

CITY COUNCIL “HYBRID”

MEETING AGENDA

June 27, 2022

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

- ORDR00369_06_27_2022 Pioneer League Gift \$2836.50 (B&F)
- ORDR00370_06_27_2022 M. L. Mazzotta - Licensed Contractor (PU)
- COMM00420_06_27_2022 Ltr. Owen Smith re: Water/Sewer Rates (PU)
- COMM00421_06_27_2022 Communication re: Water/Sewer Rates b/w Mayor Reardon, Roger Jones, and Owen Smith (PU)
- APPT00329_06_27_2022 Jacob Majahad 6 59th St. Comm. On Disabilities 07/31/2025 (P&D)
- ORDR00371_06_27_2022 PARC Grant Application & Park Designation for Market Landing Park Expansion (Ad Hoc Committee on Market Landing Park & COTW)

5. PUBLIC COMMENT

6. MAYOR'S COMMENT

CONSENT AGENDA

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

7. APPROVAL OF MINUTES

June 13, 2022

(Approve)

June 21, 2022

(Approve)

8. COMMUNICATIONS

- APPL00088_06_27_2022 Greek Food Festival Fri. 7/29-Sat. 7/30 10am-9pm Harris St (PS)
- APPL00089_06_27_2022 Block Party 29 Hill St & Bricher St. Sat. 7/23/2022 2pm-10pm (PS)

9. TRANSFERS

10. APPOINTMENTS

- APPT00328_06_27_2022 Sara Kelso 1 Robin Glen Rd. Stratham, NH Head Librarian 07/09/2025

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

BUDGET & FINANCE

- TRAN00129_05_31_2022 Mayor's Office Multiple See Attached \$3,021,480.56 to Mult. \$3,021,480.56 (COTW)
- TRAN00133_06_21_2022 DPS: RRFA Legal \$13,500 to Brown Sch. Protective Measures \$13,500 (COTW)
- TRAN00130_06_13_2022 Fire Mult. \$195K to Fire OT \$150K, Fire Salary \$25K & Fire Dispatch OT \$20K
- TRAN00132_06_13_2022 Receipts Reserved Appr. Fuel \$58,031 to DPS Highway Fuel \$58,031
- TRAN00134_06_21_2022 City Clerk's Office: SUS Solid Waste \$1500 to CLK Administration \$1500
- ORDR00359_05_31_2022 Gift Acceptance FONT \$9,000
- ORDR00364_06_13_2022 FY23 Revolving Fund Spending Limits
- ORDR00367_06_13_2022 Parks Make A Wish Gift Acceptance
- ORDR00354_05_09_2022 FY23 CPC Recommendations (COTW) (PARTIAL: Projects 11, 12, 13, 14)

GENERAL GOVERNMENT

- APPT00322_05_31_2022 Richard B. Jones 283 High St. City Clerk 06/30/2025
**Re-appointment*
- ORDR00360_05_31_2022 Authorizing City Clerk Contract 2022

PLANNING & DEVELOPMENT

- COMM00398_03_28_2022 Memo DHCD MBTA Housing Choice Briefing (COTW)
- ORDR00365_06_13_2022 Acceptance Preservation 90 Water Street
- APPT00321_05_09_2022 Charles Aloviseti 60 Bromfield St Conservation Comm. 6/1/2025
- 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

- APPL00084_06_13_2022 Block Party 22 Lafayette St. Sat., August 6th 3-10pm
- APPL00086_06_13_2022 19th Annual Chocolate Tour Saturday, Oct. 1st 12-4pm
- APPL00087_06_13_2022 Walk Against Domestic Violence Sunday, Oct. 2nd 8-11am
- APPL00080_05_31_2022 Movable Sign for Smitten at State St. & Threadneedle Alley
- APPT00324_05_31_2022 Justin Dutcher 7 Morin Rd. St. Harbor Commission 5/31/2025
**Re-appointment*
- ODNC00115_06_13_2022 Amendment to Noise 8 – 101

PUBLIC UTILITIES

- ORDR00363_06_13_2022 Water & Sewer Rates FY23

END OF CONSENT AGENDA

REGULAR AGENDA

9. MAYOR'S UPDATE

10. FIRST READING APPOINTMENTS

11. COMMUNICATIONS

12. TRANSFERS

13. SECOND READING APPOINTMENTS

14. ORDERS

- ORDR00368_06_27_2022 Waiver for Asphalt Sidewalk Bourbeau Terrace (N&CS)

15. ORDINANCES

- ODNC00112_05_31_2022 **2nd Reading** Amendment Brown Sq Way No Parking
- ODNC00113_05_31_2022 **2nd Reading** Amendment Brown Sq Way Drop Off Zone
- ODNC00117_06_27_2022 Building Inspector Enforcement (B&F)

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:

- TRAN00129 05 31 2022 Mayor's Office Multiple See Attached \$3,021,480.56 to Mult. \$3,021,480.56 (COTW)
- TRAN00133 06 21 2022 DPS: RRFA Legal \$13,500 to Brown Sch. Protective Measures \$13,500 (COTW)
- TRAN00130 06 13 2022 Fire Mult. \$195K to Fire OT \$150K, Fire Salary \$25K & Fire Dispatch OT \$20K
- TRAN00131 06 13 2022 Mayor's Office IT Salary Dir. \$45K to IT Prof Serv. \$20K & Offsite Serv. \$25K
- TRAN00132 06 13 2022 Receipts Reserved Appr. Fuel \$58,031 to DPS Highway Fuel \$58,031
- TRAN00134 06 21 2022 City Clerk's Office: SUS Solid Waste \$1500 to CLK Administration \$1500
- ORDR00359 05 31 2022 Gift Acceptance FONT \$9,000
- ORDR00364 06 13 2022 FY23 Revolving Fund Spending Limits
- ORDR00367 06 13 2022 Parks Make A Wish Gift Acceptance
- ORDR00354 05 09 2022 FY23 CPC Recommendations (COTW) (PARTIAL Projects 11, 12, 13, 14)
- ORDR00336_03_28_2022 ARPA Amesbury 250K (COTW)
- ORDR00355_05_09_2022 Loan Order \$2,574,000 Bartlet Mall Improvements Project (COTW)
- ORDR00356_05_09_2022 Loan Order \$3,000,000 Market Landing Park Expansion Project (COTW)
- ORDR00354_05_09_2022 FY23 CPC Recommendations (COTW) (PARTIAL Projects 1, 8, 9)

Education

In Committee:

General Government

In Committee:

- APPT00322 05 31 2022 Richard B. Jones 283 High St. City Clerk 06/30/2025
**Re-appointment*
- ORDR00360 05 31 2022 Authorizing City Clerk Contract 2022
- COMM00402_04_11_2022 12 Cushing Ave Paper St. Inquiry
- COMM00405_04_11_2022 Mayor's Strategic Plan (COTW)
- COMM00417_05_31_2022 Ltr. Jane Snow re: Coffin St.
- COMM00410_05_31_2022 Ltr. Lawrence Cavalieri Coffin St. Ext
- COMM00418_06_13_2022 Ltr. Claire Papanastasiou re: IFS Proposed Settlement
- COMM00419_06_13_2022 Ltr. Peter Mackin re: IFS Proposed Settlement
- ORDR00366_06_13_2022 Ward 2 Polling Place Change

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:

- **COMM00398 03 28 2022 Memo DHCD MBTA Housing Choice Briefing (COTW)**
- **ORDR00365 06 13 2022 Acceptance Preservation 90 Water Street**
- **APPT00321 05 09 2022 Charles Aloviseti 60 Bromfield St Conservation Comm. 6/1/2025**
- **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**
- ODNC046_01_27_2020 Zoning Amendment Short Term Rental Unit (STRU) (COTW)
- ODNC00111_05_09_2022 Amendment Net Zero Energy Public Projects
- COMM00415_05_31_2022 Global Efforts Related/Potential Residential Use Property 5/22 Update
- APPT00326_05_31_2022 Bonnie Sontag 21 Smith St. Planning Board 6/30/2027
- APPT00327_05_31_2022 Patricia Peknik 4 Dove St. ZBA 6/30/2023
- ORDR00358_05_31_2022 Acceptance of Stables - Colby Farm Lane Lot 3

Public Safety

In Committee:

- **APPL00084 06 13 2022 Block Party 22 Lafayette St. Sat., August 6th 3-10pm**
- **APPL00086 06 13 2022 19th Annual Chocolate Tour Saturday, Oct. 1st 12-4pm**
- **APPL00087 06 13 2022 Walk Against Domestic Violence Sunday, Oct. 2nd 8-11am**
- **APPL00080 05 31 2022 Movable Sign for Smitten at State St. & Threadneedle Alley**
- **APPT00324 05 31 2022 Justin Dutcher 7 Morin Rd. St. Harbor Commission 5/31/2025**
- ***Re-appointment**
- **ODNC00115 06 13 2022 Amendment to Noise 8 – 101**
- COMM00412_05_31_2022 Ltr Ann Jaronyk re: Traffic Safety
- COMM00414_05_31_2022 Ltr. Emily Dunn re: Traffic on Merrimac Street
- ODNC00114_05_31_2022 Amended Liberty St Resident Parking
- ODNC00116_06_13_2022 Atwood St. Parking Restrictions

Public Utilities

In Committee:

- **ORDR00363 06 13 2022 Water & Sewer Rates FY23**
- 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

LATE FILE ITEMS

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

June 27, 2022

THAT, The CITY COUNCIL of the City of Newburyport accepts with gratitude a gift from the Pioneer League in the amount of \$2,836.50 for infield renovation and maintenance at Lower Atkinson Common. Said funds are deposited into the Parks Gift & 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:

June 27, 2022

THAT the City Council of the City of Newburyport approves the following Licensed Contractor application for the 2020 construction year for Water, Sewer, Drain Layer, Roadway, and Sidewalk work:

M. L. Mazzotta
76 Homestead St.
Haverhill, MA 01830

Councillor Bruce Vogel



CITY OF NEWBURYPORT
RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2022 JUN 23 AM 9:07

DEPARTMENT
OF
PUBLIC SERVICES

MEMORANDUM

ANTHONY J. FURNARI
DIRECTOR

JAMIE TUCCOLO
DEPUTY DIRECTOR /
DIRECTOR OF OPERATIONS

16A PERRY WAY
NEWBURYPORT, MA 01950

TEL: 978-465-4464

FAX: 978-465-1623

W.CITYOFNEWBURYPORT.COM

TO: Richard Jones, City Clerk
FROM: Anthony Furnari, DPS Director
DATE: 4/29/22
RE: Licensed Contractor Application

Enclosed is a copy of a new Licensed Contractor application with bond and references to be forwarded to the city council for approval for;

M. L. Mazzotta

For the following work;

Water Service
Sewer Service
Drain Laying
Roadway
Sidewalk

Thank you for your attention to this matter.



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

ANTHONY J. FURNARI, DIRECTOR
 JAMIE TUCCOLO, DEPUTY DIRECTOR

PHONE: 978-465-4464
 FAX: 978-465-1623

**Application to become a
 Licensed Contractor**

Submit completed application to the above address

Today's Date: 03/02/20 22

Name of Company: M. L. Mazzotta

Name of Owner: Michael Mazzotta

Contact Person: Michael Mazzotta

Street Address: 76 Homestead Street **City:** Haverhill **State:** MA **Zip Code:** 01830

Phone #: 978-360-3406 **Cell #:** 978-360-3406 **Fax #:** _____

Insurance Certificate #: _____ **Policy Expiration Date:** 04/10/20

Name and Contact Information of Insurer: Foster Sullivan Insurance, Lisa Lariviere, (978) 686-2266 X301

Bond # S-892950 **Bond Expiration Date:** 03/03/2023

Type of Work Qualified for: (check all that apply)

- | | | |
|---|--|--|
| <input checked="" type="checkbox"/> Water Service/Main | <input checked="" type="checkbox"/> Sewer Service/Main | <input checked="" type="checkbox"/> Drain Laying |
| <input checked="" type="checkbox"/> Roadway (incl. curb cuts) | <input checked="" type="checkbox"/> Sidewalk | |
| <input type="checkbox"/> Gas | <input type="checkbox"/> Electric | <input type="checkbox"/> Communications |

Submit the Following with this completed Application:

- **Certificate of Insurance incl. Worker's Compensation Insurance Affidavit** (per M.G.L. .c152)
- **\$5000 Bond ORIGINAL ONLY** (\$10,000 Bond for laying Wire or Conduit)
- **\$500 Check non-refundable payable to City of Newburyport** (not required for ROW Occupancy)
- **Minimum 3 Municipal References within the last 5 years** (Renewals do not require references)

AGENCY: 20-0222 Foster Sullivan Ins Group

CONTINUATION CERTIFICATE	BOND	S-892950
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Principal:

Michael Mazzotta DBA ML Mazzotta Construction
76 Homestead St

Haverhill, MA 01830

Obligee:

City of Newburyport
16A Perry Way

Newburyport MA 01950

Bond Term in Months: 12

Effective Date: 3/2/2022

Expiration Date: 3/2/2023

Penalty Amount: \$5,000.00

Type of Bond: License/Permit

Classification: Drainlayer Automatic Renewals

Remarks:

Drainlayer

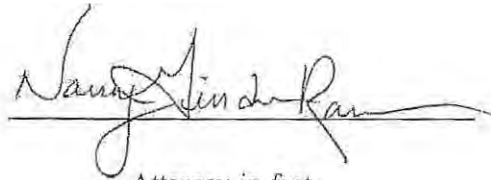
It is hereby agreed that the captioned numbered Bond is continued in force in the above amount for the period of the continued term stated above and is subject to all the covenants and conditions of said Bond.

This continuation shall be deemed a part of the original Bond, and not a new obligation, no matter how long the Bond has been in force or how many premiums are paid for the Bond, unless otherwise provided for by statute or ordinance applicable.

In witness whereof, the company has caused this instrument to be duly signed, sealed and dated as of the above "continuation effective date".

NGM INSURANCE COMPANY

By:



Attorney-in-fact



This Continuation Certificate needs to be filed with the obligee. No other proof of renewal has been sent to any other party.

Direct Bill

LICENSE OR PERMIT BOND

BOND NO. S-892950

KNOW ALL MEN BY THESE PRESENTS THAT WE,

Michael Mazzotta DBA ML Mazzotta Construction

of

76 Homestead St

Haverhill

MA 01830

as Principal, and

NGM Insurance Company

, a Florida

corporation with its principal

office at 4601 Touchton Rd East Ste 3400

Jacksonville, FL 32245-6000

, as Surety,

are held and firmly bound unto

City of Newburyport

in the sum of Five Thousand and 00/100 Dollars

(\$5,000), for the payment of which sum, well and truly to be made, we bind ourselves, our personal representatives, successors and assigns, jointly and severally, firmly by these presents.

The condition of this obligation is such, that whereas the Principal has obtained, or shall obtain, a license or permit from the Obligee for Drainlayer

at Newburyport, MA

for the term commencing on the 2nd day of

March

, 2020

and ending on the 2nd day of

March

, 2021.

NOW, THEREFORE, if Principal shall faithfully observe and comply with all terms of the underlying license or permit, and all Ordinances, Rules and Regulations, and any Amendments thereto, applicable to the obligation of this bond, then this obligation shall become void and of no effect, otherwise to be and remain in full force and virtue.

The Surety may, if it shall so elect, cancel this bond by giving thirty (30) days written notice to the Obligee and the bond shall be deemed canceled at the expiration of said period; the Surety remaining liable, however subject to all the terms, conditions and provisions of this bond, for any act or acts covered which may have been committed by the Principal up to the date of such cancellation.

PROVIDED, HOWEVER, that this bond may be continued from year to year by certificate executed by the Surety hereon. Regardless of the number of years or terms this bond remains in effect, and regardless of the number and amount of claims that may be made, the maximum aggregate liability of the Surety is limited to the penal sum of the bond.

SIGNED, SEALED AND DATED on this 2nd day of March, 2020.

Michael Mazzotta DBA ML Mazzotta Construction

By _____

NGM Insurance Company

By _____

Nancy Giordano-Ramos

Attorney-in-Fact





KNOW ALL MEN BY THESE PRESENTS: That NGM Insurance Company, a Florida corporation having its principal office in the City of Jacksonville, State of Florida, pursuant to Article IV, Section 2 of the By-Laws of said Company, to wit:

"SECTION 2. The board of directors, the president, any vice president, secretary, or the treasurer shall have the power and authority to appoint attorneys-in-fact and to authorize them to execute on behalf of the company and affix the seal of the company thereto, bonds, recognizances, contracts of indemnity or writings obligatory in the nature of a bond, recognizance or conditional undertaking and to remove any such attorneys-in-fact at any time and revoke the power and authority given to them."

does hereby make, constitute and appoint Nancy Giordano-Ramos its true and lawful Attorney-in-fact, to make, execute, seal and deliver for and on its behalf, and as its act and deed bond number S-892950 dated March 2, 2020, on behalf of **** Michael Mazzotta DBA ML Mazzotta Construction **** in favor of City of Newburyport for Five Thousand and 00/100 Dollars (\$ 5,000) and to bind NGM Insurance Company thereby as fully and to the same extent as if such instrument was signed by the duly authorized officers of NGM Insurance Company; this act of said Attorney is hereby ratified and confirmed.

This power of attorney is signed and sealed by facsimile under and by the authority of the following resolution adopted by the Directors of NGM Insurance Company at a meeting duly called and held on the 2nd day of December 1977.

Voted: That the signature of any officer authorized by the By-Laws and the company seal may be affixed by facsimile to any power of attorney or special power of attorney or certification of either given for the execution of any bond, undertaking, recognizance or other written obligation in the nature thereof; such signature and seal, when so used being hereby adopted by the company as the original signature of such officer and the original seal of the company, to be valid and binding upon the company with the same force and effect as though manually affixed.

IN WITNESS WHEREOF, NGM Insurance Company has caused these presents to be signed by its Vice President, General Counsel and Secretary and its corporate seal to be hereto affixed this 7th day of January, 2020.

