping and plants: \$150,000
20% contingency: \$432,573
TOTAL: \$2,574,000

OPTION 2:

Total from Option 1: \$2,574,000
Cost savings to keep sediment in place (plus 20% contingency): -\$452,098
Concrete footing: \$200,622
Granite blocks (72"x20"x15", qty 190): \$343,770
20% contingency: \$108,878
Design engineering (donation): \$ 0
TOTAL: \$2,775,172

The CPC recommends that such scope and pricing flexibility be approved and referenced in the grant agreement.

PROJECT NO. 5
Open Space Reserve Fund

The CPC recommends the reservation of \$100,000 from the FY 2023 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, a significant portion of the Colby Farm land on Low Street and helped secure protection of our water supply in partnership with West Newbury, Greenbelt and DCR. The existence of the Reserve allowed and will allow the City to take the opportunities when they are presented. Recent CPC funding rounds have restored the Reserve to its current balance of \$629,966. With this application the Open Space Committee asks that the process of restoring the Reserve be continued so that the Committee is in a stronger position to address future opportunities for land protection and preservation as they arise.

PROJECT NO. 6
Heritage Tree Preservation

The CPC recommends the appropriation of \$10,000 to the Proprietors of Oak Hill Cemetery for the restoration and preservation of heritage trees at Oak Hill Cemetery.

The CPA category for this project is Historic Preservation.

Project Summary: In 1842, a group of interested citizens formed a board of trustees to oversee the design and management of a rural garden cemetery – one of the first of its kind in the United States. Today, Oak Hill’s 36 acres provides a quiet place for walkers and birders to enjoy their recreational pursuits. The cemetery, which became the final resting place of many prominent Newburyport residents, also offers a glimpse into the City’s rich past.

Oak Hill is home to some of the City’s oldest and largest trees. According to the cemetery’s arborist, there are well over 100 trees in excess of 150 years old. Many of these have accumulated a significant amount of deadwood while others suffer from weak sections or advanced decay that will require partial to total removal. These conditions present a safety hazard for visitors and encourage future decay of the trees. Preventative measures must be taken to prevent further damage to these and other mature trees within the site, including pruning, bracing and fertilization. This appropriation would support these services and preserve the historic landscape of Oak Hill Cemetery.

PROJECT NO. 7
Joppa Park Improvement Project

The CPC recommends the appropriation of \$15,000 from the FY 2023 Estimated Revenues to the Newburyport Parks Department and Commission for the Joppa Park Improvement Project.

The CPA category is Recreation.

Project Summary: Joppa Park is .75 acre of land shaped as a narrow, rectangular strip of land and a small boat ramp in the South End of the historic seaport of Newburyport, in an area known as Joppa. The park is bordered by the nationally registered scenic byway of Water Street on one side and 1,000 feet of frontage on the Merrimack River on the other. This waterfront park was created when Mayor Byron Matthews initiated the building of a sea wall in 1968 to protect the Joppa neighborhood from storms and very high tides. The resulting new land mass was redeveloped into a park named Joppa Park in 1996. The park provides an ever- changing view of the Merrimack River with its expansive mud flats, a heritage landscape known as Joppa Flats.

The park has undergone many improvements since 2010 including installation of a granite bollard-and-chain fence accompanied by a perennial hedge along Water Street with four cobblestone pedestrian entry points leading from the Water Street sidewalk into the park; new benches, four interpretive panels, addition of irrigation, a new drinking fountain, connection to the Clipper City Rail Trail and replacement of the boat ramp and improvements to the parking area.

The badly damaged and dangerous asphalt walkway along the sea wall will be replaced with a brick sidewalk. The walkway, which is prone to sinkholes as a result of tidal activity that draws out subsurface material, will be fortified beneath its surface to remove the threat of future sinkholes.

Update: \$100,000 in ARPA funding was just approved for the Joppa Walkway, so the Parks Department revised the request to cover the project contingency of \$15,000.

PROJECT NO. 8 Lower Atkinson Common Improvement Project

The CPC recommends the appropriation of \$525,000 from the FY 2023 Estimated Revenues to the Newburyport Parks Department and Parks Commission for the Lower Atkinson Common Improvement Project playground renovation.

The CPA category for this project is Recreation.

Project Summary: Based on a master plan funded by CPA in FY19 and then slightly modified by the Parks Commission, the impetus for this overall project is the need to improve safety in the parking area and on Merrimac Street which experience a high number of speeding vehicles along that stretch of road creating a hazard for pedestrians and other drivers. The project will relocate and replace the playground to the center of the park so that ultimately, parking can be moved away from Merrimac Street and protected by a vegetative traffic buffer.

The playground was installed more than 25 years ago. Some of the equipment is designed to be handicap accessible, but the current condition of the safety surfacing does not provide access to the equipment. Many play structures are aging out; the Parks Department removed one play component in fall 2021 because it had become non-compliant with federal safety guidelines. The plan with the FY23 funds, is to install a new, inclusive playground which is an essential first step to improve the parking

situation along Merrimac Street. The City plans to move forward on the parking, sidewalk and drainage improvements from alternative funding sources.

PROJECT NO. 9
Market Landing Park Expansion (Central Waterfront)

The CPC recommends to fully bond the Market Landing Park Expansion Project in the amount of \$3,000,000. The CPC also recommends to the Council that the FY'22 appropriation of \$250K for this project (Council Order 265_08_09_2021) be granted a two-year extension so that these funds can be utilized along with the FY23 recommended funding.

The CPA category for this appropriation is Recreation.

Project Summary: Design funds for the Market Landing Park Expansion project were appropriated in 2021, and the City now has Sasaki Associates under contract to provide fully engineered construction drawings and specifications suitable for bidding and construction. The City Council also appropriated funds for design of a new Visitor Center/Restroom Facility, to be integrated with the park design along Merrimac Street, and replace old “temporary” facilities which have been on the site for many years. To be clear, the CPC request for construction funding here does not include the proposed Visitor Center/Restroom Facility. However, it has been essential that the design of this facility progress in parallel with the park design immediately abutting it, including the creation of a new public (pedestrian) way where the current facilities exist. The City Council approved Sasaki’s schematic site plan (25% design) in 2021. Since that time Sasaki has been working to refine this plan, while addressing smaller site-specific details with key stakeholders (e.g. utilities design, planting schedule, irrigation system design, materials selection, upgrades to facilitate waterfront events, etc.).

The Planning Office anticipates phased construction of the Market Landing Park Expansion. As noted above, it is expected that other funding sources will be used to construct the Visitor Center/Restroom Facility. In order to reduce the CPC request, the Planning Office has discussed breaking the project plans into two sub-areas for the purposes of phased construction (park and parking, respectively). The Planning Office proposes to proceed with construction of the primary park areas in spring 2023. This would mean postponing the parking lot areas (to remain largely compacted gravel until additional funds are secured). While phased construction will necessitate extended impacts to the downtown central waterfront over several years, and unusual “transition” areas (site conditions), creating the expanded park space next year will provide the principal and long-awaited public improvements without further delay.

PROJECT NO. 10
Newburyport Black History Initiative

The CPC recommends the appropriation of \$53,000 from the FY 2023 Estimated Revenues to the Office of Planning and Development for the Newburyport Black History Initiative.

The CPA category for this appropriation is Historic Preservation.

Project Summary: This project will develop high-quality historic interpretive signs to highlight and incorporate Newburyport’s Black history more fully into the public landscape so that visitors as well as residents and workers can encounter the information and stories in their day-to-day lives. The signs will

augment Newburyport's heritage tourism, and follow the City's standard historic interpretive sign format developed during the past decade in various public spaces, such as the Rail Trail, Brown Square, Inn Street, the NHS Stadium, etc.

The text, graphics and colors of the interpretive sign panels will be professionally laid out by graphic artists on 24" x 36" panels set at a 30-degree angle towards the viewer, and will be supported by attractive, functional, durable double-posted aluminum stanchions similar to the ones installed in various other public spaces during the past decade or so. We will explore using an alternative sign panel material from the High-Pressure Laminate signs used to date for longer durability. Alternatives include Direct Embed powder coated panels or Vitreous/Porcelain Enamel panels.

Potential topics, themes, and story-lines for the Newburyport Black History Initiative's historic interpretive signs include: "Black Mariners During the Age of Sail", "Black Soldiers from Newburyport in the 18th and 19th Centuries", and "Guinea Village: An African American Neighborhood in Historic Newburyport".

PROJECT NO. 11
NEWBURYPORT HIGH SCHOOL WORLD WAR MEMORIAL STADIUM MULTI-PURPOSE FIELD PROJECT
BOND DEBT
PAYMENT

The CPC recommends the appropriation of \$124,980 from the FY 2023 Estimated Revenues to the City of Newburyport for the sixth annual payment of interest and principal on the World War Memorial Stadium Multi- Purpose Field Project Bond.

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 appropriation of \$11,740 from the FY 2023 Estimated Revenues to the City of Newburyport for the seventh 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
FULLER FIELD TRACK RENOVATION, PHASE TWO BOND DEBT PAYMENT

The CPC recommends the appropriation of \$50,250 from the FY 2023 Estimated Revenues to the City of Newburyport for the second 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.