NGM INSURANCE COMPANY By: *Kimberly K. Law*



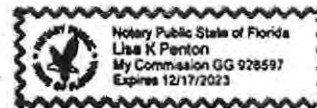
Kimberly K. Law
Vice President, General Counsel and Secretary

State of Florida,
County of Duval

On this 7th day of January, 2020, before the subscriber a Notary Public of State of Florida in and for the County of Duval duly commissioned and qualified, came Kimberly K. Law of NGM Insurance Company, to me personally known to be the officer described herein, and who executed the preceding instrument, and she acknowledged the execution of same, and being by me fully sworn, deposed and said that she is an officer of said Company, aforesaid: that the seal affixed to the preceding instrument is the corporate seal of said Company, and the said corporate seal and her signature as officer were duly affixed and subscribed to the said instrument by the authority and direction of the said Company; that Article IV, Section 2 of the By-Laws of said Company is now in force.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed by official seal at Jacksonville, Florida this 7th day of January, 2020.

Lisa K. Penton



I, Nancy Giordano-Ramos, Vice President of NGM Insurance Company, do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney executed by said Company which is still in force and effect. IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Company at Jacksonville, Florida this 2nd day of March, 2020.

Nancy Giordano-Ramos



WARNING: Any unauthorized reproduction or alteration of this document is prohibited.

TO CONFIRM VALIDITY of the attached bond please call 1-800-225-5646.

TO SUBMIT A CLAIM: Send all correspondence to 55 West Street, Keene, NH 03431 Attn: Bond Claims.



TOWN OF MERRIMAC
 PUBLIC WORKS DEPARTMENT
 2 School Street, Merrimac, MA 01860
 978-346-0525

APPLICATION FOR APPROVED DRAINLAYER

APPLICANT INFORMATION

(Please print)

Company Name: M.L. Mazzotta
 Company Address: 76 Homestead Street
 Telephone: 978-360-3406
 Contact Name/Position or Title: Michael Mazzotta/Owner
 Application Type: New Renewal (skip to APPLICANT SIGNATURE)

COMPANY INFORMATION

Provide names and addresses of all persons having a financial interest in this company. In the case of a corporation, provide names of all officers and directors. In the case of a partnership, provide names of all partners. Attach additional sheet if necessary.

Name	Address

LICENSES / CERTIFICATES

List current, valid approvals from other municipalities. If a master plumber, provide certificate/license number.

Municipality/District	State	Certificate/License Number

EXPERIENCES / REFERENCES

How many years have you or your company been in the business of underground utility installation: _____ years
 Provide references of three (3) underground utility installations completed with corresponding letters of reference from these three (3) agencies.

Contact Name	Municipality/District/Governing Agency	Phone Number

The APPLICANT hereby certifies to the accuracy of the information represented in this application. The undersigned hereby applies to become an approved drainlayer in the Town of Merrimac and agrees to conform to all lawful rules and regulations relative to the installation of utilities in the Town of Merrimac and to provide access for purposes of inspection by authorized agents of the Town. Signature of APPLICANT is required along with application fee. Checks shall be payable to *Town of Merrimac*.

Applicant Signature: Date: 12/16/19
 Print name: Michael K. Mazzotta

**APPROVED BY THE PUBLIC WORKS DIRECTOR
 ON BEHALF OF THE WATER AND SEWER DEPARTMENTS**

Date: _____

 Public Works Director



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

04/08/2022

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

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

PRODUCER FOSTER SULLIVAN INSURANCE GROUP 163 MAIN STREET NORTH ANDOVER MA 01845		CONTACT NAME: Lisa Lariviere PHONE (A/C, No, Ext): (978) 686-2266 E-MAIL ADDRESS: llariviere@fostersullivangroup.com FAX (A/C, No):	
INSURED MICHAEL K MAZZOTTA DBA ML MAZZOTTA CONSTRUCTION 76 HOMESTEAD ST HAVERHILL MA 01830		INSURER(S) AFFORDING COVERAGE INSURER A: LM INS CORP INSURER B: INSURER C: INSURER D: INSURER E: INSURER F:	
		NAIC # 33600	

COVERAGES**CERTIFICATE NUMBER:** 762489**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	
	COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:			N/A			EACH OCCURRENCE \$ DAMAGE TO RENTED PREMISES (Ea occurrence) \$ MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$ GENERAL AGGREGATE \$ PRODUCTS - COMP/OP 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			N/A			COMBINED SINGLE LIMIT (Ea accident) \$ 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 \$			N/A			EACH OCCURRENCE \$ AGGREGATE \$ \$	
A	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	N/A	WC531S621076012	04/22/2022	04/22/2023	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.I. EACH ACCIDENT \$ 1,000,000 E.I. DISEASE - EA EMPLOYEE \$ 1,000,000 E.I. DISEASE - POLICY LIMIT \$ 1,000,000
				N/A				

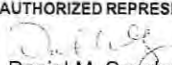
DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Workers' Compensation benefits will be paid to Massachusetts employees only. Pursuant to Endorsement WC 20 03 06 B, no authorization is given to pay claims for benefits to employees in states other than Massachusetts if the insured hires, or has hired those employees outside of Massachusetts.

This certificate of insurance shows the policy in force on the date that this certificate was issued (unless the expiration date on the above policy precedes the issue date of this certificate of insurance). The status of this coverage can be monitored daily by accessing the Proof of Coverage - Coverage Verification Search tool at www.mass.gov/lwd/workers-compensation/investigations/.

Sole proprietor has not elected coverage.

CERTIFICATE HOLDER**CANCELLATION**

City of Newburyport Department of Public Works 16 A Perry Way 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  Daniel M. Crowley, CPCU, Vice President - Residual Market - WCRIBMA
--	--



TOWN OF MERRIMAC

Highway Department

16 E. Main Street

Merrimac, Ma 01860

Phone (978) 346-8939

Fax (978) 346-0531

E-Mail: tbarry@townofmerrimac.com

David Shaw
Collection System
Superintendent

2/22/21

Hi David, this is a letter of recommendation for Mike Mazzotta. He has helped us out on a few projects in town. He does quality work in a safe and timely manner. I do not hesitate to call him when we need help to get a project done. Let me know if you have any questions.

Thank you.

Tom Barry
Merrimac Highway Superintendent



Town of Groveland

Water and Sewer

183 Main Street

Groveland, MA 01834

Phone: 978.556.7200 Fax: 978.373.6147

May 13, 2021

To whom it may concern,

During the last 8 years, while I have been employed with the Town of Groveland Water and Sewer Department, Mike Mazzotta has maintained his Drainlayers status in Groveland. Mike has completed drainage, water, and sewer projects within the Town of Groveland. All projects were completed as designed and approved.

Mike has a vast knowledge of the work that he performs, and he completes all jobs to the proper specifications. He is attentive to details, conscientious of safety, and always has the right tools to get the job done.

As the Water and Sewer Superintendent, I know when Mike does a job, we will not find problems during inspections because of his professional approach to all jobs big or small. He is prompt with permitting, follows all Town requirements and faithfully submits As-built drawings as required. Mike always maintains open communication with my office and the field crew during projects.

If you have any further questions, please feel free to contact me via email cstokes@grovelandma.com or via phone (978) 407-1566.

Respectfully,

Colin Stokes

Superintendent

Groveland Water and Sewer Department



TOWN OF MERRIMAC
Highway Department
16 E. Main Street
Merrimac, Ma 01860
Phone (978) 346-8939
Fax (978) 346-0531
E-Mail: Tbarry@townofmerrimac.com

David Shaw
Collection System
Superintendent

2/22/21

Hi David, this is a letter of recommendation for Mike Mazzotta. He has helped us out on a few projects in town. He does quality work in a safe and timely manner. I do not hesitate to call him when we need help to get a project done. Let me know if you have any questions.

Thank you.

Tom Barry
Merrimac Highway Superintendent



Haverhill

Engineering Department, Room 300
Tel: 978-374-2335 Fax: 978-373-8475
John H. Pettis III, P.E. - City Engineer
JPettis@CityOfHaverhill.com

April 26, 2021

To whom it may concern,

Mike Mazzotta is a current licensed and bonded drain layer with the City of Haverhill. Relative to that, we have found Mr. Mazzotta to competently perform his construction activities in full compliance with City requirements.

Sincerely,

John H. Pettis III, P.E.
City Engineer

From: Owen Smith <osmith87@gmail.com>
Sent: Thursday, June 23, 2022 9:29 AM
To: Richard Jones <RJones@CityofNewburyport.com>
Cc: Bruce Vogel <bruce@vogelatlarge.com>
Subject: ORDR00363_06_13_2022

Dear City Clerk Jones:

Attached to this email are a PDF document that contains snipped images of the Water and Sewer Commission (Commission) proposal and the City Council Order (Order). I put these images alongside each other for easy comparison.

The main difference between the respective proposals is two part:

1) The Commission was opposed to using money from retained earnings for water rate subsidies. This was discussed heavily as the goal was to bring the rate foundation up to a level that can support inflation and future projects while leaving free cash available to address unforeseen catastrophic failures. We can build the rate now to mitigate the risk of even higher percentage increases in the future. If rates were raised steadily over the past 6 years (you will notice they were flat), we likely would not be having this conversation. The rate should be designed in a manner that funds all operating and debt service requirements for the fiscal year. Retained earnings should be reserved for use if there are unexpected cost overruns.

2) Consumption is variable, we have seen volatility in water consumption due to lifestyle changes associated with COVID and a general downward trend due to people using more efficient appliances and low flow devices not registering on a water meter (water meters need a certain level of steady flow to register, and as they age, the meter would be less sensitive and likely read a lower consumption). Additionally, last summer we saw lower water consumption because we had heavy precipitation and cooler weather. Irrigation is unpredictable as it is dependent on environmental conditions. A fixed collection of an additional \$10 per single family home per year (\$27.50 per quarter vs. \$25) would provide some stability in our rate collection. We also proposed increasing the fixed collection for large users (>1 inch service line) \$100 per year (\$150 per quarter vs. \$125). There are fixed costs associated with the infrastructure that should be shared equally. The rate calc. sheet does not consider the additional revenue raised from the large user accounts because it is a smaller portion of the account population.

The proposed usage rates in the Order are the same for the Tier 1 Rate (\$6.61/100CF), the Tier 2 rate differs by 1 penny (\$7.37/100CF on the Order vs. \$7.36/100CF by the Commission). The 1 penny difference is likely a rounding error in the calc. sheet because the yellow fields are variable inputs, the rates are adjusted to provide a balanced budget. I would support keeping the extra penny that the Order reflects.

In my opinion, how we design water use unit rates need to be evaluated as part of the Commission's work. Additionally, there is a need to evaluate connection charges. Development puts a strain on our water distribution lines and on our sewer collection system. Both treatment plants also would incur higher demands. Depending on the type of development, there would be additional maintenance concerns.

There is a need for a conversation about how to set rates to establish equity and sustainability. I think there is a need to develop a comprehensive strategic plan regarding our water and sewer infrastructure. This includes staffing, organization, 20 year projected needs, 5 year immediate needs, and other factors to allow us to make informed decisions. Rate setting needs to address immediate and long term needs. I also think it would be prudent to seek rate payer input on the strategic plan. I see many large public entities take this approach. Public participation helps bring buy in when the public is asked to help support a public service. Being a part of this is one reason why I joined the board, and in my year of experience on it, I think it's time we act on it.

The public is entitled to a clean, safe, and sustainable water system. I view that my position is to represent the public interest. The Commission is a group of stewards of a public asset. As such, I have advocated against subsidizing the rates with end of year surplus money. The surplus funds should be used for value-added projects. Systemic underfunding of infrastructure is a massive problem in this country. The American Society of Civil Engineers writes extensively on this topic every year on their annual Infrastructure Report Card. In the 2021 report, drinking water got a C- and wastewater got a D+.

In the work I perform professionally, I analyze systemic failures, both human factor and infrastructure. I observe that factors such as funding, training, personnel, and maintenance practices lead to systemic failures. I believe we all can agree that we need to do everything we can to ensure that we can provide for this city beyond this budget season. When I look at what we have in our water and sewer departments is a group of dedicated employees who are over extended. They are set up to operate the existing infrastructure. We need to fund resources to build and improve our infrastructure. Our water and sewer budgets should be able to provide for maintenance and develop future projects. We cannot afford to constantly fight fires, we need to invest to minimize the chance of fire occurring.

Please enter this email and the attached PDF to the record regarding ORDR00363_06_13_2022.

--

Owen Smith
(631) 879-7964 ORDR00363_06_13_2022

W/S Commission elected to not use retained earnings to stabilize the rate.

$\$25 \times 4 \text{ bills} \times 8,700 \text{ accounts} = \$870,000$

$\$27.50 \times 4 \text{ bills} \times 8,700 \text{ accounts} = \$957,000$

		City Council Order Calc. Sheet	Water/Sewer Commission Calc Sheet
Water Rate Calculation			
<u>Factors</u>			
		FY2023	FY2023
Budget		\$6,268,194	\$6,268,194
Estimated Consumption	0.	71,722,454	71,955,650
Number of Accounts	0.	8,700	8,700
Less Fees	0.	-\$250,000	-\$250,000
Less UFB		-\$100,000	\$0
Less PY Liens		-\$89,000	-\$89,000
Budget to Recover Through User Charges		\$5,829,194	\$5,929,194
<u>Rate Calculation</u>			
Fixed Charge (per Quarter)	Customer Service	\$25.00	\$27.50
Income from Customer Service Charge		-\$870,000	-\$957,000
Budget to be Recovered Through Rate		\$4,959,194	\$4,972,194
Consumption associated with Tier 1 Rate		43,033,472	43,173,390
Rate per 100 Cubic Feet	<u>Tier 1 Rate</u>	\$6.61	\$6.61
Revenue from Tier 1 Rate		\$2,844,513	\$2,853,761
Budget to be Recovered through Tier 2		\$2,114,681	\$2,118,433
Consumption associated with		28,688,982	28,782,260
		0.0737	0.0736
Rate per Cubic Foot	<u>Tier 2 Rate</u>		
Rate per 100 Cubic Feet		\$7.37	\$7.36
	Difference	\$0.76	\$0.75
	<u>\$0.75</u>		
	Total Rate:	\$6.91	\$6.91
7,750 cubic feet	Annual Reside	\$612	\$622
	YoY \$ Increase/(Decrease)	\$52	\$62
	YoY % Increase/(Decrease)	9%	11%
34,596 cubic feet	Annual Busi	\$2,559	\$2,566
	Total Blended Ra	\$6.91	\$6.91
	YoY \$ Increase/(Decrease)	\$234	\$242
	YoY % Increase/(Decrease)	10%	10%

Average single family home would pay an additional \$10 per year fixed cost (4 bills*\$2.50). Average large user (>1" service line) would pay an additional \$100 year (4 bills*\$25). This rate calc. sheet does not reflect the additional revenue for large users.

Water Rate Calculation

<u>Factors</u>		<u>FY2019</u>	<u>FY2020</u>	<u>FY2021</u>	<u>FY2022</u>	<u>FY2023</u>
Budget		\$5,472,514	\$5,396,089	\$5,421,087	\$5,751,985	\$6,268,194
Estimated Consumption	0.25%	71,037,557	68,150,000	68,151,683	72,600,224	71,722,454
Number of Accounts	0.25%	8,282	8,282	8,302	8,700	8,700
Less Fees	0.25%	-\$206,038	-\$206,038	-\$245,000	-\$250,000	-\$250,000
Less UFB		-\$100,000	-\$100,000	-\$171,322	-\$100,000	-\$100,000
Less PY Liens		-\$84,213	-\$68,371	-\$89,707	-\$89,707	-\$89,000
Budget to Recover Through User Charges		\$5,082,263	\$5,021,680	\$5,086,380	\$5,312,278	\$5,829,194

Rate Calculation

Fixed Charge (per Quarter)	Customer Service		\$25.00	\$25.00	\$25.00	\$25.00	\$25.00
Income from Customer Service Charge			-\$828,175	-\$828,200	-\$830,200	-\$870,000	-\$870,000
Budget to be Recovered Through Rate			\$4,254,088	\$4,193,480	\$4,256,180	\$4,442,278	\$4,959,194
Consumption associated with Tier 1 Rate			42,622,534	40,890,000	40,891,010	43,560,134	43,033,472
Rate per 100 Cubic Feet	<u>Tier 1 Rate</u>		\$5.54	\$5.63	\$5.63	\$5.94	\$6.61
Revenue from Tier 1 Rate	60%		\$2,361,288	\$2,302,107	\$2,302,164	\$2,587,472	\$2,844,513
Budget to be Recovered through Tier 2			\$1,892,800	\$1,891,373	\$1,954,016	\$1,854,806	\$2,114,681
Consumption associated with			28,415,023	27,260,000	27,260,673	29,040,090	28,688,982
			0.0666	0.0694	0.0717	0.0639	0.0737
Rate per Cubic Foot	<u>Tier 2 Rate</u>						
Rate per 100 Cubic Feet	40%		\$6.29	\$6.38	\$6.38	\$6.69	\$7.37
	Difference		\$0.75	\$0.75	\$0.75	\$0.75	\$0.76
	<u>\$0.75</u>						
	Total Rate:		\$5.84	\$5.93	\$5.93	\$6.24	\$6.91

<i>7,750 cubic feet</i>	Annual Residential	\$529	\$536	\$536	\$560	\$612
	YoY \$ Increase/(Decrease):	\$18	\$7	\$0	\$24	\$52
	YoY % Increase/(Decrease):	3%	1%	0%	4%	9%
<i>34,596 cubic feet</i>	Annual Business	\$2,186	\$2,217	\$2,217	\$2,325	\$2,559
	Total Blended Rate:	\$5.84	\$5.93	\$5.93	\$6.24	\$6.91
	YoY \$ Increase/(Decrease):	\$12	\$31	\$0	\$107	\$234
	YoY % Increase/(Decrease):	1%	1%	0%	5%	10%

Water Rate Calculation

<u>Factors</u>		<u>FY2019</u>	<u>FY2020</u>	<u>FY2021</u>	<u>FY2022</u>	<u>FY2023</u>
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Less UFB		-\$100,000	-\$100,000	-\$171,322	-\$100,000	\$0
Less PY Liens		-\$84,213	-\$68,371	-\$89,707	-\$89,707	-\$89,000
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	<u>\$0.75</u>						
	Total Rate:		\$5.84	\$5.93	\$5.93	\$6.24	\$6.91

<i>7,750 cubic feet</i>	Annual Residential	\$529	\$536	\$536	\$560	\$622
	YoY \$ Increase/(Decrease):	\$18	\$7	\$0	\$24	\$62
	YoY % Increase/(Decrease):	3%	1%	0%	4%	11%
<i>34,596 cubic feet</i>	Annual Business	\$2,186	\$2,217	\$2,217	\$2,325	\$2,566
	Total Blended Rate:	\$5.84	\$5.93	\$5.93	\$6.24	\$6.91
	YoY \$ Increase/(Decrease):	\$12	\$31	\$0	\$107	\$242
	YoY % Increase/(Decrease):	1%	1%	0%	5%	10%



Bruce Vogel <bruce@plumislandcoffee.com>

Fwd: Water and Sewer Commission Rates

Owen Smith <osmith87@gmail.com>
To: Bruce Vogel <bruce@vogelatlarge.com>

Thu, Jun 9, 2022 at 4:06 PM

----- Forwarded message -----

From: **Owen Smith** <osmith87@gmail.com>
Date: Tue, Jun 7, 2022 at 2:59 PM
Subject: Re: Water and Sewer Commission Rates
To: Roger & Donna <jones137@comcast.net>
Cc: Sean Reardon <SRearon@cityofnewburyport.com>, Sandy Friede (sandyfriede@comcast.net) <Sandyfriede@comcast.net>, William Creelman <Creelmanw@gmail.com>, Andrew Levine <ALevine@cityofnewburyport.com>, Julie Spurrknight <JSpurrknight@cityofnewburyport.com>, Anthony Furnari <AFurnari@cityofnewburyport.com>, Jamie Tuccolo <JTuccolo@cityofnewburyport.com>

We all serve at the mayor's pleasure and we are appointed as such. However, it is my belief that the Water and Sewer Commission is empowered by the enabling legislation to set their own rates and choose how to expend funds from the enterprise funds.

With that said, I think it would be proper for the commission to vote on reconsidering it's recommended rate. We do have a meeting next Wednesday.

The Indian Hill design proposal came in less than expected. That's good news, but that proposal won't get us a final design, so additional design work will need to be completed. Those costs are unknown at this time.

We also have other projects to consider to address our short term vulnerabilities. Those should be considered if we have available funds.

On Tue, Jun 7, 2022, 14:27 Roger & Donna <jones137@comcast.net> wrote:

Mr. Mayor,

Thank you for attending our meeting and for getting back to us with your decision on the rates. It makes sense and moves us forward for the future.

Roger,
Commission Chair

Sent from my iPad

On Jun 7, 2022, at 2:13 PM, Sean Reardon <SRearon@cityofnewburyport.com> wrote:

Good Afternoon Water and Sewer Commission,

I first want to thank you all for your hard work on the commission. I enjoyed attending your last meeting and discussing where the city currently is with water and sewer rates. It was a great discussion and with so many capital projects on the horizon an important one. I've decided to put forward to the City Council Julie's recommendation of raising the water rate 9% using \$100K in retained earnings and a 0% increase in sewer using \$300K in retained earnings. I know you were hesitant to use water retained earnings but looking at this long term the city feels this is the most prudent way to proceed. This way we can continue to move forward with getting these capital projects shovel ready and we also have the water meter project that hopefully will start next year. Another important detail we just learned was the Indian Hill

water line design fee just came back in at \$265K and not the \$450K we allocated in the CIP. We are talking to DPS about lowering the amount. Rates are going to have to increase over the next several years and I believe this is where we need to start. Please reach out to my office with any additional questions or concerns.

Respectfully,

Sean Reardon

Mayor

City of Newburyport

[60 Pleasant St.](#)

PO Box 550

Newburyport, MA 01950

978-465-4411

Sign up for e-alerts and general City information on [CityofNewburyport.com](#)



--
Owen Smith
(631) 879-7964

5 attachments

 **image003.png**
1K

 **image001.png**
1K

 **image005.jpg**
7K

 **image004.png**
2K



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

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA
2022 JUN 24 AM 8:39

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: June 27, 2022
Subject: Appointment

I hereby appoint, subject to your approval, the following named individual as a member of Commission on Disabilities. This term will expire on July 31, 2025.

Jacob Majahad
6 59th Street
Newburyport, MA 01950

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

June 27, 2022

AN ORDER TO FILE AND ACCEPT GRANTS WITH AND FROM THE COMMONWEALTH OF MASSACHUSETTS, EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS FOR THE PARKLAND ACQUISITIONS AND RENOVATIONS FOR COMMUNITIES PROGRAM FOR IMPROVEMENTS ASSOCIATED WITH THE EXPANSION OF MARKET LANDING PARK

Whereas: Market Landing Park is by and 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 land for Market Landing Park Expansion has been dedicated for park and conservation uses pursuant to a Special Act of the Massachusetts Legislature (*Chapter 96 of the Acts of 2020*); and

Whereas: Market Landing Park's ultimate expansion, guided in principal by Chapter 96 of the Acts of 2020, will greatly enhance this facility with improved infrastructure, connected pathways, additional seating and site amenities, etc.; and

Whereas: The main focus of Market Landing Park Expansion is to increase the available space within the park to adequately serve the general public and continue to host major events and activities; and

Whereas: The overall project costs and fiscal budget constraints prevent the City from proceeding forward with implementation of the entirety as one project; and

Whereas: The project has instead been viewed as a series of phases, to be implemented over time, by priority as fiscal resources are 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 Parkland Acquisitions and Renovations for Communities grant program (301 CMR 5.00); and

Whereas: Phase I of the Market Landing Park Expansion Project is estimated to cost a total of \$4,650,000 (Four Million Six Hundred Fifty Thousand Dollars) and the City has secured \$1,250,000 in local Herman Roy Trust funds and Community Preservation Act (CPA) funds for the construction thereof.

NOW, THEREFORE, BE IT RESOLVED:

1. That the Mayor and Director of Planning & Development be and are hereby authorized to submit applications for, and to accept grants from, the Executive Office of Energy and Environmental Affairs for the construction of Market Landing Park Expansion, including but not limited to the Parkland Acquisitions and Renovations for Communities grant program (301 CMR 5.00); and
2. That the land for said Market Landing Park Expansion (*Newburyport Assessors Map & Lots 11-1-A, 11-1-C 11-1-D, 11-1-E, 11-1-F collectively*) is hereby dedicated to park and recreation purposes under M.G.L. Chapter 45, Section 3; and
3. That the Mayor and Director of Planning & Development be and are 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 and Recreation Department; and
4. That this Order shall take effect upon passage.

Councillor Heather L. Shand

CONSENT AGENDA

CITY COUNCIL “HYBRID”

MEETING MINUTES

June 13, 2022

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

Remembering Boua Dechhat, Mas Dechhat, First Responders, and Good Samaritans.

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: Cameron, Donahue, Khan, Lane, McCauley, Preston, Vogel, Wallace, Wright, Zeid, and Shand. 11 present.

4. LATE FILE

- COMM00418_06_13_2022 Ltr. Claire Papanastasiou re: IFS Proposed Settlement (GG)
- COMM00419_06_13_2022 Ltr. Peter Mackin re: IFS Proposed Settlement (GG)
- TRAN00132_06_13_2022 Reciepts Reserved Appr. Fuel \$58,031 to DPS Highway Fuel \$58,031 (B&F)
- ORDR00367_06_13_2022 Parks Make A Wish Gift Acceptance (B&F)
- ODNC00115_06_13_2022 Amendment to Noise 8 – 101 (PS)

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

5. PUBLIC COMMENT

Mark Griffin 3 Orange St.

Claire Papanastasiou 3 Orange St.

Peter Makin 13 Prospect St.

Ann Clausen 3 Otis Pl.

Owen Smith 175 Storey Ave

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 31, 2022

(Approve)

8. COMMUNICATIONS

- APPL00084_06_13_2022 Block Party 22 Lafayette St. Sat., August 6th 3-10pm (PS)
- APPL00085_06_13_2022 Waterfront Concert w/vendors Mon. & Tues., July 4th & 5th 10am-8pm (PS)
- APPL00086_06_13_2022 19th Annual Chocolate Tour Saturday, Oct. 1st 12-4pm (PS)
- APPL00087_06_13_2022 Walk Against Domestic Violence Sunday, Oct. 2nd 8-11am (PS)

9. TRANSFERS

- TRAN00130_06_13_2022 Fire Dept. Multiple \$195,000 to Fire OT \$150,000, Fire Salary \$25,000, and Fire Dispatch OT \$20,000 (B&F)
- TRAN00131_06_13_2022 Mayor's Office IT Salary Dir. \$45,000 to IT Prof Serv. \$20,000 and Offsite Serv. \$25,000 (B&F)

10. APPOINTMENTS

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

BUDGET & FINANCE

- ORDR00354_05_09_2022 FY23 CPC Recommendations (COTW) PARTIAL: Projects 2, 3, 5, 6, 7, 10
- ORDR00362_05_31_2022 Friends of COA Gift Acceptance \$15,700
- ORDR00361_05_31_2022 Free Cash Transfer & Grant Acceptance – LWCF Grant for Bartlet Mall
- TRAN00128_05_31_2022 Library Staff Salary \$25,955 to Library Heat/Electricity \$6,000 and Library Maint. Expense \$18,535 and Library Admin Expense \$1,420

PUBLIC SAFETY

- APPT00323_05_31_2022 George Sass 37 Jefferson St. Harbor Commission 5/31/2025
**Re-appointment*
- APPL00078_05_31_2022 Block Party 14 Dove St. Saturday, August 6th 5:30pm -10pm
- APPL00079_05_31_2022 Newburyport Lions Bed Race August 4th 5pm-8pm
- APPL00081_05_31_2022 Block Party 31 Howard St. Friday June 17th 12pm-9pm
- APPL00083_05_31_2022 Riverfest Saturday, July 23rd 12pm-7pm
- COMM00411_05_31_2022 Waterfront Trust Ltr re: July 4-5th Event property use
- COMM00413_05_31_2022 Ltr. Bob Keller re: Speed Limits
- COMM00396_03_14_2022 Ltr. Stephen Comley
- COMM00390_02_28_2022 Gregory Caplan Ltr-Low St./Bright Horizons access to Fuller Field
- ODNC00112_05_31_2022 Amendment Brown Sq Way No Parking
- ODNC00113_05_31_2022 Amendment Brown Sq Way Drop Off Zone

PUBLIC UTILITIES

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

END OF CONSENT AGENDA

Motion to add the late files to the Consent Agenda, referring them to the respective Committees as noted by Councillor Zeid, seconded by Councillor Cameron. So voted. Motion at approve the Consent Agenda as amended by Councillor Zeid, seconded by Councillor Cameron. So voted.

REGULAR AGENDA

9. MAYOR'S UPDATE

Motion to receive and file by Councillor Zeid, seconded by Councillor Lane. So Voted.

10. FIRST READING APPOINTMENTS

11. COMMUNICATIONS

12. TRANSFERS

13. SECOND READING APPOINTMENTS

- APPT00325_05_31_2022 Marilyn Cohodas 66 Washington St. Tree Commission 6/30/2025
Motion to approve on 2nd reading by Councillor Zeid, seconded by Councillor Wallace. Roll call vote. 11 yes.
Motion passes.

14. ORDERS

- ORDR00363_06_13_2022 Water & Sewer Rates FY23 (PU)
Motion to refer to Public Utilities and COTW by Councillor Vogel, seconded by Councillor Wright. So voted.
- ORDR00364_06_13_2022 FY23 Revolving Fund Spending Limits (B&F)
Motion to refer to Budget & Finance by Councillor Zeid, seconded by Councillor Vogel. So voted.
- ORDR00365_06_13_2022 Acceptance Preservation 90 Water Street (P&D)
Motion to refer to Planning & Development by Councillor Cameron, seconded by Councillor Vogel. So voted.
- ORDR00366_06_13_2022 Ward 2 Polling Place Change (GG)
Motion to refer to General Government by Councillor Khan, seconded by Councillor Vogel. So voted.

15. ORDINANCES

- ODNC00110_05_09_2022 2nd Reading amended 5-18-2022 Updating Departmental Revolving Funds
Motion to approve on 2nd reading by Councillor Zeid, seconded by Councillor Cameron. Roll call vote. 9 yes, 2 no (SZ, JM). Motion passes.
- ODNC00116_06_13_2022 Atwood St. Parking Restrictions
Motion to refer to Public Safety by Councillor McCauley, seconded by Councillor Donahue. So voted.

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:

- **ORDR00354 05 09 2022 FY23 CPC Recommendations (COTW) Partial :Projects 2, 3, 5, 6, 7, 10**
Motion to approve Project 2 by Councillor Zeid, seconded by Councillor Wright. So voted.
Motion to approve Project 3 by Councillor Zeid, seconded by Councillor Khan. So voted.
Motion to approve Project 5 by Councillor Zeid, seconded by Councillor Wallace. 9 yes, 2 no (SZ, BL).
So voted.
Motion to approve Project 6 by Councillor Zeid, seconded by Councillor Khan. So voted.
Councillor Zeid recused. Motion to approve Project 7 by Councillor Khan, seconded by Councillor Wright.
9 yes, 1 no (JD), 1 recused (SZ). So voted.
Motion to approve Project 10 by Councillor Zeid, seconded by Councillor Cameron. 10 yes, 1 no (JM).
So voted.
- **ORDR00362 05 31 2022 Friends of COA Gift Acceptance \$15,700**
Motion to approve by Councillor Zeid, seconded by Councillor Khan. So voted.
- **ORDR00361 05 31 2022 Free Cash Transfer & Grant Acceptance – LWCF Grant for Bartlet Mall**
Motion to approve by Councillor Zeid, seconded by Councillor Khan. Roll call vote. 11 yes. Motion
passes.
- **TRAN00128 05 31 2022 Library Staff Salary \$25,955 to Library Heat/Electricity \$6,000
and Library Maint. Expense \$18,535 and Library Admin Expense \$1,420**
Motion to approve by Councillor Zeid, seconded by Councillor Khan. So voted.

- 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)
- TRAN00129_05_31_2022 Mayor's Office Multiple See Attached \$3,021,480.56 to Multiple See Attached \$3,021,480.56
- ORDR00359_05_31_2022 Gift Acceptance FONT \$9,000

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)
- COMM00417_05_31_2022 Ltr. Jane Snow re: Coffin St.
- COMM00410_05_31_2022 Ltr. Lawrence Cavalieri Coffin St. Ext
- APPT00322_05_31_2022 Richard B. Jones 283 High St. City Clerk 06/30/2025
*Re-appointment
- ORDR00360_05_31_2022 Authorizing City Clerk Contract 2022

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
- COMM00415_05_31_2022 Global Efforts Related/Potential Residential Use Property 5/22 Update
- APPT00326_05_31_2022 Bonnie Sontag 21 Smith St. Planning Board 6/30/2027
- APPT00327_05_31_2022 Patricia Peknik 4 Dove St. ZBA 6/30/2023
- ORDR00358_05_31_2022 Acceptance of Stables - Colby Farm Lane Lot 3

Public Safety

In Committee:

- APPT00323 05 31 2022 George Sass 37 Jefferson St. Harbor Commission 5/31/2025
*Re-appointment

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

- **APPL00078 05 31 2022 Block Party 14 Dove St. Saturday, August 6th 5:30pm -10pm**
- **APPL00079 05 31 2022 Newburyport Lions Bed Race August 4th 5pm-8pm**
- **APPL00081 05 31 2022 Block Party 31 Howard St. Friday June 17th 12pm-9pm**
Motion to approve collectively APPL00078, APPL00079, APPL00081 by Councillor McCauley, seconded by Councillor Wright. So voted.
- **APPL00083 05 31 2022 Riverfest Saturday, July 23rd 12pm-7pm**
- Motion to approve by Councillor McCauley, seconded by Councillor Zeid. So voted.
- **COMM00411 05 31 2022 Waterfront Trust Ltr re: July 4-5th Event property use**
- **COMM00413 05 31 2022 Ltr. Bob Keller re: Speed Limits**
- **COMM00396 03 14 2022 Ltr. Stephen Comley**
- **COMM00390 02 28 2022 Gregory Caplan Ltr-Low St./Bright Horizons access to Fuller Field**
Motion to receive and file collectively, COMM00411, COMM00413, COMM00396, COMM00390 by Councillor McCauley, seconded by Councillor Wright. So voted.
- **ODNC00112 05 31 2022 Amendment Brown Sq Way No Parking**
- **ODNC00113 05 31 2022 Amendment Brown Sq Way Drop Off Zone**
Motion to approve collectively on 1st reading ODNC00112 and ODNC00113 by Councillor McCauley, seconded by Councillor Wright. Roll call vote. 10 yes, 1 no (CP). Motion passes.
- **APPL00085 06 13 2022 Waterfront Concert w/vendors Mon. & Tues., July 4th & 5th 10am-8pm**
Motion to remove from Committee, declare an emergency, and approve by Councillor McCauley, seconded by Councillor Wright. Councillor Zeid noted that the insurance is required naming the City of Newburyport. So voted.
- APPL00080_05_31_2022 Movable Sign for Smitten at State St. & Threadneedle Alley
- COMM00412_05_31_2022 Ltr Ann Jaronyk re: Traffic Safety
- COMM00414_05_31_2022 Ltr. Emily Dunn re: Traffic on Merrimac Street
- APPT00324_05_31_2022 Justin Dutcher 7 Morin Rd. St. Harbor Commission 5/31/2025
**Re-appointment*
- ODNC00114_05_31_2022 Amended Liberty St Resident Parking

Public Utilities

In Committee:

- **APPT00314 04 25 2022 Daniel A. Simon 11 Jackson St. Water/Sewer Comm. 4/30/2024**
Motion to approve by Councillor Vogel, seconded by Councillor McCauley. Roll call vote. 11 yes. Motion passes.
- 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

Councillor Khan recognized the Newburyport school nurses for saving the life of a middle school student. Councillor Wallace recognized the good Samaritans who aided first responders in the tragic accident on the Merrimack River.