PROJECT NO. 14
ADMINISTRATIVE COSTS

The CPC recommends the appropriation of \$12,000 from the FY 2023 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.

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

May 9, 2022

AN ORDINANCE TO UPDATE THE AUTHORIZED USES OF DEPARTMENTAL REVOLVING FUNDS

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 VI – Finance, Section 2-394. These amendments are to read as follows, with deletions double-stricken-through and bolded, and additions double-underlined and bolded:

CHAPTER 2 – ADMINISTRATION

ARTICLE VI. – FINANCE

Sec. 2-394. - Departmental revolving funds.

1. Purpose. This ordinance establishes and authorizes revolving funds for use by city departments, boards, committees, agencies or officers in connection with the operation of programs or activities that generate fees, charges or other receipts to support all or some of the expenses of those programs or activities. These revolving funds are established under and governed by General Laws Chapter 44, § 53E½.
2. Expenditure Limitations. A department or agency head, board, committee or officer may incur liabilities against and spend monies from a revolving fund established and authorized by this ordinance without appropriation subject to the following limitations:
 - A. Fringe benefits of full-time employees whose salaries or wages are paid from the fund shall also be paid from the fund.
 - B. No liability shall be incurred in excess of the available balance of the fund.

- C. The total amount spent during a fiscal year shall not exceed the amount authorized by City Council on or before July 1 of that fiscal year, or any increased amount of that authorization that is later approved during that fiscal year by the City Council and Mayor.
 - D. Any capital expenditure from the fund shall be made upon the recommendation of the Mayor and approval of the City Council. A capital expenditure is defined as a fixed asset costing \$15,000 or more with an expected useful life of five years or more.
3. Interest. Interest earned on monies credited to a revolving fund established by this ordinance shall be credited to the general fund.
4. Procedures and Reports. Except as provided in General Laws Chapter 44, § 53E½ and this ordinance, the laws, charter provisions, ordinances, rules, regulations, policies or procedures that govern the receipt and custody of city monies and the expenditure and payment of city funds shall apply to the use of a revolving fund established and authorized by this ordinance. The City Auditor shall include a statement on the collections credited to each fund, the encumbrances and expenditures charged to the fund and the balance available for expenditure in the regular report the City Auditor provides the department, board, committee, agency or officer on appropriations made for its use.
5. Authorized Revolving Funds. The Table establishes:
- A. Each revolving fund authorized for use by a city department, board, committee, agency or officer,
 - B. The department or agency head, board, committee or officer authorized to spend from each fund,
 - C. The fees, charges and other monies charged and received by the department, board, committee, agency or officer in connection with the program or activity for which the fund is established that shall be credited to each fund by the City Auditor, and
 - D. The expenses of the program or activity for which each fund may be used, ~~and~~
 - ~~E. The fiscal years each fund shall operate under this ordinance.~~

| A Revolving Fund | B Department, Board, Committee, Agency or Officer Authorized to Spend from Fund | C Fees, Charges or Other Receipts Credited to Fund | D Program or Activity Expenses Payable from Fund | E Fiscal Years |
|----------------------------|---|--|---|--|
| Council on Aging | Director of Council on Aging | Program fees | Senior citizen programs | Fiscal Year 2019 and subsequent years |
| Recreational Services | Director of Youth Services | Program fees | Funds recreational services in the City including program supplies, materials and equipment, class instructor fees, fees for reservations and tickets related to trips and functions, and other costs related to the provisions of recreational services <u>and transfers to the general fund for the purpose of funding salaries.</u> | Fiscal Year 2019 and subsequent years |
| Historical Commission | Director of Planning & Development | Application fees | Administration of the Historical Commission operations, including office supplies and technical assistance | Fiscal Year 2019 and subsequent years |
| Electrical Inspector | Building Commissioner | Electrical permit fees | Electrical Inspector's salary and related expenses <u>Charges and/or salaries for Wiring Inspector, Assistant Wiring Inspector, Building Inspector and related supplies and equipment for the department</u> | Fiscal Year 2019 and subsequent years |
| Plumbing Inspector | Building Commissioner | Plumbing permit fees | Plumbing Inspector's salary and related expenses <u>Charges and/or salaries for Plumbing Inspector, Assistant Plumbing Inspector, Building Inspector and related supplies and equipment for the department</u> | Fiscal Year 2019 and subsequent years |

| | | | | |
|-------------------------|--|--|--|--|
| Gas Inspector | Building Commissioner | Gas permit fees | Gas Inspector's salary and related expenses <u>Charges and/or salaries for Gas Inspector, Assistant Gas Inspector, Building Inspector and related supplies and equipment for the department</u> | Fiscal Year 2019 and subsequent years |
| <u>A</u> | <u>B</u> | <u>C</u> | <u>D</u> | <u>E</u> |
| Revolving Fund | Department, Board, Committee, Agency or Officer Authorized to Spend from Fund | Fees, Charges or Other Receipts Credited to Fund | Program or Activity Expenses Payable from Fund | Fiscal Years |
| Disabilities Commission | <u>Americans with Disabilities Act (ADA)</u> ADA Coordinator | Handicapped parking fines <u>and Massachusetts Architectural Access Board (MAAB)/ADA enforcement fines</u> | Assist the Commission on Disabilities in their efforts to advise, assist, research, coordinate, review and make policy recommendations, provide information, referrals, guidance and technical assistance to individuals, public agencies, businesses and organizations in all matters pertaining to disability; and to coordinate activities of other local groups organized for similar purposes | Fiscal Year 2019 and subsequent years |
| Emma Andrews Library | Director of Public Services | Income received from the rental of the apartment located on the second floor of the South End Branch Library, commonly known as the Emma Andrews Library | Expenses associated with building maintenance, repairs, renovations, upkeep and security | Fiscal Year 2019 and subsequent years |
| Transient Vendors | Director of Public Health | License <u>Permit</u> fees | Maintain City streets, ways, parks, walkways and other public areas throughout the City, as well as, City expenses associated with carrying out holiday celebrations, special activities and other public events <u>Offset Health Department expenses associated with special events, including, but not limited to, festivals, farmers markets, and temporary events</u> | Fiscal Year 2019 and subsequent years |

| | | | | |
|-------------------|------------------------------------|---|--|--|
| Planning & Zoning | Director of Planning & Development | Planning and zoning service and application fees | Planning and zoning related purposes including consultant's fees, legal expenses and other costs associated with project reviews and planning activities | Fiscal Year 2019 and subsequent years |
| Animal Control | Director of Public Health | Fees and charges associated with animal control and animal shelter activities | Offset City expenses associated with carrying out animal control and animal shelter operations | Fiscal Year 2019 and subsequent years |

| <u>A</u> Revolving Fund | <u>B</u> Department, Board, Committee, Agency or Officer Authorized to Spend from Fund | <u>C</u> Fees, Charges or Other Receipts Credited to Fund | <u>D</u> Program or Activity Expenses Payable from Fund | <u>E</u> Fiscal Years |
|--|---|--|---|--|
| Tree Commission | Newburyport Tree Warden | Fines, voluntary payments, fees, charges, contributions, donations, grants, insurance settlements, and other payments received from private individuals, businesses, government entities, and persons or business making payment to the City for damage caused to trees located on City property | Plant, maintain, protect, and preserve public trees throughout the City in order to: contribute to the distinct character of the City; improve air quality; create habitats for wildlife, including various rare and protected species; reduce noise; provide privacy; protect soil from erosion; provide glare and heat protection; provide an aesthetic appeal that enhances property values; provides natural privacy to neighbors; and promotes civic pride and enjoyment | Fiscal Year 2019 and subsequent years |
| Medicare/Medicaid Health Programs | Director of Public Health | Program fees and reimbursements charged to from the state or federal Medicare/Medicaid programs and private <u>insurers.</u> | Maintain emergency planning programs and allow response to emergencies, as well as, offset City Expenses associated with carrying out Health Department activities and programs | Fiscal Year 2019 and subsequent years |

| | | | | |
|---|--------------------------------|--|--|--|
| Veterans Benefits <u>Services</u> | Director of Veteran's Services | Sale of grave markers, donations, gifts and grants received from the general public, government entities, private corporations, and charitable foundations | Expenses associated with goods and services benefiting veterans residing in the City and their families | Fiscal Year 2019 and subsequent years |
| City Hall Maintenance | Director of Public Services | Fees and charges paid to the City for the use and rental of City Hall facilities by outside groups, organizations and individuals | Expenses associated with City Hall <u>event coordination</u> , maintenance, repairs, renovations, upkeep and security | Fiscal Year 2019 and subsequent years |
| Senior Community Center Maintenance | Director of Public Services | Fees and charges paid to the City for the use and rental of the Senior Community Center | Expenses associated with <u>event coordination</u> , maintenance, repairs, renovations, upkeep and security at the Senior Community Center | Fiscal Year 2019 and subsequent years |

| <u>A</u> Revolving Fund | <u>B</u> Department, Board, Committee, Agency or Officer Authorized to Spend from Fund | <u>C</u> Fees, Charges or Other Receipts Credited to Fund | <u>D</u> Program or Activity Expenses Payable from Fund | <u>E</u> Fiscal Years |
|----------------------------|---|---|---|--|
| Parks Maintenance | Parks Director | Fees and charges paid to the City for the use and rental of parks by outside groups, organizations and individuals | Expenses associated with parks maintenance, repairs, renovations, upkeep and security | Fiscal Year 2019 and subsequent years |
| Solid Waste | Recycling/Energy Manager | Fees collected for use of the Yard Waste Facility, charges for disposal of household hazardous waste, bulk item/mattress disposal fees and recycling fees | Expenses associated with operating the Yard Waste Facility and Recycling Center on Colby Farm Lane, chipper service, disposal of hazardous waste, as well as, disposal of bulk items/mattresses | Fiscal Year 2019 and subsequent years |
| Assessor's Office | Assessor | Fees charged by the Assessor's Office for records requests and abutters lists | Office supplies and equipment | Fiscal Year 2019 and subsequent years |