There was a brief discussion on clarifying the position of the City Council with respect to the IFS settlement.

18. ADJOURNMENT

Motion to adjourn at 8:47pm by Councillor Donahue, seconded by Councillor Vogel. So voted.

CITY COUNCIL “HYBRID”

MEETING MINUTES

June 21, 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 7:08 pm and asked the City Clerk, Richard B. Jones, to call the roll. The following City Councillors answered present Khan, Lane, McCauley, Preston, Vogel, Wallace, Wright, Zeid, Cameron, and Shand. 10 present (1 remote MW), 1 absent (JD).

Councillor Donahue present 7:10pm (remote).

- 4. PUBLIC COMMENT**

None

- 5. TRANSFERS**

- TRAN00133_06_21_2022 DPS: RRFA Legal Settlements \$13,500 to Brown School Protective Measures \$13,500
- TRAN00134_06_21_2022 City Clerk's Office: SUS Solid Waste \$1500 to CLK Administration \$1500
Motion to refer to Budget & Finance by Councillor Zeid, seconded by Councillor Khan. Roll call vote. 11 yes.
Motion passes.

- 6. COMMITTEE ITEMS:**

Budget & Finance

- ORDR00350_05_09_2022 FY2023 Budget Order
Motion to approve by Councillor Zeid, seconded by Councillor Khan.
51160 Motion to amend to reduce to 2½% by Councillor Zeid, seconded by Councillor McCauley. Roll call vote. 8 no, 3 yes (JM, MW, SZ). Motion fails.
52406 Motion to amend to reduce to \$15,000 by Councillor Zeid, seconded by Councillor McCauley. Roll call vote. 9 yes, 2 no (AK, BV). Motion passes.
52702 Motion to amend to reduce by \$36,000 by Councillor Zeid, seconded by Councillor McCauley. Roll call vote. 9 yes, 2 no (JD, BV). Motion passes.
53801 Motion to amend reduce by \$28,000 by Councillor Zeid, seconded by Councillor McCauley. Friendly amendment by Councillor McCauley to reduce by \$18,000. Roll call vote. 6 no, 5 yes (BL, JM, CP, MW, SZ). Motion fails.
51120 Motion to reduce by \$8154 by Councillor Vogel, seconded by Councillor Preston. Friendly amendment by Councillor Zeid to amend increase 3½%, \$98,719. Roll call vote. 9 no, 2 yes (BV, SZ). Motion fails.
51501 Motion to reduce to \$5100 by Councillor Vogel, seconded by Councillor Preston. Roll call vote. 6 yes, 5 no (JD, AK, BL, CW, EC). Motion passes.
51122 Motion to amend reduce to \$0 by Councillor Vogel, seconded by Councillor Zeid. Roll call vote. 10 no, 1 yes (BV). Motion fails.
53004 Motion to amend reduce to \$20,000 by Councillor Zeid, seconded by Councillor McCauley. Roll call vote. 7 yes, 4 no (JD, AK, JM, HS). Motion passes.
51102 Motion to amend to reduce by \$75,000 by Councillor Zeid, seconded by Councillor Preston. Roll call vote. 10

yes, 1 no (JD). Motion passes.

51404 Motion to amend to reduce to \$0 by Councillor Vogel, seconded by Councillor McCauley. Roll call vote. 6 yes, 5 no (JD, AK, CP, BV, HS). Motion passes.

51122 Motion to amend to reduce to \$0 000 by Councillor Zeid, seconded by Councillor Lane. Roll call vote. 9 no, 2 yes (MW, SZ). Motion fails.

57800 Motion to amend to reduce by \$10 000 by Councillor Zeid, seconded by Councillor McCauley. Motion withdrawn.

54200 Motion to amend to reduce by \$10,000 000 by Councillor Zeid, seconded by Councillor McCauley. Roll call vote. 9 yes, 2 no (JD, EC). Motion passes.

55800 Motion to amend to reduce by \$9225 000 by Councillor Zeid, seconded by Councillor Zeid. Roll call vote. 6 no, 5 yes (BL, JM, CW, MW, SZ). Motion fails.

51901 Motion to amend to reduce by \$5000 000 by Councillor Zeid, seconded by Councillor Lane. Roll call vote. 7 yes, 4 no (JD, AK, BV, HS). Motion passes.

9:04pm 5-minute recess

51165 Motion to amend to reduce to \$0 000 by Councillor Zeid, seconded by Councillor Preston. Roll call vote. 7 no, 4 yes (BL, CP, MW, SZ). Motion fails.

52702 Motion to amend to reduce to \$0 000 by Councillor Zeid, seconded by Councillor Preston. Roll call vote. 6 yes, 5 no (JD, AK, BV, EC, HS). Motion passes.

Councillor Donahue left the meeting.

51404 Motion to amend to reduce by \$1200 000 by Councillor McCauley, seconded by Councillor Lane. Roll call vote. 5 yes (BL, JM, CW, MW, SZ), 5 no (AK, CP, BV, EC, HS), 1 absent (JD). Motion fails.

51166 Motion to amend to reduce by \$19,500 000 by Councillor Zeid, seconded by Councillor Preston. Roll call vote. 6 yes, 4 no (AK, BV, EC, HS), 1 absent (JD). Motion passes.

53201 Motion to amend to reduce to \$0000 by Councillor McCauley, seconded by Councillor Cameron. Roll call vote. 9 no, 1 yes (JM), 1 absent (JD). Motion fails.

51700 Motion to amend to reduce by \$25,000 000 by Councillor Zeid, seconded by Councillor McCauley. Roll call vote. 6 no, 4 yes (JM, CW, MW, SZ), 1 absent (JD). Motion fails.

53020 Motion to amend to reduce by \$10,000 000 by Councillor Zeid, seconded by Councillor McCauley. Roll call vote. 5 yes (BL, JM, CW, SZ, EC), 5 no (AK, CP, BV, MW, HS), 1 absent (JD). Motion fails.

59100 and 59150 Motion to amend collectively to reduce \$57,000 (\$28,500 each) by Councillor Zeid, seconded by Councillor McCauley. Roll call vote. 5 yes (BL, JM, CW, MW, SZ), 5 no (AK, CP, BV, EC, HS), 1 absent (JD).

Motion fails.

10:01pm 10-minute recess.

Motion to approve as amended by Councillor Zeid, seconded by Councillor Khan. Roll call vote. 10 yes, 1 absent (JD). Motion passes.

7. GOOD OF THE ORDER

8. ADJOURNMENT

Motion to adjourn at 10:15pm by Councillor Zeid, seconded by Councillor Lane. So voted.

COMMUNICATIONS

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

NEWBURYPORT SPECIAL EVENT APPLICATION

Tel. _____

Fax. _____

2022 JUN 21 PM 4:01

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

NAME OF EVENT: ANNUNCIATION ^{CHURCH} & GREEK FOOD FESTIVAL

Date: JULY 29 + JULY 30 Time: from 10 AM to 9 PM

Rain Date: NOT APPLIC. Time: from _____ to _____

2. Location*: 7 HARRIS STREET

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

3. Description of Property: CHURCH + HALL Public _____ Private X

4. Name of Organizer: ANNUNCIATION GREEK CHURCH City Sponsored Event: Yes _____ No X

Contact Person JAMES SPERELAKIS

Address: 7 HARRIS ST NEWBURYPORT, MA 01985 Telephone: 978-479-6372

E-Mail: JAMES.SPERELAKIS@COVESTRO.COM Cell Phone: 978-479-6372

Day of Event Contact & Phone: SAME AS ABOVE PLEASE

5. Number of Attendees Expected: SEVERAL HUNDRED TO ONE THOUSAND

6. MA Tax Number: 11050269

7. Is the Event Being Advertised? YES Where? DAILY NEWS, SOCIAL MEDIA, RADIO

8. What Age Group is the Event Targeted to? ALL AGES, PRIMARILY ADULTS. FAMILY FRIEND

9. Have You Notified Neighborhood Groups or Abutters? Yes X No _____, Who? ALL ABUTTERS HAVE BEEN, OR WILL BE NOTIFIED. STRONG RELATIONSHIP WITH NEIGHBOURS

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

A. Vending*: Food X Beverages X Alcohol X Goods X Total # of Vendors 2 (INDOOR)

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

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

Performers X Dancing _____ Amplified Sound X Stage _____ GREEK BAND
FRI + SAT. 5-9 PM

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 _____

JAMES SPERELAKIS 978-479-6372

FOR STREET CLOSURE OR ANY USE OF A PUBLIC WAY

PARADE _____ ROAD RACE _____ WALKATHON _____

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

2. Name, Address & Daytime Phone Number of Organizer: _____
ANNUNCIATION GREEK ORTHODOX CHURCH
7 HARRIS ST, NEWBURYPORT, MA 01985
CONTACT/FESTIVAL CHAIR: JIM SPERELAKIS (978-479-6372)
E-MAIL: JAMES.SPERELAKIS@COVESTRO.COM

3. Name, Address & 24/7 Telephone Number of Person Responsible for Clean Up _____
SAME AS #2 ABOVE

4. Date of Event: JULY 29 + 30, 2022 Expected Number of Participants: SEVERAL HUNDRED

5. Start Time: 10 AM (EVENT STARTS AT 11 AM) Expected End Time: 9 PM

6. Road Race, Parade or Walkathon Route: (List street names & attach map of route): NOT APPLICABLE
PLEASE NOTE: WE ARE RESPECTFULLY REQUESTING THE PARKING SPOTS (APPROX 7) ON HARRIS ST, DIRECTLY IN FRONT OF CHURCH PROPERTY BE RESERVED FOR OUR FESTIVAL ACTIVITIES (10 AM-9 PM) ON 7/29+30. IN ADDITION, PARTIAL STREET CLOSURE (1 BLOCK ON HARRIS ST, GREEN ST. TO PARK ST.) ON SAT. 7/30, 5 PM-9 AM ONLY.

7. Locations of Water Stops (if any): NOT APPLICABLE

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

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.
HEALTH DIRECTOR [Signature] 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.

<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

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: JR Sperelakis 978-479-6372 Date: 6/21/22

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,

If yes:

- a) How many trash receptacles will you be providing? 15+
- b) How many recycling receptacles will you be providing? 10+
- c) Will you be contracting for disposal of : **Trash** Yes No **Recycling** Yes No
- i. If yes, size of dumpster(s): **Trash** 20' x 30' **Recycling** SIMILAR
- ii. Name of disposal company: **Trash** CHARLES GEORGE **Recycling** CHARLES GEORGE
- 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: _____

using inside toilets



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

05/17/2022

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

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

PRODUCER American Church Group of New England, LLC. 5001 Craig Rath Blvd. Midlothian, VA 23112	CONTACT NAME: Carol Sanford PHONE (A/C, No, Ext): 1-877-343-7599 E-MAIL ADDRESS: carol@americanchurchgroup.com	FAX (A/C, No): 804-590-3347
	INSURER(S) AFFORDING COVERAGE	
INSURED Greek Church of the Annunciation 7 Harris St Newburyport, MA 01950	INSURER A: Brotherhood Mutual Insurance Company NAIC # 1352	
	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 INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC	X		20M5A0507800	04/28/2022	04/28/2023	EACH OCCURRENCE \$ 1,000,000
	DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 500,000						
							MED EXP (Any one person) \$ 10,000
							PERSONAL & ADV INJURY \$ 1,000,000
							GENERAL AGGREGATE \$ 3,000,000
							PRODUCTS - COMP/OP AGG \$ 3,000,000
	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) \$
							\$
	UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED <input type="checkbox"/> RETENTION \$						EACH OCCURRENCE \$
							AGGREGATE \$
							\$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below		Y / N	N / A			WC STATUTORY LIMITS
							OTH-ER
							E.L. EACH ACCIDENT \$
							E.L. DISEASE - EA EMPLOYEE \$
							E.L. DISEASE - POLICY LIMIT \$

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

The City of Newburyport is listed as Additional Insured in respect to the General Liability subject to all terms and conditions of the policy for the Greek Food Festival.

DATES: July 29 - 31, 2022

CERTIFICATE HOLDER**CANCELLATION**

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



RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2022 JUN 13 AM 8:39

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: _____

CONTACT INFORMATION

FIRST AND LAST NAMES: CHRISTIAN HANSEN

MAILING ADDRESS: 29 Hill ST NBPT, MA 01950

PHONE NUMBER: 917.518.3946

E-MAIL ADDRESS: christianchansen@gmail.com

BLOCK PARTY INFORMATION

BLOCK PARTY DATE: JULY 23, 2022 (SATURDAY)

DESIRED STREET CLOSING LOCATION: Hill & BRICHER / CHERRY & BRICHER
Please indicate cross streets when requesting the closing of street sections

STREET TO BE BARRICADED: BRICHER ST

DESIRED STREET CLOSING TIME: 2 pm - 10 pm
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:  Date: 6/1/2022


APPROVAL SIGNATURES REQUIRED FOR STREET CLOSURE


CITY MARSHALL
4 Green Street


FIRE CHIEF
0 Greenleaf Street

DEPUTY DIRECTOR
16A Perry Way

CITY CLERK
60 Pleasant Street

 6/6/22

 6-12-22



City use only:

Approved _____ Denied _____ Date _____

**APPOINTMENTS
FIRST READING**



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

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2022 JUN 15 AM 10:57

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: June 27, 2022

Subject: Appointment

I hereby appoint, subject to your approval, the following named individual as Head Librarian for Newburyport. This term will expire on July 9, 2025.

Sara Kelso
1 Robin Glen Road
Stratham, NH 03885

Sara Kelso

503-481-2293

sara.kelso@gmail.com

MARCH 22, 2022

HEAD LIBRARIAN SEARCH COMMITTEE
CITY OF NEWBURYPORT - NEWBURYPORT PUBLIC LIBRARY
94 STATE STREET
NEWBURYPORT, MA. 01950

Dear Colleagues and Community Members:

I am writing to express my interest in serving as the next Head Librarian for the city of Newburyport. For the past four years, I have enjoyed the privilege of serving the city of Newburyport and the Newburyport Public Library in the role of Assistant Head Librarian, a position that also performs all duties of Head Librarian during absences. With twelve years in the field of public service focusing specifically on community libraries, I believe I am ready to lead the Newburyport Public Library into its next chapter.

My experience as an administrator at the Newburyport Public Library has afforded me an opportunity to develop strong, positive connections with local residents, a variety of community organizations, city employees, and a number of service-minded professionals. I am in this field because I love working with people and believe in the mission of public libraries. Neither of my parents completed high school, so education and access for people of all backgrounds is of personal interest. I know firsthand the difference libraries can make as welcoming, safe places for learning without barriers. I married a Newburyport native who also spent many formative years in his hometown library. Libraries are not just about books, but about building community through inclusive and thoughtful spaces, programming, resources, and relationships. I am proud to support these goals every day.

My focus as a public servant includes practical and academic knowledge of local government, budgeting, grant writing, long-range strategic planning, statistical analysis, and policy development. I bring several years of experience with personnel selection, training and management, and a proven history of collaboration through outreach, diverse programming, and thoughtful community-based partnerships. As a professional librarian, I also possess strong research, writing, and technology skills.

I have completed several statewide and regional leadership programs and presented on current topics affecting Massachusetts library users. I am active in several industry associations and consistently seek out professional development for both myself and staff. I represent the Newburyport Public Library at various boards, committees, and meetings, including the Merrimack

Sara Kelso

503-481-2293

sara.kelso@gmail.com

2 of 2

Valley Library Consortium, and as an executive board member and budget committee member with the Massachusetts Library System. In previous roles, I served on technology advisory committees for large consortiums, volunteered as a librarian for a statewide reference service, and acted as editor for a statewide library association quarterly publication for four years.

Recently, I completed a large-scale project which involved a comprehensive overhaul of the Newburyport Public Library website. In my tenure at the Newburyport Public Library, I have introduced several new technologies and initiatives focused on improved efficiency and access to resources for both staff and patrons, many at little or no cost. In 2020, I assisted the Friends of the Newburyport Public Library in writing a grant with a local organization that resulted in implementation of low-vision resources and equipment for public use.

I believe in preserving the rich history of Newburyport while pursuing innovation as the needs and interests of the community grow. COVID-19 has taught us all a great deal about adapting to new landscapes through creative problem-solving. In July 2021, I unexpectedly found myself shoveling water down a flooded hallway in the basement near our Archival Center during a building emergency. It was definitely a challenge that required me to be quick on my feet! I am familiar with all aspects of our historic building and its ongoing demands, along with the many vendors and DPS staff who help us keep it in top condition.

I have worked in busy urban libraries serving over 65,000, with expansive facilities and budgets to match, and in tiny places taped together, surviving on willpower and ingenuity. I want to support the library and the city in delivering new and existing services, expanding access, and providing an inclusive, welcoming environment for lifelong learning. I believe in communication, collaboration, and consistent, accurate customer service. I adapt quickly, and know a sense of humor is invaluable in public library work. I have also been fortunate to have the guidance of strong leaders and mentors, including current Head Librarian Giselle Stevens and former Head Librarian Dottie LaFrance. I have a broad knowledge of library services and sincere interest in helping others grow. I believe I can offer the dedication and experience you need in a Head Librarian. Your time and consideration are sincerely appreciated. I look forward to discussing the position with you further.

Sincerely,



SARA KELSO

sara.kelso@gmail.com ◆ 503-481-2293

Q U A L I F I C A T I O N S

- Over ten years experience building community and promoting public library services through support and administrative management roles in local government
- Extensive professional experience in personnel management, training, outreach, reference services and programming
- Current policy development, budgeting, long-range planning, and grant writing experience
- Strong technology background with experience managing library infrastructure including networks, hardware, and software
- Planning and project management, vendor procurement, and facilities support experience

E X P E R I E N C E

- | | | |
|---|---|--|
| City of Newburyport
Newburyport, MA. | Assistant Head Librarian (Assistant Director) 8/2018 - Present | <ul style="list-style-type: none">• Manage all aspects of library administration in absence of Head Librarian for 38,000-square foot facility with 21 staff• Current experience managing municipal budgets and payroll, executing policy development, long-range planning, grant writing, data collection and analysis, and statewide statistics reporting• Facilitate relationships with library boards, committees, and community stakeholders• Manage selection, training, scheduling, and ongoing support of all library personnel and volunteers• Manage and implement all technology including networking, hardware and software for a public library serving over 18,000 residents• Implemented rapidly changing protocols throughout COVID-19, launched Library of Things, online chat, automated PTO tracking, managed 2021 website redesign project |
| City of Peabody
Peabody, MA. | Head of Reference/Senior Librarian 8/2016 - 8/2018 | <ul style="list-style-type: none">• Managed Public Services operations and staff in busy urban library serving 50,000• Managed over \$85,000 annual electronic and print resource budget• Oversaw public technology programming, planning, and instruction• Produced social media and marketing content• Trained library staff and assisted in personnel selection• Managed and reported statistical data |
| City of Amesbury
Amesbury, MA. | Reference Librarian 11/2015 - 8/2016; on-call 8/2016 - 11/2018 | <ul style="list-style-type: none">• Handled library resource and technology inquiries• Managed adult nonfiction print/e-book materials and budget• Facilitated recurring adult programs• Managed social media, website, and event calendar content |

E X P E R I E N C E

- City of Tigard
Tigard, OR. **Adult Services Librarian** 8/2014 - 10/2015
Senior Reference Assistant 7/2013 - 8/2014
- Managed adult print collection and annual budget
 - Scheduled, supervised, and trained technology assistants
 - Developed digital education program for a library serving 64,000
 - Planned and coordinated monthly cultural, literary, technology, educational, and community-focused programs
 - Handled reference inquiries and coordinated public space usage
- City of Sherwood
Sherwood, OR. **Library Assistant** 1/2011 - 10/2015
- Provided reference, readers' advisory, and account services
 - Routed items, managed holds, resolved materials issues
- St. Jude Medical
(Abbott Labs),
Neuromodulation
Division
Portland, OR. **Technical Writer** 6/2007-12/2010
- Authored and edited product and process assembly documentation for specialized medical components in conformance with ISO and ASTM quality control standards
 - Maintained engineering documentation library
 - Worked closely with engineering team in product design and lean manufacturing protocols, including SolidWorks CAD 3-D modeling software

E D U C A T I O N

- Suffolk University &
Mass. Municipal Association
Boston, MA. **Local Government Leadership & Management
Graduate Certificate, 2018**
- San Jose State University
San Jose, CA. **Master of Library & Information Science, 2014**
- Portland State University
Portland, OR. **Bachelor of Science, Sociology, 2012**
Summa Cum Laude

P R O F E S S I O N A L E N G A G E M E N T

Massachusetts Library System

- Member, Board of Directors 2021 - Present
- Budget Committee, Board of Directors 2021 - Present
- Member, Institute for Database Engagement & Leadership 2018
- Member/Presenter, Project SET: Skills, Empowerment & Talent Cohort 2017

New England Library Association

- Participant, Emerging Leaders Virtual Cohort 2021

Merrimack Valley Library Consortium

- Co-Chair, Technology User Group 2019 - 2020

North of Boston Library Exchange

- Electronic Resources and Database Working Group 2016 - 2018

Oregon Library Association

- Editor/Coordinator, Oregon Library Association Quarterly Journal 2012 - 2015
- Co-Chair, Communications Committee 2012 - 2014

Sara Kelso

503-481-2293

sara.kelso@gmail.com

PROFESSIONAL REFERENCES

Name: Giselle Stevens

Title: Head Librarian, Newburyport Public Library, 2018-Present

Relationship: Current supervisor

Email: gstevens@newburyportpl.org

Phone: 978-465-4428 x222 (work) / 978-270-7718

Name: Dorothy "Dottie" LaFrance

Title: Head Librarian, Newburyport Public Library, 1978-2008 (retired)

Relationship: Professional mentor

Email: r.lafrance@comcast.net

Phone: 978-255-7124

Name: Paula Biscardi

Title: Library Technician, Newburyport Public Library (retired)

Relationship: Former colleague/direct report

Email: paula.h.biscardi@gmail.com

Phone: 978-462-7277 (best reached by phone)

Additional contacts

Name: Margie Walker

Title: Local History/Teen Services Librarian, Amesbury Public Library (retired)

Relationship: Former colleague

Email: margiewalker10@comcast.net

Phone: 603-775-7081

Name: Nancy Peace

Title: Past President, Friends of the Newburyport Public Library, current member, Board of Directors

Relationship: Professional colleague

Email: nancypeace@comcast.net

Phone: 617-501-9511

END OF CONSENT AGENDA

BEGINNING OF REGULAR AGENDA

ORDERS

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

June 27, 2022

An Order to Allow a Waiver for an Asphalt Sidewalk on Bourbeau Terrace

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

Chapter 12	Streets, Sidewalks and Other Public Places
Article III	Sidewalks
Section 54	Street, way or grounds specification
Subsection (b)	Sidewalk material

Pursuant to Section 12-54(b) which states as follows:

Exception: Asphalt may be used as an alternative material anywhere in the City upon obtaining a waiver granted by City Council Order.

The City Council of the City of Newburyport hereby grants a waiver to use asphalt as an alternative material for the sidewalk located on Bourbeau Terrace.

Councillor Byron J. Lane

ORDINANCES

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

In City Council May 31, 2022:

Motion to refer collectively ODNC00112, ODNC00113, and ODNC00114 to Public Safety by Councillor Zeid, seconded by Councillor McCauley. Roll call vote. 11 yes. Motion passes.

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'.

ODNC00113_05_31_2022
2nd Reading
Councillor Jennie Donahue

In City Council May 31, 2022:

Motion to refer collectively ODNC00112, ODNC00113, and ODNC00114 to Public Safety by Councillor Zeid, seconded by Councillor McCauley. Roll call vote. 11 yes. Motion passes.

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

June 27, 2022

AN AMENDMENT TO AN ORDINANCE ENTITLED BUILDINGS AND BUILDING REGULATIONS

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 as follows:

Chapter 5	and Building Regulations
Article II	Administration
Division 2	Generally
Sec. 5-45	Enforcement of chapter

These amendments are to read as follows, with deletions ~~double-stricken-through-and italicized~~, and additions double-underlined and italicized:

Sec. 5-45. - Enforcement of chapter.

(a) The building inspector shall, acting under the city council, see to the enforcement of the regulations of this chapter.

(b) Violation penalties

Any person who violates a provision of the current adopted edition of 780 CMR, 521 CMR, the International Building Code or the International Residential Code or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive of the building official, or of a permit or certificate issued under the provisions of this code, shall be subject to a fine of:

(1) 1st offense – written warning or one hundred (100) dollar fine

(2) 2nd offense – two hundred (200) dollar fine

- (3) 3rd offense – three hundred (300) dollar fine
- (4) 4th and subsequent offenses – three hundred (300) dollar fine and/or enforcement action

Accessibility violation fines shall be deposited in the Disabilities Commission Revolving Account.

Councillor James J. McCauley

COMMITTEE ITEMS

Committee Items – June 27, 2022

Budget & Finance

In Committee:

- TRAN00129_05_31_2022 Mayor's Office Multiple See Attached \$3,021,480.56 to Mult. \$3,021,480.56 (COTW)
- TRAN00133_06_21_2022 DPS: RRFA Legal \$13,500 to Brown Sch. Protective Measures \$13,500 (COTW)
- TRAN00130_06_13_2022 Fire Mult. \$195K to Fire OT \$150K, Fire Salary \$25K & Fire Dispatch OT \$20K
- TRAN00131_06_13_2022 Mayor's Office IT Salary Dir. \$45K to IT Prof Serv. \$20K & Offsite Serv. \$25K
- TRAN00132_06_13_2022 Receipts Reserved Appr. Fuel \$58,031 to DPS Highway Fuel \$58,031
- TRAN00134_06_21_2022 City Clerk's Office: SUS Solid Waste \$1500 to CLK Administration \$1500
- ORDR00359_05_31_2022 Gift Acceptance FONT \$9,000
- ORDR00364_06_13_2022 FY23 Revolving Fund Spending Limits
- ORDR00367_06_13_2022 Parks Make A Wish Gift Acceptance
- ORDR00354_05_09_2022 FY23 CPC Recommendations (COTW) (PARTIAL: Projects 11, 12, 13, 14)
 - Project 11: NHS Stadium Bond Payment
 - Project 12: Cherry Hill Soccer Field Bond Payment
 - Project 13: Fuller Field Track Renovation, Phase Two Bond Payment
 - Project 14: Administrative Costs



**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:

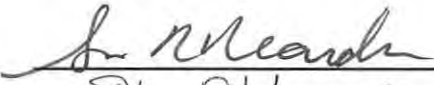
Funding from Free Cash, Retained Earnings, closed-out capital projects and other available funds. See attached detail.

Transfer To:

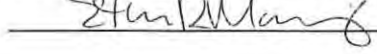
Account Name:	<u>Multiple - See attached</u>	Balance:	<u>\$ -</u>
Account Number:	<u>Multiple - See attached</u>	Category:	<u>\$ -</u>
Amount:	<u>\$3,021,480.56</u>	Trans I/O:	<u>\$ -</u>

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)

<u>Transfer From:</u>				<u>Transfer To:</u>			
<u>Account Name</u>	<u>Current Balance</u>	<u>Account Number</u>	<u>Amount</u>	<u>Account Name</u>	<u>Current Balance</u>	<u>Account Number</u>	<u>Amount</u>
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
PK006	71	Parks	Fuller North Field Irrigation System	30,000	Lack of irrigation on Fuller North Field negatively impacts the quality of turf. The playing surface becomes too compacted through heavy use creating a hard surface that can cause serious injury, including concussions.
PK010	75	Parks	Inn Street & Downtown Parks Improvements	10,000	Repair of concrete elevated walkway; total project cost of \$20,000 to be shared with property owner
PK012	77	Parks	Newburyport Skatepark Repairs	24,000	Park is in need of widespread concrete repairs to its bowls and flatwork. It is critical to the safety of park users that we repair the park now, before concrete spalling causes injury.
PK017	82	Parks	Infield Groomer	15,000	The City Council approved FY22 funding of \$15,000 to purchase a new infield groomer. Unfortunately, prices have essentially doubled for this type of equipment and an additional \$15,000 is needed. This equipment will be shared with the schools.
PK021	86	Parks	Enclosed Landscape Trailer	17,300	Enclosed landscaping trailer will provide for mobile, secure and protected storage of landscaping equipment and will create greater efficiency for the department by eliminating the need to load and unload equipment on a day-to-day basis.
SC005	102	Schools	Nock/Molin & NHS-Control System Upgrades	160,000	Modernization of the building automation systems that control the HVAC systems in the High School and Nock-Molin buildings. This was the #1 priority of the School Committee.
SC007	104	Schools	NHS-Engineering Services	40,000	Hire an engineering firm to perform an existing condition report and develop plans, schedules and cost estimates for a variety of issues at the high school including rooftop chiller (air conditioning system) replacement or upgrade (energy savings project), water infiltration, masonry issues, and perimeter stone wall study. This was the #3 priority of the School Committee.

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	



CITY OF NEWBURYPORT FY 2022

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

TRANSFER/APPROPRIATION REQUEST

2022 JUN 16 AM 11:15

Department: Department of Public Services

Submitted by: Anthony Furnari, DPS Director

Date Submitted: 6/21/2022

Transfer From:

Account Name:	RRFA Legal Settlements	Balance:	\$ 49,323.16
Account Number:	2745-59600	Category:	\$ -
Amount:	\$13,500.00	Trans I/O:	\$ -

Why Funds Are Available:

Proceeds from legal settlements are placed into a receipts reserved for appropriation account to be used for any legal municipal purpose at the recommendation of the Mayor and approval by the City Council. Balance includes \$29,000 from the 77 Lime Street project.

Transfer To:

Account Name:	Brown School Protective Measures	Balance:	\$ -
Account Number:	New Capital Account	Category:	\$ -
Amount:	\$13,500.00	Trans I/O:	\$ -

Why Funds Are Needed:

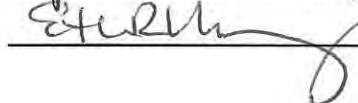
To undertake protective measures at the former Brown School, including the installation of window coverings to protect both the historic windows and the interior of the building, as well as, lighting improvements (e.g. motion-sensored lights). See attached cost estimate.

Sean R. Reardon, Mayor:



Date: 6/15/2022

Ethan R. Manning, Auditor:



Date: 6/15/2022

City Council Action:

Brown School Protective Measures

DPS Cost Estimate
June 15, 2022

Quantity	Description	Unit Price	Line Total
60	½"x4'x8' CDX PT Plywood	\$ 50.58	\$ 3,034.80
10	Wood screws and drill bits (1 lb.)	\$ 20.00	\$ 200.00
2	Hammer Drill	\$ 269.00	\$ 538.00
10	Painters Caulk	\$ 39.78	\$ 397.80
1	45' Electric Man Lift	\$ 2,570.00	\$ 2,570.00
2	5gal bucket of paint	\$ 148.00	\$ 296.00
1	Paint Sundries	\$ 350.00	\$ 350.00
1	30 yard Dumpster rental	\$ 1,500.00	\$ 1,500.00
48	DPS Overtime Labor	\$ 37.00	\$ 1,776.00
n/a	Lighting Improvements	\$ 1,000.00	\$ 1,000.00
	Estimated Cost	\$	\$ 11,662.60
	Contingency (15%)	\$	\$ 1,837.40
	Total Budget	\$	\$ 13,500.00



CITY OF NEWBURYPORT FY 2022

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

TRANSFER/APPROPRIATION REQUEST

JUN 13 7 PM 3:48

Department: Fire Department

Submitted by: Christopher LeClaire, Fire Chief

Date Submitted: 6/13/2022

Transfer From:

Account Name:	Multiple (See attached)	Balance:	\$ -
Account Number:	Multiple (See attached)	Category:	\$ -
Amount:	\$195,000.00	Trans I/O:	\$ -

Why Funds Are Available:

Anticipated surplus balances at year-end.

Transfer To:

Account Name:	Fire Overtime	Balance:	\$ 25,995.39
Account Number:	01220001-51301	Category:	\$ 338,813.19
Amount:	\$150,000.00	Trans I/O:	\$ -

Why Funds Are Needed:

Fire overtime was higher than anticipated for FY2022 due to long-term illnesses and other circumstances, which required coverage to meet minimum staffing requirements. Overtime costs were also impacted by the Firefighters' collective bargaining agreement that was settled in December 2021, which caused overtime rates to increase for all members, including the payment of retroactive overtime back to the start of the contract term.

Transfer To:

Account Name:	Fire Salary - Firefighters	Balance:	\$ 207,046.10
Account Number:	01220001-51142	Category:	\$ 338,813.19
Amount:	\$25,000.00	Trans I/O:	\$ -

Why Funds Are Needed:

Firefighter salaries and wages were higher than anticipated for FY2022 due to long-term illnesses, which required the use of a provisional firefighter for a portion of the year for shift coverage.

Transfer To:

Account Name:	Fire Dispatch Overtime	Balance:	\$ (9,738.70)
Account Number:	01220001-51302	Category:	\$ 338,813.19
Amount:	\$20,000.00	Trans I/O:	\$ -

Why Funds Are Needed:

Dispatch overtime was higher than anticipated for FY2022. Overtime is incurred to ensure 24/7 coverage of the dispatch office.

Sean R. Reardon, Mayor:



Date: 6/7/2022

Ethan R. Manning, Auditor:



Date: 6/7/22

City Council Action:

Transfer/Appropriation Request - FY22 Fire Department Accounts (Submitted: June 13, 2022)

Transfer From:

Transfer To:

Account Name	Current Balance	Account Number	Amount	Account Name	Current Balance	Account Number	Amount
Long Term Debt Principal	\$49,500.00	01720009-59100	\$49,500.00	Fire Overtime	\$25,995.39	01220001-51301	\$150,000.00
Long Term Debt Interest	\$43,462.40	01720009-59150	\$43,462.40				
Interest On Short-Term Notes	\$50,000.00	01720009-59250	\$50,000.00				
Solid Waste	\$306,189.94	01519002-52905	\$7,037.60				
Solid Waste	\$306,189.94	01519002-52905	\$45,000.00	Fire Salary - Firefighters	\$207,046.10	01220001-51142	\$25,000.00
				Fire Dispatch Overtime	-\$9,738.70	01220001-51302	\$20,000.00
Total			<u>\$195,000.00</u>	Total			<u>\$195,000.00</u>



CITY OF NEWBURYPORT FY 2022

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

TRANSFER/APPROPRIATION REQUEST 001-311-7 PM 3:48

Department: Mayor's Office
Submitted by: Sean R. Reardon, Mayor **Date Submitted:** 6/13/2022

Transfer From:

Account Name:	<u>IT Salary Director</u>	Balance:	<u>\$ 45,160.51</u>
Account Number:	<u>01151001-51101</u>	Category:	<u>\$ 91,285.51</u>
Amount:	<u>\$45,000.00</u>	Trans I/O:	<u>\$ -</u>

Why Funds Are Available:

Surplus due to position vacancy.

Transfer To:

Account Name:	<u>IT Professional Services</u>	Balance:	<u>\$ (11,800.00)</u>
Account Number:	<u>01151002-53004</u>	Category:	<u>\$ 855.47</u>
Amount:	<u>\$20,000.00</u>	Trans I/O:	<u>\$ -</u>

Why Funds Are Needed:

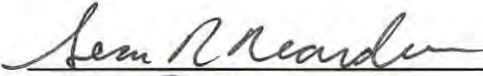
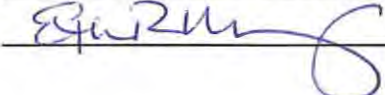
Additional use of contractors was needed due to vacancies in the IT Department.