Councillor Sharif I. Zeid

In City Council May 9, 2022:

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

Committee Items - May 31, 2022

Public Safety

In Committee:

- APPL00074_05_09_2022 12th Annual GNOCA 5K Sunday, Sept. 25th 10am-1pm
- APPL00075_05_09_2022 Hoedl-Bilinski Dinner Sat. Oct. 8th 6-9pm
(Tent on 69th St 10/7-10/9)
- APPL00076_05_09_2022 High St. Mile Sunday, Aug. 7th (YHC) 9-10am
- APPL00077_05_09_2022 Pride in the Port Saturday, June 11th 12-8pm Market St/Bullnose-Inn Street
- ORDR00357_05_09_2022 USACE Merrimack River Dredging Noise Waiver
- APPT00319_05_09_2022 Jeevan Kowalski Asst. Harbormaster/Shellfish Cons./Sp. Pol. Off. 5/31/2025
**Re-appointment*
- APPT00320_05_09_2022 Brian Cutler Asst Harbormaster/Shellfish Cons./ Sp. Pol. Off. 5/31/2025
**Re-appointment*

NEWBURYPORT SPECIAL EVENT APPLICATION

CITY CLERK'S OFFICE
NEWBURYPORT, MA Tel. Fax.

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

APR 21 AM 9:30

NAME OF EVENT: 12th Annual GNOCA 5k Walk/Run in honor of Paula Holm + Jackie Pool

Date: Sunday Sept 25th Time: from 10 am to 1pm

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

2. Location: Michael's Harborside, 1 Tournament Wharf

3. Description of Property: Restaurant Public _____ Private _____

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

Contact Person Deb Green

Address: 6 Market Street NBPT Telephone: 978 225 6700

E-Mail: greetingsbydesignnewburyport@gmail.com Cell Phone: _____

Day of Event Contact & Phone: 978 225 6700

5. Number of Attendees Expected: 50-100 runners 50+ walkers

6. MA Tax Number: _____

7. Is the Event Being Advertised? yes Where? posters around town

8. What Age Group is the Event Targeted to? 18+

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

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

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

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

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

Name of Carnival Operator: _____

Address: _____

Telephone: _____

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

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

If yes:

- a) How many trash receptacles will you be providing? 4
- b) How many recycling receptacles will you be providing? 1
- c) Will you be contracting for disposal of : **Trash** Yes _____ No **Recycling** Yes No
- i. If yes, size of dumpster(s): **Trash** _____ **Recycling** _____
- ii. Name of disposal company: **Trash** _____ **Recycling** _____
- iii. If no, will you remove trash & recycling with organizers' cars or trucks? Yes No _____
- iv. If no, where will the trash & recycling be disposed ? _____

If no:

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

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

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

_____ Standard # _____ ADA accessible

Name of company providing the portable toilets: _____

FOR PARADE, ROAD RACE AND WALKATHON EVENTS ONLY

PARADE _____

ROAD RACE _____

WALKATHON _____

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

Greater Newburyport Ovarian Cancer Awareness (GNOCA).

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

Greetings by Design, 6 Market Street, Newburyport 01950

978 6-225-6700

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

4. Date of Event: Sept 25th Expected Number of Participants: 100 +

5. Start Time: 10 am Expected End Time: 1 pm

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

Merrimac, Jefferson, High, Kent, Washington, Rail Trail

- see attached map.

Walkers will follow route downtown - see map.

7. Locations of Water Stops (if any): Jefferson - midway - left side

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

9. Formation Location & Time for Participants: Michael's Harborside 10am

10. Dismissal Location & Time for Participants: Michael's Harborside by 1pm

11. Additional Parade Information:

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

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

CITY MARSHAL [Signature] 4 Green St.

FIRE CHIEF [Signature] 0 Greenleaf St.

DEPUTY DIRECTOR [Signature] 16A Perry Way

CITY CLERK [Signature] 60 Pleasant St.

DEPARTMENT APPROVAL (for Committee Member use only):

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

| | | |
|------------------------------|--|--|
| 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: | _____ <i>NA</i> |
| | Is Fire Detail Required: | _____ <i>NA</i> # of Details Assigned: <i>NA</i> |
| ___ | 9. Public Works: <i>Fee for Special Events: \$45/hr/DPS employee for trash handling/staging etc. may apply</i> | |
| | <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.

- (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.

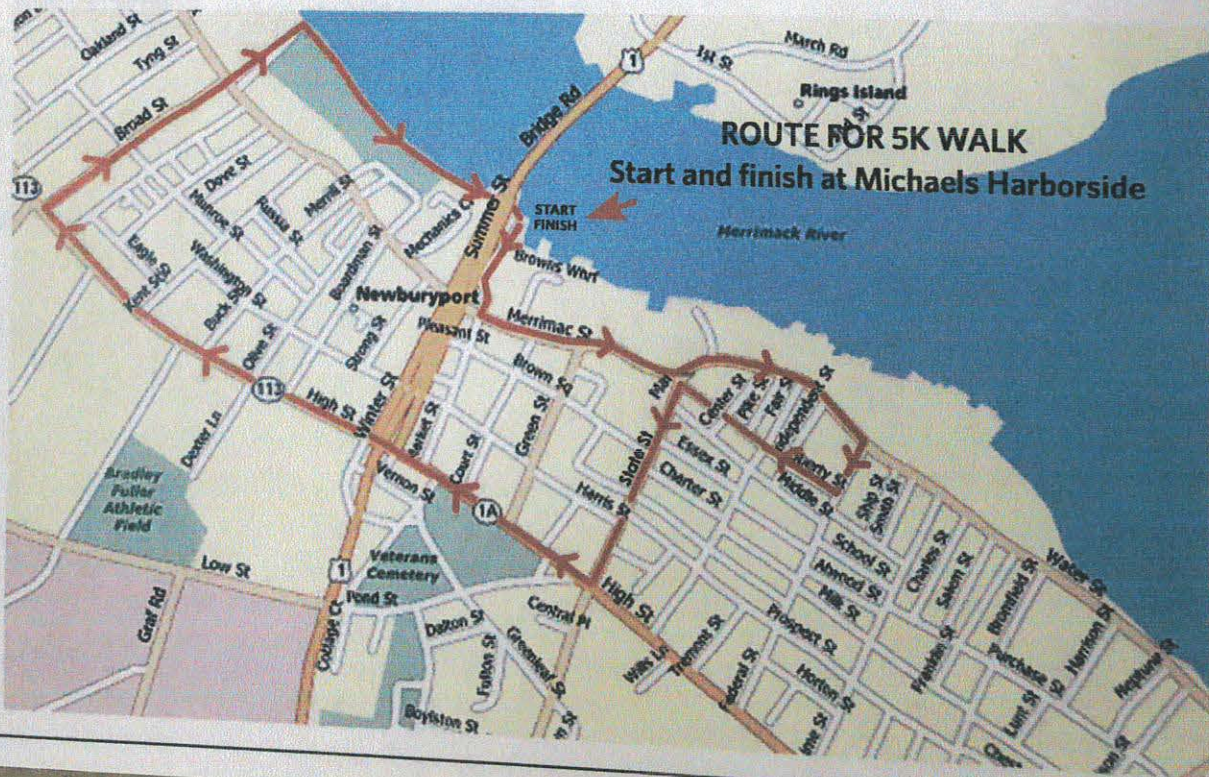
Signed:  Date: ^{DG} ~~June~~ March 21, 2022