Transfer To:

Account Name:	<u>Offsite Services</u>	Balance:	<u>\$ (9,738.70)</u>
Account Number:	<u>01151002-53407</u>	Category:	<u>\$ 855.47</u>
Amount:	<u>\$25,000.00</u>	Trans I/O:	<u>\$ -</u>

Why Funds Are Needed:

Additional use of contractors was needed due to vacancies in the IT Department.

Sean R. Reardon, Mayor:	<u></u>	Date:	<u>6/7/2022</u>
Ethan R. Manning, Auditor:	<u></u>	Date:	<u>6/7/22</u>
City Council Action:			



CITY OF NEWBURYPORT FY 2022

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

TRANSFER/APPROPRIATION REQUEST AM 9:43

Department: Department of Public Services

Submitted by: Anthony Furnari, DPS Director

Date Submitted: 6/13/2022

Transfer From:

Account Name:	Receipts Reserved for Appr. Fuel	Balance:	\$ 154,622.98
Account Number:	2722-59600	Category:	\$ -
Amount:	\$58,031.00	Trans I/O:	\$ -

Why Funds Are Available:

This is the standard method of funding the DPS fuel and oil account. As City departments pay for gasoline, the funds are deposited into this reserve for appropriation account and then transferred into the fuel and oil expenditure account within the Highway budget to purchase more fuel.


Transfer To:

Account Name:	DPS Highway Fuel & Oil	Balance:	\$ (11,744.42)
Account Number:	01421004-54801	Category:	\$ 129.79
Amount:	\$58,031.00	Trans I/O:	\$ -

Why Funds Are Needed:

Funds are required to buy gasoline and oil that is used by City vehicles. The line item is in a deficit and there is one remaining invoice for a May fuel delivery totaling \$46,286.

Sean R. Reardon, Mayor:



Date: 6/13/2022.

Ethan R. Manning, Auditor:



Date: 6/13/2022

City Council Action:



CITY OF NEWBURYPORT
FY 2022

RECEIVED
 CITY CLERK'S OFFICE
 NEWBURYPORT, MA

TRANSFER/APPROPRIATION REQUEST: 55

Department: City Clerk

Submitted by: Richard B. Jones, City Clerk

Date Submitted: 6/21/2022

Transfer From:

Account Name:	SUS Solid Waste	Balance:	\$ 204,712.65
Account Number:	01519002-52905	Category:	\$ 205,321.73
Amount:	\$1,500.00	Trans I/O:	\$ (102,037.60)

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:	CLK Administration	Balance:	\$ 770.61
Account Number:	01161002-54200	Category:	\$ 420.17
Amount:	\$1,500.00	Trans I/O:	\$ -

Why Funds Are Needed:

This line item funds supplies and services for the City Clerk's Office (e.g. toner, outside print jobs, office supplies/equipment, dog tags, time clock repair, subscriptions, CC photo, AC unit). An additional \$700 is requested to pay bills through June 30, 2022.

Sean R. Reardon, Mayor:

Date: 6/16/2022

Ethan R. Manning, Auditor:

Date: 6/16/2022

City Council Action:

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

In City Council May 31, 2022:

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

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

June 13, 2022

THAT, the City of Newburyport fix the maximum amount that may be spent during fiscal year 2023 beginning on July 1, 2022 for the revolving funds established in city ordinances for certain departments, boards, committees, agencies or officers in accordance with Massachusetts General Laws Chapter 44, Section 53E½, as follows:

Revolving Fund	Department, Board, Committee, Agency or Officer Authorized to Spend from Fund	FY2022 Spending Limit	FY2023 Spending Limit	Change
Council on Aging	Director of Council on Aging	\$40,000	\$40,000	\$0
Recreational Services	Director of Youth Services	\$535,000	\$550,000	\$15,000
Historical Commission	Director of Planning & Development	\$2,500	\$2,500	\$0
Electrical Inspector	Building Commissioner	\$110,000	\$110,000	\$0
Plumbing Inspector	Building Commissioner	\$65,000	\$70,000	\$5,000
Gas Inspector	Building Commissioner	\$55,000	\$60,000	\$5,000
Disabilities Commission	ADA Coordinator	\$3,000	\$3,000	\$0
Emma Andrews Library	Director of Public Services	\$30,000	\$30,000	\$0
Transient Vendors	Director of Public Health	\$20,000	\$20,000	\$0
Planning & Zoning	Director of Planning & Development	\$70,000	\$70,000	\$0
Animal Control	Director of Public Health	\$6,000	\$6,000	\$0
Tree Commission	Newburyport Tree Warden	\$10,000	\$10,000	\$0
Medicare/Medicaid	Director of Public Health	\$25,000	\$25,000	\$0

Veterans Benefits	Director of Veteran's Services	\$2,000	\$2,000	\$0
City Hall Maintenance	Director of Public Services	\$5,000	\$5,000	\$0
Senior Community Center Maintenance	Director of Public Services	\$20,000	\$25,000	\$5,000
Parks Maintenance	Parks Director	\$15,000	\$15,000	\$0
Solid Waste	Recycling/Energy Manager	\$100,000	\$100,000	\$0
Assessor's Office	Assessor	\$2,000	\$2,000	\$0

Councillor Sharif I. Zeid

In City Council June 13 2022:

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

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

June 13, 2022

THAT, The CITY COUNCIL of the City of Newburyport accepts with gratitude a gift from Make A Wish Massachusetts-Rhode Island in the amount of \$9,453.74 for the purpose of planting trees and installing one bench on the Clipper City Rail Trail. Said funds are deposited into the Parks Gift & Donations Account and accepted in accordance with M.G.L. Chapter 44, Section 53A.

Councillor Sharif I. Zeid

In City Council June 13, 2022

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

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

Councillor Sharif I. Zeid

In City Council May 9, 2022:

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

In City Council May 31, 2022:

Motion to approve Project 4 by Councillor Zeid, seconded by Councillor Khan. Roll call vote. 11 yes. Motion passes.

In City Council June 13, 2022:

Motion to approve Project 2 by Councillor Zeid, seconded by Councillor Wright. So voted.
 Motion to approve Project 3 by Councillor Zeid, seconded by Councillor Khan. So voted.
 Motion to approve Project 5 by Councillor Zeid, seconded by Councillor Wallace. 9 yes, 2 no (SZ, BL). So voted.
 Motion to approve Project 6 by Councillor Zeid, seconded by Councillor Khan. So voted.
 Councillor Zeid recused. Motion to approve Project 7 by Councillor Khan, seconded by Councillor Wright. 9 yes, 1 no (JD), 1 recused (SZ). So voted.
 Motion to approve Project 10 by Councillor Zeid, seconded by Councillor Cameron. 10 yes, 1 no (JM). So voted.

Approve: _____

Sean R. Reardon, Mayor

Attest: _____

Richard B. Jones, City Clerk

Date: _____

**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.

Committee Items – June 27, 2022

General Government

In Committee:

- APPT00322_05_31_2022 Richard B. Jones 283 High St. City Clerk 06/30/2025
**Re-appointment*
- ORDR00360_05_31_2022 Authorizing City Clerk Contract 2022



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



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

In City Council May 31, 2022:

Motion to refer to General Government and COTW by Councillor Zeid, seconded by Councillor Preston. Roll call vote. 11 yes. Motion passes.

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 thirteen (13) paid holidays. These are:

1. New Year's Day,	8. Labor Day
2. Martin Day King Day	9. Columbus Day

3. Washington's Birthday	10. Veteran's Day
4. Patriot's Day	11. Thanksgiving Day
5. Juneteenth Day	12. Day after Thanksgiving
6. Memorial Day	13. Christmas Day.
7. Independence 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

Committee Items – June 27, 2022

Planning & Development

In Committee:

- COMM00398_03_28_2022 Memo DHCD MBTA Housing Choice Briefing (COTW)
- ORDR00365_06_13_2022 Acceptance Preservation 90 Water Street
- APPT00321_05_09_2022 Charles Aloviseti 60 Bromfield St Conservation Comm. 6/1/2025
- 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



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

MEMORANDUM

TO: Newburyport City Council

FROM: Andrew R. Port, Director of Planning & Development

**CC: Sean R. Reardon, Mayor
Newburyport Planning Board**

**RE: 2021 Housing Choice Legislation – DHCD Guidance for MBTA Communities
Required Local Council Briefing**

DATE: March 15, 2022

The purpose of this memorandum is to request that the Council schedule a required meeting regarding the above legislation and recently issued guidance thereunder from the Massachusetts Department of Housing & Community Development (DHCD).

Background

Chapter 358 of the Acts of 2020, also referred to as “Housing Choice” legislation, included a series of revisions to MGL Chapter 40A, commonly known as the Zoning Act, which applies to 350 cities and towns in Massachusetts (excluding Boston). Section 18 of chapter 358 of the Acts of 2020 added a new section 3A to Chapter 40A, applicable to MBTA communities (*including Newburyport due to the commuter rail station*). Subsection (a) of Section 3A provides:

“An MBTA community shall have a zoning ordinance or by-law that provides for at least 1 district of reasonable size in which multi-family housing is permitted as of right; provided, however, that such multi-family housing shall be without age restrictions and shall be suitable for families with children. For the purposes of this section, a district of reasonable size shall: (i) have a minimum gross density of 15 units per acre, subject to any further limitations imposed by section 40 of chapter 131 and title 5 of the state environmental code established pursuant to section 13 of chapter 21A; and (ii) be located not more than 0.5 miles from a commuter rail station, subway station, ferry terminal or bus station, if applicable.”

The purpose of Section 3A is to encourage MBTA communities to adopt local zoning districts where multi-family zoning is permitted as of right, and that meet other requirements set forth in the statute. DHCD was authorized by the legislature to promulgate guidelines to determine if an MBTA community is in compliance with Section 3A. These guidelines establish, amongst other things, thresholds for minimum district size and

gross density to achieve a “reasonable” overall multi-family buildout potential in close proximity to the MBTA Commuter Rail Station. DHCD has also established requirements for interim compliance, including submission of an action plan to identify the necessary/proposed revisions to local zoning, and timeframes for achieving full compliance (*i.e. adoption of such zoning*).

If at any point DHCD determines that an MBTA community is not in compliance with Section 3A, that MBTA community will not be eligible for funds from the following grant programs: (i) the Housing Choice Initiative; (ii) the Local Capital Projects Fund; or (iii) the MassWorks infrastructure program. DHCD may also, in its discretion, take non-compliance into consideration when making other discretionary grant awards. For practical purposes this impact on grant eligibility will take effect in 2024. However, in order to maintain “interim compliance” Newburyport must first hold a local briefing (“*presentation of the Draft Guidelines*”) in a meeting of the City Council prior to May 2, 2022. The Office of Planning & Development will note Council questions and concerns raised in relation to these DHCD guidelines, convey them to DHCD along with confirmation that this local briefing has been held, and circle back with an update and recommended “next steps” following the issuance of final DHCD guidelines later this year.

Request & Recommendation

Based on Newburyport’s posted calendar of public meetings I recommend that the Council schedule the required meeting and briefing noted above (*as Council/COTW*) for **7pm on Wednesday, April 13, 2022**. At this time I can provide an overview of the relevant housing choice legislation, DHCD guidelines for MBTA communities and the potential implications for Newburyport specifically. Council questions and concerns will be noted, and DHCD will be advised accordingly. I anticipate that revised guidelines will be issued by DHCD later this year, following their review of local concerns across the Commonwealth from communities similarly impacted by the new DHCD expectations. Pending updated guidance from DHCD, the City will then have additional time to decide what changes, if any, to make to Newburyport’s 40R District or other zoning in proximity to the MBTA Commuter Rail Station for the purposes of achieving compliance in 2023-2024.

Please advise relative to the above meeting date at your earliest convenience. Thank you.

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

June 13, 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 a perpetual Preservation Restriction (PR) between the City, acting through the Newburyport Historical Commission, and the 90 Water Street Realty Trust, for the property located at 90 Water Street, said PR to be substantially in the form attached hereto, and as further reviewed and approved by the Newburyport Historical Commission (NHC); and

Further, that the Mayor of the City of Newburyport, the City Council President and City Clerk are hereby authorized to sign the subject Preservation Restriction as may be required, to act on behalf of the City and enter into any and all instruments, including acceptance of said Preservation Restriction in accordance with Massachusetts General Laws Chapter 184, and to take any other actions necessary to execute this acceptance and the associated Preservation Restriction accordingly.

Councillor Edward C. Cameron, Jr.

In City Council June 13, 2022:

Motion to refer to Planning & Development by Councillor Cameron, seconded by Councillor Vogel. So voted.

PRESERVATION RESTRICTION AGREEMENT

Between

90 WATER STREET REALTY TRUST
and the

CITY OF NEWBURYPORT, MASSACHUSETTS

BY AND THROUGH THE NEWBURYPORT HISTORICAL COMMISSION

THIS PRESERVATION RESTRICTION is made this ____ day of _____ 2022 (this “Restriction”) by and between 90 Water Street Realty Trust, located at 66 Gilcrest Road, Londonderry New Hampshire (“Grantor”), and the CITY OF NEWBURYPORT (“Grantee”), a municipality duly organized under the laws of the Commonwealth of Massachusetts and located in Essex County, Massachusetts, to be managed and enforced by its agent, the NEWBURYPORT HISTORICAL COMMISSION (the “Commission”), located at 60 Pleasant Street, Newburyport, Massachusetts, 01950.

WHEREAS, the Grantor is the owner in fee simple of certain real property located at 90 WaterStreet, Newburyport, Massachusetts (hereinafter referred to as “the Property”), being that same Property conveyed by Ann Twiss to Grantor in a deed recorded with the Essex South Registry of Deeds on June 24, 2016 in Book 35027 and Page 362, its legal description included as Exhibit A, attached hereto and incorporated herein by reference, said Property improved by one (1) principal building thereon, referred to hereinafter as “the Building”, described as follows:

Built in or around 1914 structure is a two-story, wood frame structure with some late Victorian-like features. The front façade faces north, with a front facing gable forming an unusual low slope roofline paralleling Water Street. The style and details of this structure are simple and a part of the tight knit Water Street streetscape. The Building is more fully described in a series of documents included in the Baseline Documentation attached hereto and incorporated herein by this reference as Exhibits D, E and F;

WHEREAS, the cultural, historical and architectural significance of the Building and Property emanates from its size and place along Water Street and likely early home of tradesman or factory workers. Its contribution to the historic Water Street streetscape and more generally to the historic architectural character of the Newburyport Historic District, the Building and the Property being important to the public enjoyment and appreciation of their architectural and historical heritage;

WHEREAS, the Building is a contributing resource to the Newburyport Historic District, , is historically significant for its architecture, associations, and/or archeology, and qualify for the protections of perpetual preservation restrictions under Massachusetts General Laws, Chapter 184, sections 31, 32 and 33;

WHEREAS, Grantor and Grantee recognize the architectural, historic and cultural values (hereinafter “preservation values”) and significance of the Building and the Property, and have the common purpose of preserving the aforesaid preservation values and significance of the exterior of the Building and the Property;

WHEREAS, the preservation values of the Building and the Property values are documented in a series of photographs and documents (hereinafter, “Baseline Documentation”) incorporated herein and attached

hereto as Exhibits D, E, and F, which Baseline Documentation the parties agree provides an accurate representation of the Building as of the date hereof;

WHEREAS, the Photographic Documentation (Exhibit D) approved as a condition of approval of the sale of the Building and Property by the City of Newburyport shall consist of the following:

A set of four exterior photos taken in June 2016:

Photo A: South Facade showing single story later added addition on two story original structure.

Photo B: East Facade

Photo C: West Facade

Photo D: North Façade on Water Street showing windows to be changed

WHEREAS, the Building is in need of preservation and restoration;

WHEREAS, the Grantor has been granted a variance for the purpose of maintaining a two family use on the property and as a condition thereof, the Grantor has agreed to impose a restriction on the Building and Property for the preservation and renovation of the aforementioned Building, under the terms and conditions set forth herein and in such other documents as the parties may execute (the “Restriction” or “Preservation Restriction”);

WHEREAS, the Grantor, in further consideration of the successful sale of aforementioned Building, agrees and desires to impose certain restrictions, obligations and duties upon itself, its successors and assigns, so as to maintain, protect and preserve the architectural and historical integrity of the Building;

WHEREAS, the Grantee has approved the proposed changes to the Building and which are documented in Exhibit G attached hereto (“Grantor’s Plans”);

WHEREAS, the preservation of the Building is important to the public for the enjoyment and appreciation of its architectural and historical heritage and serves the public interest in a manner consistent with the purposes of Massachusetts General Laws, Chapter 184, Sections 31, 32 and 33 (“Act”); and

WHEREAS, the Commission is authorized to accept preservation restrictions in the name of the City of Newburyport and the Commission is a governmental body duly organized under the laws of the Commonwealth of Massachusetts, including the General Laws, Chapter 40, Section 8D, authorized and directed by the Grantee to manage the Property and Building burdened by such restrictions and to administer and enforce this restriction;

NOW THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, the Grantor does hereby irrevocably grant and convey to the Grantee in gross this Restriction over the Property and the interior and exterior of the Building to be administered, managed and enforced by the Commission during the Term of this Restriction.

1. Purpose: It is the Purpose of this Restriction to assure that the architectural, historic and cultural features of the exterior of the Building will be retained and maintained forever substantially in their current condition or in a restored condition approved by the Commission for preservation purposes and to prevent any use or change of the Property or the exterior of the Building that will significantly impair or interfere with the Building’s preservation values or alter views of the exterior of the Building.

Grantor agrees at all times to maintain the Property and the exterior of the Building in accordance with this Restriction and in compliance with all Federal, state and local laws, codes and ordinances applicable to the Property and/or the Building. Grantor’s obligation to maintain shall require repair, reconstruction

and, where necessary, replacement in kind whenever necessary to preserve the Building in a good, sound and attractive condition and state of repair.

For avoidance of doubt, this Restriction shall not apply to the interior of the Building and the Commission shall have no oversight on alterations to the interior of the Building. Notwithstanding the foregoing, following completion of the approved rehabilitation work according to the approved Grantor's Plans, any interior activities that may potentially affect the structural integrity of the Building, or which may result in an alteration to any exterior structural or decorative element, or to the material or appearance of the exterior of the Building shall be subject to prior review and approval of the Commission according to the terms of this Restriction.

2. Preservation Restriction: The Grantor grants the grantee the right to forbid or limit:
 - a. Any alteration to the appearance, materials, workmanship, condition or structural stability of the Building unless (i) clearly of minor nature and not affecting the characteristics which contribute to the architectural or historical integrity of the Building and the Property, or (ii) the Grantee has previously determined that it will not impair such characteristics after reviewing plans and specifications submitted by Grantor in accordance with the requirements of paragraph 7, which determination shall not be unreasonably withheld, or (iii) required by casualty or other emergency promptly reported to Grantee in accordance with requirements in paragraph 9. For the purposes of this Agreement, interpretation of what constitutes alterations of a minor nature and ordinary maintenance and repair is governed by the Restriction Guidelines, which are attached hereto as Exhibit E.
 - b. Any alteration to the appearance, materials, workmanship, condition or structural stability of the Building governed by the Newburyport Historical Commission Conditions as listed and attached hereto as Exhibit F.
 - c. Any other act or use that may be harmful to the historic preservation of the Building or the Property.
 - d. Notwithstanding anything to the contrary in this section 2, in the event the Grantor is required by law to make improvements to the Building or Property or is required in writing by its insurance carrier to make improvements to the Building or Property in order to avoid revocation of insurance and the Grantor has exhausted all methods of variance or appeal process related to either applicable law or insurance qualifications, the Grantee and the Grantor agree that the Grantee may not forbid or limit the Grantor's ability to make the improvements. Said changes or improvements shall comply with the Secretary of Interior's Standards for the Rehabilitation of Historic Buildings, and shall be designed in consultation with and subject to reasonable review by Grantee.
3. Grantor's Covenants: Covenant to Maintain: Subject to paragraph 2 and the terms and conditions of this Restriction and such other terms and conditions as the Commission may reasonably impose to accomplish the purposes of this Restriction, the Grantor covenants and agrees at all times to maintain the Building in the same structural condition and state of repair existing as of the date of this Restriction, and thereafter to that existing following the substantial completion of restoration work to be completed. Grantor's obligation to maintain shall require replacement, repair, and reconstruction by Grantor whenever necessary to preserve the exterior of the Building. Subject to the casualty provisions of paragraphs 9 and 10, this obligation to maintain shall require replacement, rebuilding, repair, and reconstruction of the Building whenever necessary in accordance with the policies and procedures of the Commission and in accordance with The Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings (36 CFR 67 and 68), as these may be amended from time to time (hereinafter the "Secretary's Standards").

4. Grantor's Covenants: Prohibited Activities: The following acts or uses are expressly forbidden except as otherwise conditioned in this paragraph:
- a. The Building shall not be demolished, removed, or razed except as provided in Paragraphs 9 and 10;
 - b. The dumping of ashes, trash, rubbish, or any other unsightly or offensive materials is prohibited on the Property on the sides adjacent to Water Street;
 - c. No above-ground utility transmission lines, except those reasonably necessary for the existing Building, may be created on the Property, subject to utility easements already recorded;
 - d. No additions and/or outbuildings may be attached to the Building without prior approval of the Grantee; and
 - e. Moving the Building to another location shall be forbidden without prior approval of the Commission.
5. Conditional Rights Requiring Grantee Approval: Subject to Paragraphs 3 and 4, and the terms and conditions of this Restriction and such other terms and conditions as the Commission may reasonably impose to accomplish the purposes of this Restriction, the Grantor shall not alter the Building without prior express written approval of the Commission. Without said approval Grantor shall not make any changes to the Building, including the alteration, partial removal, construction, remodeling, or other physical or structural change, including permanent signs, and any change in material or color or any change to the footprint, size, mass, ridge-line, and rooflines of the Building. Grantor shall similarly not make any alterations to the surrounding Property that would obscure the current view of the Building, such as the installation of permanent signage without approval of the Commission.

Activities by Grantor to maintain the Building and the Property, which are intended to be performed in accordance with the provisions of paragraph 3, and which are of a minor nature, shall not require the prior approval of the Commission. For the purposes of this section, interpretation of what constitutes ordinary maintenance of a minor nature is governed by Restriction Guidelines (Exhibit E), which are attached to this Agreement and hereby incorporated by reference.

6. Grantor's Reserved Rights Not Requiring Further Approval by the Grantee: Subject to the provisions of paragraphs 2 and 4, the following rights, uses and activities of or by Grantor on, over, or under the Property are permitted by this Restriction and by the Commission without further approval by the Commission:
- a. The right to engage in all those acts and uses that:
 - i. Are permitted by governmental statute or regulation;
 - ii. Do not substantially impair the preservation values of the Building and Property; and
 - iii. Are not inconsistent with the Purpose of this Restriction;
 - iv. Are in conformance with the Grantor's Plans as attached hereto as Exhibit G.
 - b. Pursuant to the provisions of paragraph 3, the right to maintain and repair the Building strictly according to the Secretary's Standards. As used in this sub-paragraph, the right to maintain and repair shall mean the use by the Grantor of in-kind materials and colors, applied with workmanship comparable to that which was used in the construction or

application of those materials being repaired or maintained, for the purpose of retaining in good condition the appearance and construction of the exterior of the Building. The right to maintain and repair as used in this sub-paragraph shall not include the right to make changes in appearance, materials, workmanship from that existing prior to the maintenance and repair without the prior approval of the Commission in accordance with the provisions of paragraph 5.

7. Review of Grantor's Requests for Approval: Grantor shall submit to the Commission for the Commission's approval of those conditional rights set out at paragraphs 2 and 5 two copies of information (including plans, specifications, and designs where appropriate) identifying the proposed activity sufficient to permit the Commission to monitor such activity. Within forty-five (45) days of the Commission's receipt of any plan or written request for approval hereunder, the Commission shall certify in writing that (a) it approves the plan or request, or (b) it disapproves the plan or request as submitted, in which case the Commission shall provide Grantor with written suggestions for modification or a written explanation for the Commission's disapproval. Any failure by the Commission to act within forty-five (45) days or receipt of Grantor's submission or resubmission of plans or requests shall be deemed to constitute approval by the Commission of the plan or request as submitted, so long as the request sets forth the provisions of this section relating to deemed approval after the passage of time.
8. Standards for Review: In exercising any authority created by this Restriction to inspect the Building; to review any construction, alteration, repair, or maintenance; or to review casualty damage or to reconstruct or approve reconstruction of the Building following casualty damage, the Commission shall apply the Secretary's Standards.
9. Casualty Damage or Destruction: In the event the Building or Property shall be damaged or destroyed by fire, flood, windstorm, hurricane, earth movement or other casualty, Grantor shall notify the Commission in writing within fourteen (14) days of damage or destruction, such notification including what, if any, temporary emergency work has already been completed. No repairs or reconstruction of any type, other than temporary emergency work to prevent further damage to the Building and Property and to protect public safety, shall be undertaken by Grantor without the Commission's prior written approval of the work. Within one hundred twenty (120) days of the date of damage or destruction, if required by the Commission, Grantor at its expense shall submit to the Commission a written report prepared by a qualified restoration architect and an engineer who are acceptable to the Grantor and the Commission, which Commission approval shall not be unreasonably withheld, which report shall include the following:
 - a. An assessment of the nature and extent of damage;
 - b. A determination of the feasibility of the restoration of the Building and/or reconstruction of damaged or destroyed portions of the Building; and
 - c. A report of such restoration/reconstruction work necessary to return the Building to the condition existing at the date hereof or the condition subsequently approved by the Commission.
10. Review After Casualty Damage or Destruction: If, after reviewing the report provided in paragraph 9 and assessing the availability of insurance proceeds after satisfaction of any mortgagee's/lender's claims under paragraph 11, Grantor and the Commission agree that the Purpose of the Restriction will be served by such restoration/reconstruction, Grantor and the Commission shall establish a schedule under which Grantor shall complete the restoration/reconstruction of the Building in accordance with plans and specifications consented to by the parties up to at least the total of the casualty insurance proceeds available to Grantor.

If, after reviewing the report and assessing the availability of insurance proceeds after satisfaction of any mortgagee's/lender's claims under paragraph 11, Grantor and the Commission agree that restoration/reconstruction of the Building is impractical or impossible, or agree that the Purpose of the Restriction would not be served by such restoration/reconstruction and Grantor may, with prior written consent of the Commission, alter, demolish, remove or raze the Building, and/or construct new improvements on the Property, Grantor and Grantee may agree to extinguish this Restriction in accordance with the laws of the Commonwealth of Massachusetts and paragraph 23 hereof.

If, after reviewing the report and assessing the availability of insurance proceeds after satisfaction of any mortgagee's/lender's claims under paragraph 11, Grantor and the Commission are unable to agree that the Purpose of the Restriction will or will not be served by such restoration/reconstruction, the matter may be referred by either party to binding arbitration and settled in accordance with the Commonwealth of Massachusetts arbitration statute then in effect, and all other applicable laws, rules, regulations, and ordinances. Arbitrator shall have experience in historic preservation matters.

11. Insurance: Grantor shall keep the Building insured by an insurance company rated "A-1" or better by Best's for the full replacement value against loss from the perils commonly insured under standard fire, injury, death and property damage. Property damage insurance shall include change in condition and building ordinance coverage, in form and amount sufficient to replace fully the damaged Building without cost or expense to Grantor or contribution or coinsurance from Grantor. Grantor shall deliver to the Commission, within ten (10) business days of the Commission's written request thereof, certificates of such insurance coverage. Provided, however, that whenever the Property is encumbered with a mortgage or deed of trust nothing contained in this paragraph shall jeopardize the prior claim, if any, of the mortgagee/lender to the insurance proceeds.
12. Indemnification: Grantor hereby agrees to pay, protect, indemnify, hold harmless and defend, at its own cost and expense, Grantee, its boards, commissions, appointees, agents, directors, employees, or independent contractors from and against any and all claims, liabilities, expenses, costs, damages, losses and expenditures (including attorneys' fees and disbursements hereafter incurred) arising out of or in connection with injury to or death of any person as a result of the existence of this Restriction; physical damage to the Building; the presence or release in, on, or about the Property, at any time, of any substance now or hereafter defined, listed or otherwise classified pursuant to any law, ordinance or regulation as a hazardous, toxic, polluting or contaminating substance; or other injury or other damage occurring on or about the Building; unless such injury, death, or damage is caused by Grantee or its boards, commission, appointees, agents, directors, employees, or independent contractors. In the event that Grantor is required to indemnify Grantee pursuant to the terms of this paragraph, the amount of such indemnity, until discharged, shall constitute a lien on the Property with the same effect and priority as a mechanic's lien.
13. Written Notice: Any notice which either Grantor or Grantee may desire or be required to give to the other party shall be in writing;

Grantor: 90 Water Street Realty Trust
George Haseltine, Trustee
10 Oak Street
Newburyport MA 01950

Grantee: City of Newburyport
c/o Newburyport Historical Commission
Newburyport City Hall
60 Pleasant Street
Newburyport, MA 01950

Each party may change its address set forth herein by a notice to such effect to the other party.

14. Evidence of Compliance: Upon reasonable request by Grantor, Grantee shall promptly furnish Grantor with certification that, to the best of Grantee's knowledge, Grantor is in compliance with the obligations of Grantor contained herein, or that otherwise evidence the status of this Restriction to the extent of Grantee's knowledge thereof.
15. Inspection: With the consent of Grantor, Grantee or its representatives shall be permitted at reasonable times to inspect the exterior of the Buildings and the Property on an annual basis. Grantor covenants not to withhold unreasonably its consent in determining dates and times for such inspections.
16. Grantor's Remedies: In the event Grantee is found to have violated any of its obligations, Grantee shall reimburse Grantor for any costs or expenses incurred in connection with Grantor's enforcement of the terms of this Restriction, including all court costs, and attorneys', architectural, engineering, and expert witness fees.
17. Grantee's Remedies: The Grantor, for itself, its assigns and successors, expressly acknowledges that a violation of this Preservation Restriction Agreement may result in the Commission exercising its right to enforce the terms and conditions of the Restriction by seeking appropriate legal and equitable relief, including, but not limited to, restoration of the Building and such other legal and equitable remedies as may be available to the Commission to effectuate the purposes of this Restriction and to enforce the Grantor's obligations hereunder.

In the event Grantor is found to have violated any of its obligations, Grantor shall reimburse Grantee for any costs or expenses incurred in connection with Grantee's enforcement of the terms of this Restriction, including all court costs, and attorneys', architectural, engineering, and expert-witness fees. Grantor shall, at its own expense and with approval of Commission, reverse any actions or activities which violated this restriction and altered the Building.

Nothing in this Restriction shall impose upon the Commission any duty to maintain or require that the Building be maintained in any particular state or condition; notwithstanding the Commission's acceptance hereof Enforcement of the terms of this Preservation Restriction shall be at the discretion of the Commission. Any election by the Commission as to the manner and timing of exercising of its right to enforce this Preservation Restriction or otherwise exercise its rights hereunder shall not be deemed or construed to be a waiver of such rights. By its acceptance of this Preservation Restriction, the Commission does not assume any liability or obligation relating to the condition of the Building or the Property, including compliance with hazardous materials or other environmental laws and regulations.

18. Notice from Government Authorities: Grantor shall deliver to Grantee copies of any notice of violation or lien relating to the Buildings or Property received by Grantor from any government authority within five (5) business days of receipt by Grantor. Upon request by Grantee, Grantor shall promptly furnish Grantee with evidence of Grantor's compliance with such notice or lien where compliance is required by law.
19. Notice of Proposed Sale: Grantor shall promptly notify Grantee in writing of any proposed sale of the Property and provide the opportunity for Grantee to explain the terms of the Restriction to potential new Grantors prior to sale closing.
20. Runs with the Land: Except as provided in paragraphs 9 and 10, the restrictions, obligations and duties set forth in this Restriction shall run with the Property and shall inure to the benefit of the Commission and all parties claiming by, through or under the Commission and shall bind the Grantor and all parties

claiming by, through or under the Grantor. The Grantor covenants that the Property will at all times be held, used, and conveyed subject to and not used in violation of the following restrictions, obligations and duties that shall run with the Property in perpetuity. In any event, at the expiration of twenty-nine (29) years, the Grantor does hereby grant to the Commission the right to file an extension of this Restriction pursuant to the powers and assignment herein set forth, for any additional amount of time the Commission determines is in the best interest of the Commission to so file. The Commission is authorized to record or file any notices or instruments appropriate to assuring the perpetual enforceability of this Preservation Restriction; the Grantor on behalf of the Grantor and the Grantor's successors and assigns appoints the Commission as the Grantor's attorney-in-fact to execute, acknowledge and deliver any such instruments on the Grantor's behalf. Without limiting the foregoing, the Grantor and the Grantor's successors and assigns agree to execute any such instruments upon request.

Signature of the Grantor: _____

Anything contained herein to the contrary notwithstanding, Grantor of the Property shall have no obligation pursuant to this instrument where such Grantor shall cease to have any Grantorship interest in the Property by reason of a bona fide transfer. The restrictions, stipulations and covenants contained in this Restriction shall be inserted by Grantor, verbatim or by express reference, in any subsequent deed or other legal instrument by which Grantor divests itself of either the fee simple title to or any lesser estate in the Property or any part thereof, including by way of example and not limitation, a lease of all or a portion of the Property.

21. Assignment: Grantee may convey, assign, or transfer this Restriction to a unit of federal, state, or local government, to a local, state, or national charitable corporation or trust that qualifies under the Act, and whose purposes, inter alia, are to promote preservation of historical, cultural, or architectural resources, or to a private entity for the purpose of adaptive reuse of the structure according to the provisions of the Restriction. Conveyance, assignment, or transfer of this Restriction requires that the Purpose for which the Restriction was granted will continue to be carried out. Grantee shall seek Grantor's approval of said conveyance, assignment or transfer and Grantor shall give prior written approval of such conveyance, assignment, or transfer by Grantee, such approval not to be unreasonably withheld.
22. Alternate Designee: Grantee may, at its discretion, remove and replace the Commission as its designee to administer, manage, and enforce this Restriction, provided that any new designee is qualified as such under the Act and other applicable law. In the event Grantee does so remove, the Grantee shall provide notice of same to the Grantor and shall forthwith provide the Grantor with the name, address and further contact information of the designee.
23. Recording and Effective Date: Grantee shall do and perform at its own cost all acts necessary to the prompt recording of this Restriction which shall become effective upon its being duly executed by the Grantor, the City of Newburyport, and the Massachusetts Historical Commission, its being accepted and approved by the Massachusetts Historical Commission, and its being recorded with the Southern Essex County District Registry of Deeds.
24. Extinguishment: Grantor and Grantee hereby recognize that an unexpected change in conditions surrounding the Property may make impossible the continued Grantorship or use of the Property for the Purpose of this Restriction and necessitate extinguishment of the Restriction. Such a change in conditions may include, but is not limited to, partial or total destruction of the Building resulting from casualty. Such an extinguishment must meet all the requirements of the Act for extinguishment, including public hearings by the City of Newburyport and the Massachusetts Historical Commission to

determine that such extinguishment is in the public interest. In the event of a sale of the Property, net proceeds of sale shall be paid to Grantor.