ROUTE - RUN/WALK

RUN



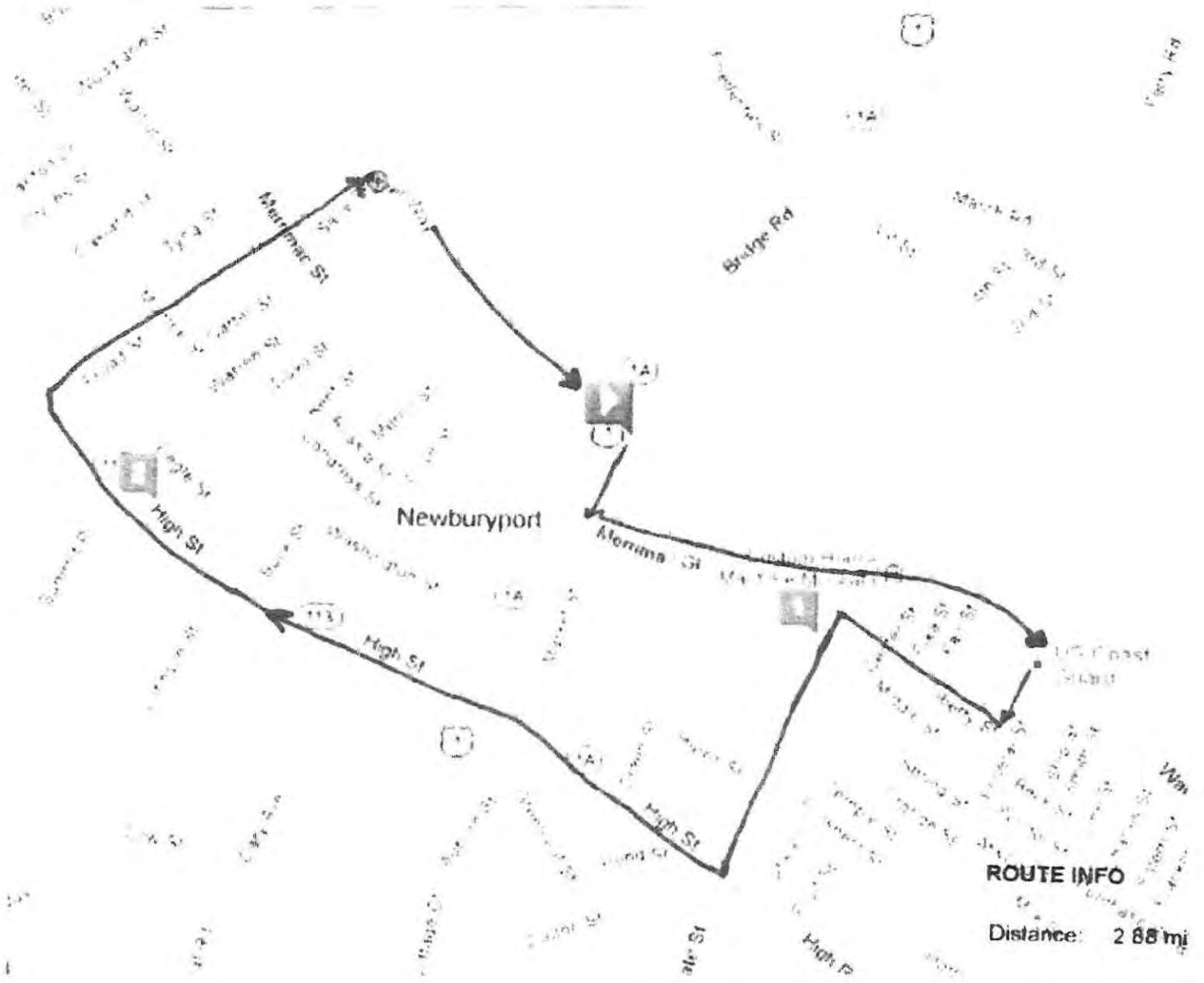
WALK



5k Walk Route

Directions for walk

- Turn left onto Merrimac St Right on Federal St
- Right on Liberty St to State St
- Turn left on State St
- Right on High St
- Right on Broad
- Cross Merrimac St to Cashman Park
- Continue along Rail Trail
- Ending at Michael's Harborside



March 30, 2022

Members of the Newburyport City Council
60 Pleasant Street
Newburyport, MA 01950

Dear Members of the Newburyport City Council,

I am writing to ask your permission to hold the 12th Annual GNOCA 5K Run/Walk, in honor of Jackie Poor and Paula Holm, on Sunday, September 25, 2022 from 10:00 am – 1pm.

The Greater Newburyport Ovarian Cancer Awareness (GNOCA) was founded by Deb Green and Elaine Carroll, Newburyport businesswoman and resident. We raise money for Ovarians for the Cure, a non-profit organization, located in Natick. Ovarians for the Cure is devoted to educating the public on the signs and symptoms of ovarian cancer. Ovarian cancer is a particularly devastating cancer for women. It has a nearly 50% mortality rate because the symptoms often go unnoticed until it is in its later stages. GNOCA holds events from June through September, which is National Ovarian Cancer Awareness month.

I have included the 5K run route used last year. The 3.1 mile route begins and ends at Michael's Harborside Restaurant, 1 Tournament Wharf, who will also be providing the parking. It then travels along Merrimac to Jefferson, onto High, then Kent, onto Washington and follows the Rail Trail, finishing at Michael's Harborside. Please see the attached map. As in the past, we will hire a police detail for traffic control and runner safety.

If acceptable we would like to have the walkers follow a different route than the runners. The walker's route begins and ends at Michael's Harborside (same as runners). The walkers turn left onto Merrimac St., right onto Federal St., right onto Liberty St., onto State Street, right onto High St., right onto Broad Street cross Merrimac Street to Cashman Park. Walkers Continue along the Rail Trail ending at Michael's Harborside. Please see the enclosed map.

We prefer this route for walkers as it is more interesting and exposes the walkers to the Farmer's Market at the Tannery and downtown merchants.

Thank you so much for your support in previous years. I look forward to working with the council. If you have any questions or concerns, please feel free to contact me at 978-225 6700 or by email at greetingbydesignnewburyport@gmail.com

Sincerely,

Deb Green

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 MAR -9 AM 10:59

NAME OF EVENT: Hoedi-Bilinski DinnerDate: Saturday, October 8, 2022 Time: from 6:00pm to 9:00pmRain Date: n/a Time: from _____ to _____2. Location*: Private Residence, 18 69th Street, Newburyport, MA

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

3. Description of Property: Home Public _____ Private Y4. Name of Organizer: Ashley Elaine Events, LLC City Sponsored Event: Yes _____ No Y

Contact Person

Address: 196 Crane Neck Street, W. Newbury Telephone: 978-939-9128E-Mail: ashley@ashleyelaineevents.co (not .com) Cell Phone: _____Day of Event Contact & Phone: Ashley Saffer, 978-939-91285. Number of Attendees Expected: 356. MA Tax Number: Tax id 81-44688947. Is the Event Being Advertised? No, private Where? _____8. What Age Group is the Event Targeted to? n/a9. Have You Notified Neighborhood Groups or Abutters? Yes Y No _____, Who? _____

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

A. Vending: Food _____ Beverages _____ Alcohol _____ Goods _____ Total # of Vendors _____
Private caterer, nothing will be soldB. Entertainment: (Subject to City's Noise Ordinance.) Live Music _____ DJ _____ Radio/CD Y
Performers _____ Dancing _____ Amplified Sound _____ Stage _____ bluetooth speaker

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 Y No _____

If yes: Caterer & residents will handle all trash disposal

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

If no:

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

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

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

_____ Standard # _____ ADA accessible

Name of company providing the portable toilets: _____

FOR STREET CLOSURE OR ANY USE OF A PUBLIC WAY

PARADE _____

ROAD RACE _____

WALKATHON _____

Private Event Y

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

Chelsea Hoedl & Dave Bilinski - homeowners

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

Ashley Saffer, Ashley Elaine Events - 978-939-9128 -ashley@ashleyelaineevents.co

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

Chelsea Hoedl - 248-425-1465 - choedl@launchsquad.com

4. Date of Event: Saturday, October 8, 2022 Expected Number of Participants: 35

5. Start Time: 6:00pm 10/8, tent installation on 10/7 Expected End Time: 9:00pm 10/8, tent strike on 10/9

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

18 69th Street ; attached screenshot of portion of road to be closed

7. Locations of Water Stops (if any):

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

9. Formation Location & Time for Participants:

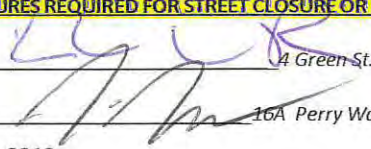
10. Dismissal Location & Time for Participants:

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 _____

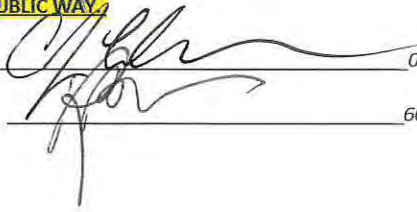
APPROVAL SIGNATURES REQUIRED FOR STREET CLOSURE OR ANY USE OF A PUBLIC WAY.

CITY MARSHAL



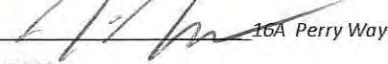
4 Green St.

FIRE CHIEF



0 Greenleaf St.

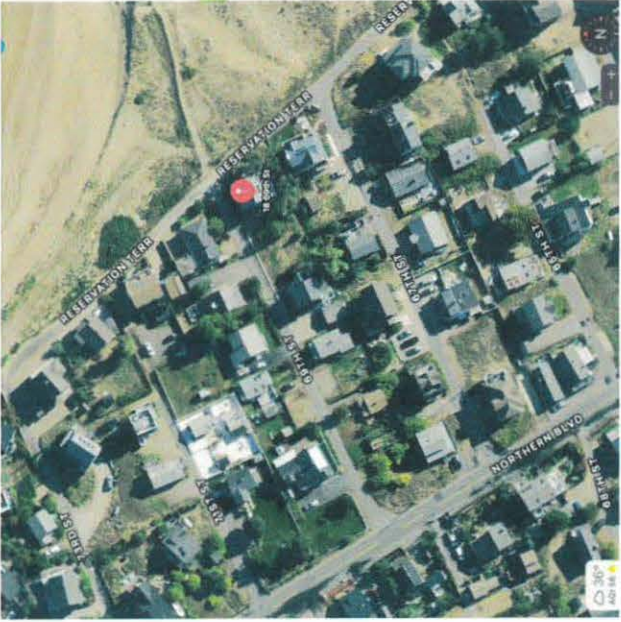
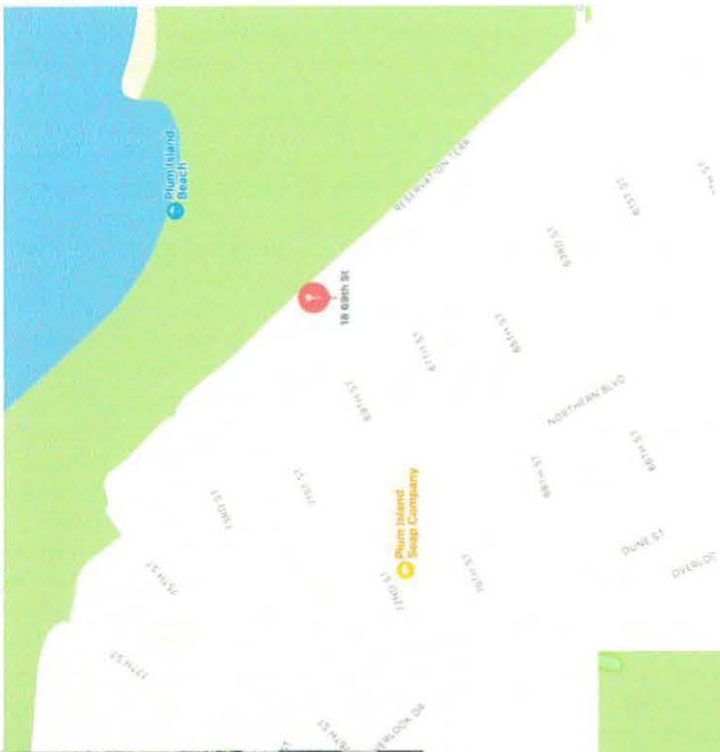
DEPUTY DIRECTOR



16A Perry Way

CITY CLERK

60 Pleasant St.



DEPARTMENT APPROVAL (for Committee Member use only):

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

Approval Required Date: _____ Signature: _____

____ 1. Special Events: _____

____ 2. Police: _____
 Is Police Detail Required: _____ # of Details Assigned: _____

____ 3. Traffic, Parking & Transportation: _____

____ 4. ISD/Health: _____

____ 5. Recycling: _____

____ 6. ISD/Building: _____

____ 7. Electrical: _____

____ 8. Fire: _____
 Is Fire Detail Required: _____ # of Details Assigned: _____

____ 9. Public Works: *Fee for Special Events: \$45/hr/DPS employee for trash handling/staging etc. may apply*
 Yes: \$ _____ due on _____ No Fee for Special Events applies
 Other requirements/instructions per DPS _____

____ 10. Parks Department: _____

____ 11. License Commission _____

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

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

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

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

(c) *Definitions.*

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

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

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

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

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

(d) *Limitations.*

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

The date of application is the date a completed application is submitted to the city clerk's office and stamped by the same. The city clerk, upon review of the completed form, will place the application on the next regular city council agenda, even if such submission is a late file. Upon following the procedures of the council, as deemed appropriate 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 harbormasters 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: C. J. Hurler

Date: 2.7.22



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

03/28/2022

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

| | | |
|--|--|------------------------|
| PRODUCER Hiscox Inc. 520 Madison Avenue 32nd Floor New York, New York 10022 | CONTACT NAME: | |
| | PHONE (A/C, No, Ext): (888) 202-3007 | FAX (A/C, No): |
| | E-MAIL ADDRESS: contact@hiscox.com | |
| | INSURER(S) AFFORDING COVERAGE | |
| | INSURER A: Hiscox Insurance Company Inc | NAIC # 10200 |
| INSURED Ashley Elaine Events, LLC 215 S Broadway #362 Salem, NH 03079 | INSURER B: | |
| | INSURER C: | |
| | INSURER D: | |
| | INSURER E: | |
| | INSURER F: | |

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 INSD | SUBR WVD | POLICY NUMBER | POLICY EFF (MM/DD/YYYY) | POLICY EXP (MM/DD/YYYY) | LIMITS |
|----------|--|-----------|----------|----------------|-------------------------|-------------------------|--|
| A | <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER: | | | P100.231.002.1 | 11/29/2021 | 11/29/2022 | EACH OCCURRENCE \$ 2,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 2,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ S/T Gen. Agg. \$ |
| | AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS | | | | | | COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$ |
| | <input type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED 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 | Y/N | N/A | | | | <input type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$ |

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

CERTIFICATE HOLDER

City of Newburyport
 60 Pleasant Street
 Newburyport, MA 01950

CANCELLATION

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

© 1988-2015 ACORD CORPORATION. All rights reserved.

NEWBURYPORT SPECIAL EVENT APPLICATION

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

Tel. _____ Fax. _____

(For Parades, Road Races and Walkathons Only) APR 29 AM 11:31
Please complete page 3 of this application

- NAME OF EVENT: High Street Mile
 Date: 8/7/2022 (or the same day as yankee homecoming parade) Time: from 9 to 10
 Rain Date: NA Time: from _____ to _____
2. Location: High St, Newburyport by Atkinson Common
3. Description of Property: Road Public Private _____
4. Name of Organizer: Winner's Circle Running Club City Sponsored Event: Yes _____ No
 Contact Person Aileen Smolski
 Address: 160 Whitehall Rd, Amesbury MA Telephone: 413-221-7606
 E-Mail: aileensmolski@gmail.com Cell Phone: _____
 Day of Event Contact & Phone: Sames as above
5. Number of Attendees Expected: approximately 500
6. MA Tax Number: 04-2767835
7. Is the Event Being Advertised? Yes _____ Where? Businesses, social media, email
8. What Age Group is the Event Targeted to? All
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 snacks Beverages water Alcohol Goods _____ Total # of Vendors _____
- B. Entertainment: (Subject to City's Noise Ordinance.) Live Music _____ DJ Radio/CD _____
 Performers _____ Dancing _____ Amplified Sound Stage _____
- C. Games /Rides: Adult Rides _____ Kiddie Rides _____ Games _____ Raffle _____
 Other _____ Total # _____
 Name of Carnival Operator: _____
 Address: _____
 Telephone: _____
- D. Organizer is responsible for clean-up during and after event. All trash must be collected and removed from event location immediately at the end of the event unless prior written agreement had been made with the Department of Public Services (DPS).
- Will you be conducting the clean-up for this event? Yes No _____

If yes:

- a) How many trash receptacles will you be providing? 3
- b) How many recycling receptacles will you be providing? 1
- 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)

3 Standard # 1 ADA accessible

Name of company providing the portable toilets: TBD

DEPARTMENT APPROVAL (for Committee Member use only):

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

| | | |
|--------------------------|--|------------------------------|
| Approval Required | Date: _____ | Signature _____ |
| _____ | 1. Special Events: _____ | |
| _____ | 2. Police: _____ | |
| | Is Police Detail Required: _____ | # of Details Assigned: _____ |
| _____ | 3. Traffic, Parking & Transportation: _____ | |
| _____ | 4. ISD/Health: _____ | |
| _____ | 5. Recycling: _____ | |
| _____ | 6. ISD/Building: _____ | |
| _____ | 7. Electrical: _____ | |
| _____ | 8. Fire: _____ | |
| | Is Fire Detail Required: _____ | # of Details Assigned: _____ |
| _____ | 9. Public Works: Fee for Special Events: \$45/hr/DPS employee for trash handling/staging etc. may apply | |
| | <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.

- (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:** _____

FOR PARADE, ROAD RACE AND WALKATHON EVENTS ONLY

PARADE _____

ROAD RACE X

WALKATHON _____

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

Winner's Circle Running Club

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

Traci Michel/ 88 Monroe St, Amesbury MA / 774-242-2949

Aileen Smolski/ 160 Whitehall Rd, Amesbury MA/ 413-221-7606

3. Name, Address & 24/7 Telephone Number of Person Responsible for Clean Up Race Organizers (see above)

4. Date of Event: 8/7/2022 or same day as YH parade Expected Number of Participants: 500

5. Start Time: 9 Expected End Time: 10

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

High Street, 1 mile race starting at Atkinson Common

7. Locations of Water Stops (if any): End of Race

8. Will Detours for Motor Vehicles Be Required? Yes If so, where? High St/Moseley Ave, Newburyport HS

9. Formation Location & Time for Participants: _____

10. Dismissal Location & Time for Participants: _____

11. Additional Parade Information:

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

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

CITY MARSHAL

[Signature] 4 Green St.

FIRE CHIEF

[Signature] 0 Greenleaf St.

DEPUTY DIRECTOR

[Signature] 16A Perry Way

CITY CLERK

[Signature] 60 Pleasant St.

High Street Mile Newburyport, Massachusetts

USATF Certificate MA18009BK
Effective July 17, 2018 to December 31, 2028



Start, Finish & 1/4, 1/2, 3/4 miles marked with a single P-K Nail & a spot of Yellow Paint

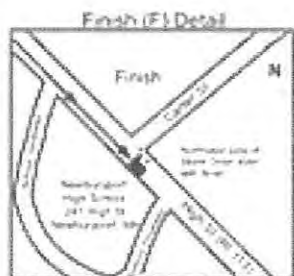
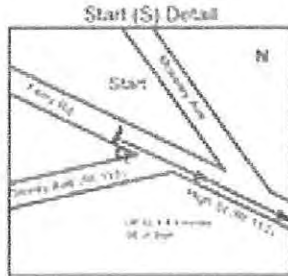
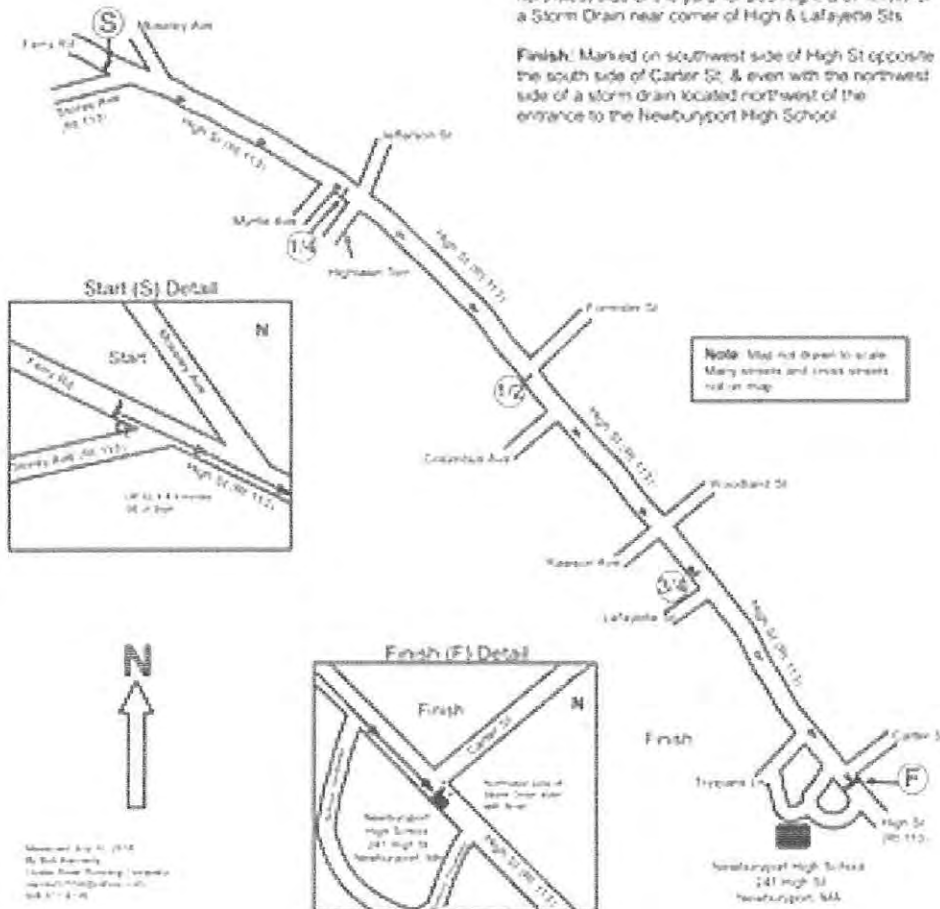
Start: On southwest side of Ferry Rd 4 ft 9 inches WNW of UP 62 at the intersection of Ferry and Storey Ave.

Mile 1/4: On southwest side of High St 45 ft WNW of Storm Drain near corner of Highawn Terr and High St.

Mile 1/2: On southwest side of High St in driveway for 295 High, & 9 ft 2 inches NW of UP 91-90 on same side.

Mile 3/4: On southwest side of High St next to the northwest side of the yard for 265 High, & 67 ft NW of a Storm Drain near corner of High & Lafayette Sts.

Finish: Marked on southwest side of High St opposite the south side of Carter St, & even with the northwest side of a storm drain located northwest of the entrance to the Newburyport High School.



Revised Aug 1, 2018
By Bill Fawcett
Under State Training License
License # 18009BK-0001
08-01-18-00

Note: Map not drawn to scale.
Many streets and cross streets
not on map.

Newburyport High School
241 High St
Newburyport, MA



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

03/15/2022

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

| | | | |
|--|--|---|--|
| PRODUCER Insurance Management Group 12730 Coldwater Road, Suite 103 Fort Wayne IN 46845 | | CONTACT NAME: Margaret Mayers PHONE (P/R): (765) 338-7028 (A/C, No. Ext): E-MAIL ADDRESS: mmayers@insmgt.com FAX (A/C, No): (765) 338-0781 | |
| INSURED Road Runners Club of America/2022 and Its Member Clubs 1001 Langston Boulevard, Suite 140 Arlington VA 22209 | | INSURER(S) AFFORDING COVERAGE INSURER A: National Casualty Company NAIC # 11991 INSURER B: Nationwide Life Insurance Company 66869 INSURER C: INSURER D: INSURER E: INSURER F: | |

COVERAGES **CERTIFICATE NUMBER:** 2022 \$1M A.I. **REVISION NUMBER:**

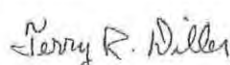
THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE 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 SUBR INSD WVD | POLICY NUMBER | POLICY EFF (MM/DD/YYYY) | POLICY EXP (MM/DD/YYYY) | LIMITS |
|----------|--|--------------------|------------------|-------------------------|-------------------------|--|
| A | <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> Legal Liability to Participants \$1,000,000 GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC <input checked="" type="checkbox"/> OTHER Per Event Basis | | KRQ0000008971200 | 12/31/2021 | 12/31/2022 | EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 500,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 5,000,000 PRODUCTS - COMP/OP AGG \$ 1,000,000 Abuse and Molestation \$ 500,000 |
| A | AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO OWNED <input type="checkbox"/> AUTOS ONLY HIRED <input checked="" type="checkbox"/> AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS ONLY | | KRQ0000008971200 | 12/31/2021 | 12/31/2022 | 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 RETENTION \$ | | | | | EACH OCCURRENCE \$ AGGREGATE \$ \$ |
| | WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROHIBITION/AN INHIBITIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below | Y/N N/A | | | | PER STATUTE OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$ |
| B | Excess Medical & Accident (\$250 Deductible/Claim) | | BA30000021850400 | 12/31/2021 | 12/31/2022 | Excess Medical \$10,000 AD & Specific Loss \$2,500 |

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

CERTIFICATE HOLDER IS NAMED AS AN ADDITIONAL INSURED AS RESPECTS TO THEIR INTEREST IN THE OPERATIONS OF THE NAMED INSURED. DATE OF EVENT(S): 08/07/22 High Street Mile INSURED RRCA CLUB/EVENT MEMBER. Winners Circle Running Club ATTN: Amanda Burnham, 211 Elm St., Newburyport Massachusetts 01950 Processed by RMV

CERTIFICATE HOLDER**CANCELLATION**

| | |
|---|--|
| 08/07/22 City Of Newburyport TO PRESENT BY Newburyport MA 01950 | SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE  |
|---|--|

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NEWBURYPORT SPECIAL EVENT APPLICATION

UNRECORDED
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 MAY 3 11:11 AM

NAME OF EVENT: Pride in the Port

Date: June 11th, 2022 Time: from _____ to _____

Rain Date: _____ Time: from _____ to _____

2. Location*: ~~State Street - Liberty to Essex Street~~ MARKET SQ

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

Bulwase
Inn St

3. Description of Property: _____ Public _____ Private _____

4. Name of Organizer: Sarah Lord / Resurge Coworking City Sponsored Event: Yes _____ No

Contact Person

Address: 402 Merrimac Street Telephone: 978 361 5546

E-Mail: Sarah.lord087@gmail.com Cell Phone: _____

Day of Event Contact & Phone: _____

5. Number of Attendees Expected: 200-300

6. MA Tax Number: _____

7. Is the Event Being Advertised? yes Where? Social media

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

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

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

A. Vending*: Food _____ Beverages _____ Alcohol _____ Goods _____ Total # of Vendors 0

*If checked, signature from Health Director required (Page 3)

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 _____

FOR STREET CLOSURE OR ANY USE OF A PUBLIC WAY

(Festival)

PARADE X ROAD RACE _____ WALKATHON _____

1. Name of the Group or Person Sponsoring the Road Race, Parade, Walkathon: SARAH LORD / RESURGE COWORKING

2. Name, Address & Daytime Phone Number of Organizer: 40R MERRIMAC ST NBPT
978 361-5546

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

4. Date of Event: JUNE 11TH 2022 Expected Number of Participants: 200-300

5. Start Time: 12 PM Expected End Time: 8 PM

6. Road Race, Parade or Walkathon Route: (List street names & **attach map of route**): STATE ST
MARKET SQ NO ACTUAL PARADE (L: BERTT - ESSEX)

INN ST

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

8. Will Detours for Motor Vehicles Be Required? Yes If so, where? LIBERTY ST - ESSEX

9. Formation Location & Time for Participants: STATE STREET MARKET SQ / INN ST

10. Dismissal Location & Time for Participants: STATE STREET MARKET SQ / INN ST

11. Additional Parade Information:

- Number of Floats: 0
- Locations of Viewing Stations: 0
- Are Weapons Being Carried: Yes _____ No X
- Are Marshalls Being Assigned to Keep Parade Moving: Yes _____ No X

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.

HEALTH DIRECTOR _____ 60 Pleasant St. (only needed when Food & Beverage Vendors are included in the event)

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: _____

JNV

Date: _____

5/3/2022

If yes:

- a) How many trash receptacles will you be providing? N/A DPS
- b) How many recycling receptacles will you be providing? N/A DPS
- 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 ? DPS

If no:

- a) # of trash container(s) to be provided by DPS 4
- 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: _____

PRIDE

in the port



Saturday, June 11th

Bar25: Noon-5pm

It's a party on State Street! DJ, Dancing, Pre-party for the cruise!

Performance by Seacoast Stilettoes

Cash donations at the door to benefit Youth On Fire Organization



Riverwalk Brewery- Noon-4pm

Sweet Paws Rescue Pride Pawrty

Mutt strut, Kids activities and more to come!



Thirsty Whale: 6-10pm

Drink specials, dancing and Pride Smirnoff Swag! Cash donations at the door to benefit NAGLY Organization

Captain's Lady: 7-10pm

SUNSET CRUISE! DJ, Dancing, Cash Bar and plenty of surprises!

Ticketed event to support BAGLY, Inc.


Link to tickets: bit.ly/3Ok6oQ7

Thank you to our sponsors:



DEPARTMENT APPROVAL (for Committee Member use only):

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

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

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

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

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

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

(c) *Definitions.*

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

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

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

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

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

(d) *Limitations.*

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

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

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

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

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

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



One-Day Use Permit Application

Applicant Information

Name of organization Pride in the Port
Contact name Sarah Lord
Address 40 R Merrimac Street
City Newburyport
State MA Zip 01950
Phone 978 361 5546 Fax _____
Email Sarah.lord087@gmail.com

Scheduling Information

Date of Application 5/5/2022

We request use of:

- | | |
|---|---|
| <input type="checkbox"/> Atkinson Common | <input type="checkbox"/> Inn Street |
| <input type="checkbox"/> Atwood Park | <input type="checkbox"/> Jason Sawyer Playground |
| <input type="checkbox"/> Garrison Gardens | <input type="checkbox"/> Joppa Park |
| <input type="checkbox"/> Bartlet Mall | <input type="checkbox"/> March's Hill |
| <input type="checkbox"/> Brown Square | <input checked="" type="checkbox"/> Market Square/Bullnose |
| <input type="checkbox"/> Cashman Park | <input type="checkbox"/> Moseley Woods Pavilion |
| <input type="checkbox"/> Basketball <input type="checkbox"/> Tennis <input type="checkbox"/> Ball field <input type="checkbox"/> Soccer | <input type="checkbox"/> Moulton Square |
| <input type="checkbox"/> Cherry Hill Athletic Fields | <input type="checkbox"/> Newburyport Skate Park |
| <input type="checkbox"/> Clipper City Rail Trail | <input type="checkbox"/> Patrick Tracy Square |
| <input type="checkbox"/> Cornelius Doyle Triangle | <input type="checkbox"/> Perkins Park |
| <input type="checkbox"/> Cushing Park | <input type="checkbox"/> Basketball <input type="checkbox"/> Tennis <input type="checkbox"/> Ball field |
| | <input type="checkbox"/> Woodman Park |
| | <input type="checkbox"/> Other _____ |

Dates/days requested June 1st, 2022

Time slot requested noon - 6pm
(1 1/2 hour blocks)

Activity dance class Number of attendees 50

Authorized Applicant Signature Shil

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

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>5/5/22</u> |
| Approved <input checked="" type="checkbox"/> |
| Rejected _____ |
| Comments <u>[Signature]</u> |
| Donation received _____ |



Newburyport City Hall
60 Pleasant Street, PO Box 550
Newburyport, MA 01950
978.465.4462
FAX 978.465.4452
parks@cityofnewburyport.com

RELEASE AND WAIVER OF CLAIMS

I do hereby agree to forever release the City of Newburyport, and all of its employees, agents, officials, board members, volunteers and also any and all individuals and organizations assisting or participating in use of the parkland and/or facilities of the Newburyport Parks (the "Releasees") from any and all claims, rights of action, and causes of action that may have arisen in the past, or may arise in the future, directly or indirectly, from personal injuries to me or property damage resulting from my use of the City of Newburyport Parks parkland and/or facilities. I also promise to indemnify, defend and hold harmless the Releasees against any and all legal claims, suits, and proceedings of any description that may have been asserted in the past, or may be asserted in the future, arising directly or indirectly from my use of the City of Newburyport Parks parkland and/or facilities. I further affirm that I have read this Consent and Release Form and that I understand the contents of this Form. I understand that my use of Newburyport's parkland and/or facilities is voluntary, that I understand the risks of such use, and that I am free to choose not to participate in said use. By acknowledging this RELEASE AND WAIVER OF CLAIMS as part of this form, I affirm that I have decided to participate in this use with full knowledge and understanding of this RELEASE AND WAIVER OF CLAIMS and that the Releasees will not be liable to anyone for personal injuries and/or property damage which I may suffer in said use of parkland and/or facilities.

Signed *Shel* Date *5/5/2022*
Permitted park user signature

Printed name *Sarah Lord*

Organization _____

Address *40 R Merrimac St, Newburyport, MA*
01950

City of Newburyport



CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

May 9, 2022

Whereas the United States Army Corps of Engineers (USACE) plans to complete its Merrimack River dredging project between the months of September 2022 and March 2023, and

Whereas the USACE requires the ability to work 24 hours a day to accommodate the tide cycles and because of the nature of the beach work and quantity of material needed to be dredged, and

Whereas the 24 hours a day shifts will mean violating the City's ordinances on noise, and

Whereas the USACE has requested written confirmation that it may work in 24 hour a day shifts.

Now, Therefore, the City Council of the City of Newburyport hereby waives the enforcement of the City's noise ordinance for the USACE dredging project from September 1, 2022 to April 30, 2023.

Councillor Sharif I. Zeid

In City Council May 9, 2022:

Motion to waive the rules to accept the late files and refer to Public Safety by Councillor Zeid, seconded by Councillor McCauley. Roll call vote. 11 yes. Motion passes.



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

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2022 MAY -2 PM 3:09

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: May 2, 2022

Subject: Re-Appointment

I hereby re-appoint, subject to your approval, the following named individual as Assistant Harbormaster/Shellfish Constable and Special Police Officer for the purposes of local, State and Federal laws and regulations with respect to waterways, marine activities and boating. This term will expire on May 31, 2025.

Jeevan Kowalski
34B Woodland Street
Newburyport, MA 01950

Jeevan Kowalski

34B Woodland St.
Newburyport, Massachusetts
978-238-6592
jkowalski@cityofnewburyport.com

Summary

I am currently a student at Northern Essex Community College, as well as an seasonal employee for the City of Newburyport for the past 5 years. I am eager to work, dedicated, easy going, and great with customer service!

Education

Newburyport High School

High School Diploma
Newburyport, Massachusetts
Graduated May 2018

Although I graduated in Newburyport MA, I only started attending during my sophomore year. Prior to that, I lived in Cambodia, Uganda, and Zambia. Growing up over seas has allowed me to develop the collaborative and cooperative skills I have today, which are very valuable both in and outside of the workplace.

University of Maine, Orono

Student
Orono, Maine
Enrolled May 2019

I have completed my first year at the University of Maine, and I have yet to decide on a major! So I have decided to attend Northern Essex Community College, and figure out which direction I want to move towards for my future education and career path.

Northern Essex Community College

Student
Haverhill, Massachusetts
Enrolled August 2020 - Present
I am currently in my second year at NECC.

Employment History

Newburyport/West Newbury Animal Control

Assistant Animal Control Officer
Newburyport/West Newbury, Massachusetts
March 2020 – Present

This job is a part time for both the City of Newburyport and the Town of West Newbury. As an assistant ACO, my duties include upholding the laws and ordinances of West Newbury and Newburyport, and assisting the public with all problems that arise including both domestic and wild animals. This job has allowed me to further develop my customer relations service with broad public interactions, as well as help to improve my problem solving and logistics skills with the unexpected calls and issues that may arise day to day.

Newburyport Harbormaster Department

Dockmaster

Newburyport, Massachusetts

May 2016 – Present

This job is seasonal, and I work May through October, about 15-25 hours per week. My duties as a Dockmaster extended from docking and launching boats, to cleaning and maintenance of facilities. This job consists of several responsibilities, and being a city government job, requires a lot of integrity. I also had to work with and assist all kinds of people, from all over the country, who decided to vacation in Newburyport and enjoy the services the Harbormasters Department provides. This has given me lots of exposure to customer service with a strong emphasis on customer satisfaction, as well as experience with the Merrimack river and its' mariners.

Marini Farm

Staff Member

Ipswich, Massachusetts

July 2015 – November 2017

My first job, working at the annual Marini Farm Corn Maze, I got a lot of exposure to customer service, helping people through out the maze, as well as maintenance. I had to clean all the facilities, and fix/maintain them to keep everything operational, allowing for the customers to get the full Marini Farm Corn Maze experience!

Hobbies & Interests

I played sports all through High School, and I still enjoy playing pickup soccer or basketball with my friends. I am very interested in technology, and I am quite capable with computers. I also like the nautical scene in the summer, and working at the Harbormaster Department, I get to spend a lot of time outside and on the water

Professional Skills

Customer Service: Experienced and Competent

Computer Entry: Intermediate

Maintenance: Intermediate

References

MaryAnn Lawler

Supervisor

Newburyport Harbormaster Department

(978) 835-1109

Tracy Hamilton

Former Boss

Marini Farm

(617) 590-5613

Kayla Provencher

Animal Control Officer/Supervisor

City of Newburyport / West Newbury

(978) 979-1249



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

2022 MAY -2 PM 3:09

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

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Constable and Special Police Officer for the purposes of
local, State and Federal laws and regulations with respect
to waterways, marine activities and boating. This term will
expire on May 31, 2025.

Brian Cutler
2 Patriot Lane #14
Georgetown, MA 01833

BRIAN CUTLER

2 Patriot Lane, #14 | Georgetown, MA 01833 | (978)816-8853 | brianpcutler@gmail.com

PRIMARY QUALIFICATION

UNITED STATES COAST GUARD MERCHANT MARINER CREDENTIAL, MASTER 25 TONS, INLAND WATERS

AREAS OF SPECIALTY

BOAT CAPTAIN | CREW MANAGEMENT | PUBLIC SAFETY | BOAT OPERATIONS MANAGEMENT | BILINGUAL
FREIGHT TRANSPORT | CUSTOMER SERVICE | BOAT MAINTENANCE | PUBLIC TOURS | ADMINISTRATION

RELATED PROFESSIONAL EXPERIENCE

NEWBURYPORT HARBORMASTER DEPARTMENT, Newburyport, MA | 2021-Present

Assistant Harbormaster (*Merrimack River to Plum Island and Salisbury Beach*)

Vessels: 25' Defender-Class Response Boat; 25' Center Console; 25' Pump-Out Boat

Description: Act as assistant harbormaster, patrolling waters of the Merrimack River between Amesbury and Plum Island, as well as, open Atlantic Ocean waters off Plum Island and Salisbury Beach. Provide assistance to other public safety officials, such as the City of Newburyport, United States Coast Guard Station Merrimack River, Salisbury Harbormaster, and Amesbury Harbormaster. Captain three different vessels depending on the needs of the day. Duties include patrols, promotion of boater safety, enforcement of laws and regulations, towing, rescue, public education and general assistance, general maintenance, provision of assistance to disabled vessels, and assistance with docks and boat launch facility.

MANCHESTER HARBORMASTER DEPARTMENT, Manchester-by-the-Sea, MA | 2019-Present

Assistant Harbormaster (*Manchester Harbor to Magnolia Harbor*)

Vessels: 25' Eastern; 25' Defender-Class Response Boat (*previously USCG 25544*); 18' Pump-Out Boat

Description: Act as assistant harbormaster, patrolling waters between Manchester Harbor and Magnolia Harbor. Provide assistance to other public safety officials between Gloucester and Marblehead. Captain three different vessels depending on the needs of the day. Duties include patrols, promotion of boater safety, enforcement of laws and regulations, pump-outs, towing, rescue, public education and general assistance, trailering vessels, general maintenance, and provision of assistance to disabled vessels.

SCHOONER FAME OF SALEM, Salem, MA | 2021-Present

Deckhand (*Salem Sound*)

Vessel: 70' Chebacco Schooner

Description: Perform deckhand duties aboard historic vessel from shove off to tie up; raise and lower sails; assist captain with maintaining course and docking procedures; engage passengers in the experience of raising and lowering sails and steering; general maintenance. Provide passengers with customer service, story-telling, knowledge of local history, basic knowledge of maritime skills and navigation, and ecological education.

DOUBLE EAGLE CHARTERS, Beverly, MA | 2015-2022

Primary Captain (*Gloucester to Boston*)

Vessel: 37' 12-Ton Hodgdon Brothers [single screw] Freight/Passenger Ferry (*previously a fishing vessel*)

Description: Perform as a captain for three years following four years as first mate with work ranging from Gloucester to Boston. Operate a single screw vessel on a broad range of sea and weather conditions and working conditions. Acted as boat manager for 2020. Operate ferry services and freight transport to Baker's Island. Freight includes lumber and other building materials, home goods, landscape equipment, island waste removal, and groceries. Conduct scenic tours around Salem Sound. Additionally perform general administrative duties, customer support, charter coordination, crew supervision and training, conduct safety drills, and boat maintenance.

THE TRUSTEES OF RESERVATIONS, Manchester-by-the-Sea, MA | 2014-2016**Park & Conservation Technician** (*Manchester Harbor, Salem Sound, and Marblehead Harbor*)**Vessel:** 25' Winninghoff Landing Craft

Description: Primary responsibilities included routine conservation management of the Misery Islands Reservation in Salem and Crowninshield Island in Marblehead. Island management included operation, management, and maintenance of landing craft work boat, dock, mooring, trailer, and island facilities. Skipped work boat across Salem Sound between Manchester Harbor and Marblehead Harbor, including transport of crew, contractors, landscaping equipment, tools, and building and maintenance materials. Other duties included conservation management of 1,608 acres and multiple buildings and structures covering nine properties in the Cape Ann region; park settings, coastal islands, salt marshes, beaches, sand dunes, fields, swamps, vernal pools, and forests.

OTHER RELEVANT PROFESSIONAL EXPERIENCE**SALEM ACADEMY CHARTER SCHOOL, Salem, MA | Mid 2016-2017 School Year-Present****Spanish Teacher, 9th Grade Form Team Leader (2018-2021), and Service Learning Teacher**

Teach high school Spanish, Levels 1 and 3. Spanish teaching includes rigorous, language immersion-based learning; emphasis on written and spoken exemplars; frequent use of technology and visual aids; blended learning; various language skill assessments; cultural studies; and coordination with world languages curriculum team of teachers. Form leader responsibilities included: general administrative duties; advising and guiding students and families; student culture development; freshman program coordination; attending weekly meetings and acting as a liaison between administrators and ninth grade team of teachers; leading community meetings; translations; and field trip and special program coordination.

EDUCATION**LONG ISLAND UNIVERSITY – LIU GLOBAL, BROOKLYN, NY | 1999-2003****Bachelor of Arts, Spanish Education & Environmental Education**

- Completed independent studies through international, experiential education in Costa Rica, Nicaragua, Panama, United Kingdom, Canada, Greece, and New England.
 - Developed proficiency in Spanish language: utilized skills to create a website on environmental sustainability in both English and Spanish; taught high school and community English courses in Costa Rica.
 - Taught high school and community English and Spanish courses in Costa Rica (January-May, 2002). These classes contributed to the accreditation of the first ever high school level education system in the town of Rancho Quemado (by meeting foreign language requirements for school start-up).
 - Field studies focused on land stewardship & conservation, sustainable land management, environmental education, and outreach; studies sensitive to world cultures, economics, and social issues. Studies also encompassed at-risk youth and Spanish language and Latin American culture.
-

OTHER QUALIFICATIONS

- Bilingual in English and Spanish; possess world travel experience and cultural competency.
- Earned Certificate of Seamanship from The Boatwise School, as approved by the United States Coast Guard; 80 Hour Master 100GT (BOATWT-281).
- Aton Maritime Institute and American Red Cross – Adult & Pediatric CPR, AED, and First Aid Certified.
- Possess Transportation Workers Identification Credential (TWIC).
- Boating Safety Certified, by the United States Power Squadron; approved by the National Association of State Boating Law Administrators and recognized by the United States Coast Guard and New Hampshire.
- Also, an avid outdoorsman and skilled at carpentry, including home building, renovations, and restoration.