25. Condemnation: If all or any part of the Property is taken under the power of eminent domain by public, corporate, or other authority, or otherwise acquired by such authority through a purchase in lieu of a taking, Grantor and Grantee shall join in appropriate proceedings at the time of such taking to recover the full value of those interest in the Property that are subject to the taking and all incidental and direct damages resulting from taking shall be paid out of the recovered proceeds. Such recovered proceeds shall be paid to Grantor.
26. Interpretation: The following provisions shall govern the effectiveness, interpretation, and duration of the Restriction:
 - a. Any rule of strict construction designed to limit the breadth of restrictions on alienation or use of the Property shall not apply in the construction or interpretation of this Restriction and this instrument shall be interpreted broadly to affect its Purpose and the transfer of rights and the restrictions on use contained herein.
 - b. This instrument may be executed in two counterparts, one of which is to be retained by Grantor and the other, after recording, to be retained by Grantee. In the event of any disparity between the counterparts produced, the recorded counterpart shall constitute the entire Restriction of the parties.
 - c. This instrument is made pursuant to the Act, but the invalidity of such Act or any part thereof shall not affect the validity and enforceability of this Restriction according to its terms, it being the intent of the parties to agree and to bind themselves, their successors and their assigns in perpetuity to each term of this instrument whether this instrument be enforceable by reason of any statute, common law or private Restriction either in existence now or at any time subsequent hereto.
 - d. Nothing contained herein shall be interpreted to authorize or permit Grantor to violate any ordinance or regulation relating to building materials, construction methods or use. In the event of any conflict between any such ordinance or regulation and the terms hereof Grantor promptly shall notify Grantee of such conflict and shall cooperate with Grantee and the applicable governmental entity to accommodate the purposes of both this Restriction and such ordinance or regulation.

If any court or other tribunal determines that any provision of this instrument is invalid or unenforceable, such provision shall be deemed to have been incorporated herein automatically to conform to the requirements for validity and enforceability as determined by such court or tribunal. In the event any provision invalidated is of such a nature that it cannot be modified, the provision shall be deemed deleted from this Preservation Restriction as though it had never been included herein. In either case, the remaining provisions of this instrument shall remain in full force and effect.

27. Amendment: If circumstances arise under which an amendment to or modification of this Restriction would be appropriate, Grantor and Grantee may by mutual written agreement jointly amend this Restriction, provided that no amendment shall be made that will adversely affect the qualification of this Restriction or the status of Grantee under any applicable law. Any such amendment shall be consistent with the protection of the preservation values of the Property and the Purpose of this Restriction; shall not affect its perpetual duration; shall not permit any private inurement to any person or entity; and shall not adversely impact the overall architectural and historic values protected by this Restriction. Any such amendment shall be effective when the requirements of the Act with respect to amendments have been

met and the amendment is recorded in the Southern Essex County District Registry of Deeds. Nothing in this paragraph shall require Grantor or Grantee to agree to any amendment or to consult or negotiate regarding any amendment.

- 28. Release: This Preservation Restriction is intended to be a restriction in gross in perpetuity and may only be released, in whole or in party, by the Grantee pursuant to the procedures for release established by the Act and otherwise by law, including approvals following public hearings by the City of Newburyport and the Massachusetts Historical Commission to determine that such a release is in the public interest.
- 29. Archeological Activities: The conduct of archaeological activities on the Property, including without limitation survey, excavation, and artifact retrieval, may occur only following the submission of an archaeological field investigation plan prepared by the Grantor approved in writing by the Grantee and the State Archaeologist of the Massachusetts Historical Commission (M.G.L. C. 9, Sec. 27C, 950 C.M.R. 70.00).

IN WITNESS WHEREOF, the Grantor sets its hand and seal this _____ day of _____, 2022.
By:

GRANTOR:

90 Water Street Realty Trust

George Haseltine, Trustee

COMMONWEALTH OF MASSACHUSETTS

_____, ss.

On this _____ day of _____, 2022, before me, the undersigned notary public, personally appeared George Haseltine, as aforesaid, proved to me through satisfactory evidence of identification, which was (a current driver's license) (current U.S. passport) (my personal knowledge of the identity of the principal), to be the person whose name is signed above, and acknowledged the foregoing to be signed by him as the Trustee of 90 Water Street Realty Trust, voluntarily for its stated purpose.

Notary Public
My Commission Expires: _____

ACCEPTANCE BY THE NEWBURYPORT HISTORICAL COMMISSION

Glenn Richards, duly authorized
Chair, Newburyport Historical Commission

COMMONWEALTH OF MASSACHUSETTS

Essex, ss.

On this _____ day of _____, 2022, before me, the undersigned notary public, personally appeared Glen Richards, as aforesaid, proved to me through satisfactory evidence of identification, which was (a current driver's license) (a current U.S. passport) (my personal knowledge of the identity of the principal), to be the person whose name is signed above, and acknowledged the foregoing to be signed by him voluntarily for its stated purpose.

Notary Public
My Commission Expires: _____

ACCEPTANCE AND APPROVAL BY THE CITY OF NEWBURYPORT

I, the undersigned City Clerk of the City of Newburyport, Massachusetts, hereby certify that at a meeting duly held on _____, 2022, the City Council voted to approve and accept the foregoing Preservation Restriction Agreement for the preservation of the historic resources of said City and being the public interest pursuant to Massachusetts General Laws Chapter 184, Section 32.

CITY OF NEWBURYPORT

By its Clerk

Richard B. Jones

The undersigned hereby certifies that the foregoing preservation restrictions have been approved and accepted by the City of Newburyport

CITY OF NEWBURYPORT

Sean Reardon, Mayor

COMMONWEALTH OF MASSACHUSETTS

Essex, ss.

On this ____ day of _____, 2022, before me, the undersigned notary public, personally appeared Richard B. Jones, as aforesaid, proved to me through satisfactory evidence of identification, which was (a current driver's license) (a current U.S. passport) (my personal knowledge of the identity of the principal), to be the person whose name is signed above, and acknowledged the foregoing to be signed by him voluntarily for its stated purpose.

Notary Public
My Commission Expires: _____

COMMONWEALTH OF MASSACHUSETTS

Essex, ss.

On this ____ day of _____, 2022, before me, the undersigned notary public, personally appeared Sean Reardon, as aforesaid, proved to me through satisfactory evidence of identification, which was (a current driver's license) (a current U.S. passport) (my personal knowledge of the identity of the principal), to be the person whose name is signed above, and acknowledged the foregoing to be signed by him voluntarily for its stated purpose.

Notary Public
My Commission Expires: _____

List of Exhibits/Attachments

Exhibit A: Legal Property Description

Exhibit B: Newburyport Assessor's Parcel Map

Exhibit C: Massachusetts Historical Commission Inventory Form B

Exhibit D: Baseline Photographic Documentation

Exhibit E: Restriction Guidelines

Exhibit F: Conditions of the Newburyport Historical Commission

Exhibit G: Grantor's Plans

Exhibit A
Legal Property Description

Beginning at the North corner thereof on Water Street by land of Joseph Wicko, now or formerly of Joseph Roseyna, thence running

SOUTHEASTERLY by said Water Street thirty (30) feet to a stone post on land formerly of Woods, now or formerly of Korney; thence turning and running

SOUTHWESTERLY by said land of Korney sixty (60) feet to another stone post on the land now or formerly of Korney; then turning

NORTHWESTERLY by land of Korney and by a stone post thereon twenty-five (25) feet to land now or formerly of Orzechowsky; thence turning and running

NORTHEASTERLY by said land now or formerly of Orzechowsky and said land now or formerly of said Joseph Roseyna seventy (70) feet to Water Street and the corner and place begun at. All of said measurements being more or less.

Exhibit C

Massachusetts Historical Commission Inventory Form B

FORM B – BUILDING DRAFT

MASSACHUSETTS HISTORICAL COMMISSION
MASSACHUSETTS ARCHIVES BUILDING
220 MORRISSEY BOULEVARD
BOSTON, MASSACHUSETTS 02125

Photograph



Locus Map



Recorded by: Lisa L. Mead, Esq.

Organization:

Date (month / year): April, 2022

Assessor's Number USGS Quad Area(s) Form Number

19-74 Newburyport NWB.W

Town/City: Newburyport

Place: (neighborhood or village):
Water Street

Address: 90 Water Street

Historic Name: Unknown

Uses: Present: 2 Family

Original: Single Family

Date of Construction: circa 1914

Source: Book 2265 Page 5 Essex South Registry of Deeds

Style/Form: Mid-Victorian

Architect/Builder: Unknown

Exterior Material:

Foundation: Stone

Wall/Trim: Wood Shingle, Wood

Roof: Asphalt Shingles

Outbuildings/Secondary Structures:

NA

Major Alterations (with dates):

Rear addition – date unknown

Condition: Good

Moved: no yes Date:

Acreage: 1,873 sq ft

Setting: This house is located on the south side of Water Street near the banks of the Merrimack River. The house is set close to the street. This section of the street is densely built with many 19th Century houses, all set close to the Street. The parcel is a narrow, small rectangular shape, and the structure takes up much of the parcel. There is no driveway for the lot as it is narrow and the structures on the abutting lots are located close by. A small white fence runs off the northwest front of the structure along the cement sidewalk in front of the structure.

INVENTORY FORM B CONTINUATION SHEET

NEWBURYPORT

90 WATER STREET

MASSACHUSETTS HISTORICAL COMMISSION
220 MORRISSEY BOULEVARD, BOSTON, MASSACHUSETTS 02125**DRAFT**

Area(s) Form No.

NWB.W

 Recommended for listing in the National Register of Historic Places.*If checked, you must attach a completed National Register Criteria Statement form.**Use as much space as necessary to complete the following entries, allowing text to flow onto additional continuation sheets.***ARCHITECTURAL DESCRIPTION:***Describe architectural features. Evaluate the characteristics of this building in terms of other buildings within the community.*

Built in or around 1914 structure is a two-story, wood frame structure with some late Victorian-like features. The front façade faces north, with a front facing gable forming an unusual low slope roofline paralleling Water Street. The style and details of this structure are simple and a part of the tight knit Water Street streetscape.

HISTORICAL NARRATIVE*Discuss the history of the building. Explain its associations with local (or state) history. Include uses of the building, and the role(s) the owners/occupants played within the community.*

This house is located within the Water Street District Area Form (NWB.W). This area stretches southward from the Market Square Historic District, along the Merrimack River, to the Plum Island Turnpike. It was originally an area of wharves and landing places for the City's fishermen and shippers. Many of the homes along Water Street were built before the Revolution or immediately after. They are smaller than the homes along High Street because they were residences of those who worked along the waterfront, on the ships or the fishing industry.

The way along the river, from Market Square to the foot of Marlborough St., forms part of the way laid out in 1739 by the selectmen of Newbury from "Peirce's farm at the foot of Rolfe's Lane (Ocean Ave.) up to Ordway's Lane (Market St.)." It was evidently a highway for many years before this date. After the incorporation of Newburyport in 1764, a petition was presented to the selectmen for a relocation of the street near its junction with Market Square. In 1771, it was still called Merrimack St., however. As evidenced by the map of 1843, its name was Water St. and its limits are as we know them today. In 1873, the city discontinued all landing places between the northern boundary of the Middle Shipyard (Fire Station) and the lower end of Bromfield St. They were subsequently wholly or partially filled to form the roadbed of the Newburyport City Railroad.

Little to no significant information is available regarding the structure itself or its former owners/occupants. In the Newburyport District Data Sheets, an inventory containing descriptions of the structures within the Newburyport Historic District that were listed in the National Register of Historic Places in 1984, the house is listed as "MC" which signifies it as a "minor contributing" structure. The District Data Sheet further includes that the structure was constructed circa 1850 in a "mid-Victorian" architectural style, with alterations occurring in the 20th Century. However, Newburyport Assessor Data indicates that the structure may have been constructed at the later date of 1914. A review of historical maps of the neighborhood from 1851, 1888, 1894, 1900, 1906, 1914, and 1924, shows the structure first appearing in 1914.

BIBLIOGRAPHY and/or REFERENCES

Water Street District Area Form (NWB.W)
City of Newburyport District Data Sheets
City of Newburyport-Assessor's Office
"Plan of Newburyport Mass. from an actual survey" dated 1851 McIntyre, H (Henry)
Sanborn Insurance Maps

Exhibit D
Photographic Documentation

Photo A

South Facade showing single story later added addition on two story original structure.



Photo B
East Facade



Photo C
West Façade



Photo D
North Façade On Water Street



Exhibit E Restriction Guidelines

The purpose of the Restriction Guidelines is to clarify paragraph three of the terms of the Preservation Restriction, which deals with alterations to the Property, including the Building. Under this paragraph, permission from the Commission is required for any major alteration. Alterations of a minor nature, which are part of ordinary maintenance and repair, do not require Commission review.

In an effort to explain what constitutes a minor alteration and what constitutes a major change, which must be reviewed by the Commission, the following list has been developed. By no means is this list comprehensive: it is only a sampling of some of the more common alterations, which may be contemplated by building owners.

PAINT

Minor – Exterior hand scraping and repainting of non-decorative and non-significant surfaces as part of periodic maintenance.

Major – Painting or fully stripping decorative surfaces or distinctive stylistic features including ornamental ironwork, stone, decorative or significant woodwork.

WINDOWS AND DOORS

Minor – Regular maintenance including caulking, painting and necessary reglazing; repair or in-kind replacement of existing individual decayed window parts.

Major – Wholesale replacement of units; change in fenestration or materials; alteration of profile or setback of windows. The addition of storm windows is also considered a major change; however, with notification it is commonly acceptable.

EXTERIOR

Minor – Spot repair of existing cladding and roofing including in-kind replacement of clapboards, shingles, slates, etc.

Major – Large-scale repair or replacement of cladding or roofing. Change involving inappropriate removal or addition of materials or building elements (i.e., removal of chimneys or cornice detailing, existing and original corner trim, roof edge trim, the new replicated window trim, entry roof pediments and the original restored front and side doors; installation of architectural detail which does not have a historical basis); altering or demolishing building additions; spot repointing of masonry. Structural stabilization of property is also considered a major alteration.

Changes classified as major alterations are not necessarily unacceptable. In fact, approval of such changes shall not be unreasonably withheld. Under the Preservation Restriction such changes must be reviewed by the Commission and their impact on the historic integrity of the Building assessed.

It is the responsibility of the property owner to notify the Commission in writing when any major alterations are contemplated. Substantial alterations may necessitate review of plans and specifications.

The intent of the Preservation Restriction is to enable the Commission to review proposed alterations and assess their impact on the integrity of the structure, not to preclude future change. The Commission will attempt to work with property owners to develop mutually satisfactory solutions that are in the best interests of the Property.

Exhibit F
Conditions of the Newburyport Historical Commission

All of the following architectural elements shall be maintained and preserved in accordance with Sections 1 and 2 of this Preservation Restriction and Exhibit D, which describes and depicts the existing conditions as of the date of this Restriction:

- The roofline of the original building shall never be raised.
- Any changes to the rear addition shall not include a roofline that extends beyond that of the original portion of the building.
- The roofline pediment at the front elevation (Water Street or North), shall be retained. Any repair shall be done in-kind.
- On the front elevation (Water Street or North), the two existing first floor windows shall be replaced with windows that match those of the second floor front elevation in size, dimension, muntin pattern, sash, and detail. The replacement windows shall be wood (or aluminum clad wood) and shall be either true-divided light or simulated divided light. If the latter, dark spacers shall be used between the glass and muntins shall be applied to the exterior portions of the sash. Lite patterning shall be two-over-one.

Exhibit G
Grantor's Plans





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

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA
2022 MAY -5 AM 8:11

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

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

I hereby appoint, subject to your approval, the following named individual as a member of the Conservation Commission. This term will expire on June 1, 2025.

Charles Aloviseti
60 Bromfield Street
Newburyport, MA 01950

Mayor's Office
City Hall
60 Pleasant Street, Newburyport, MA 01950

Letter for Consideration for the Conservation Commission

Dear Ms. Jackson and Mr. Reardon,

My wife and I moved to Newburyport in April of 2021 right before we welcomed our son in May to be close to my parents, who live just down the street from us. We live on Bromfield Street and have been blessed by a wonderful group of neighbors and new friends in town. As a new member of the Newburyport community, I have been looking for ways to get involved and the Conservation Commission seems like a great way to combine my love of the outdoors with my background in law.

My background is in corporate law, but I feel confident I could quickly pick up the nuances of municipal and environmental law and be a valuable (and invested) member of the commission. This is a great city, and I think conserving our wetlands is vital to preserving the natural beauty of the area.

Sincerely,



Charlie Aloviseti

Charles S. Aloviseti
60 Bromfield St.
Newburyport, MA 01950
(347) 531-4563
Email: charles.aloviseti@gmail.com

EXPERIENCE

Vicente Sederberg LLP

Partner; Chair, Corporate Department

Senior Associate; Chair, Corporate Department

Denver, CO and Boston, MA

Jan 19 – Present

Aug. 15 – Jan 19

- Founded the corporate department of the firm and grew it to include nine attorneys over four different offices. Corporate department expects close to ten million in revenue in 2022.
- Worked on a wide range of corporate transactions, including mergers & acquisition and equity and debt financings, in all major US cannabis markets and in international markets.
- Trained all of the corporate associates at the firm in corporate and cannabis regulatory work.
- Participated in Colorado working groups for rule making around ownership of licensed cannabis businesses.
- Recognized as leading cannabis regulatory attorney by Chambers & Partners and instrumental in getting Vicente Sederberg recognized as a Band 1 cannabis law firm by Chambers & Partners and the cannabis law firm of the year in 2021.
- Wrote the leading book on cannabis law in the United States.

Goodwin Procter LLP

Associate in Private Equity Group

New York, NY

July 13 – June 15

- Practice primarily focused on advising venture capital and private equity funds and their portfolio companies across a wide range of transactions, including mergers & acquisitions, financings, the negotiation of employment agreements, the establishment and maintenance of equity incentive programs, and general corporate matters.

Morrison Cohen LLP

Associate in Corporate Group

New York, NY

Aug. 12 – July 13

- Represented middle market copies with respect to mergers & acquisitions, financings, and general corporate advice.

Latham & Watkins LLP

Associate

Secondment to Goldman, Sachs & Co. – Investment Banking Division

Summer Associate

New York, NY

Dec. 09 – July 12

May 11 – Sept. 11

May 08 – Aug 08

- Represented public and private companies with respect to mergers and acquisitions, joint ventures, leveraged buyouts, and general corporate work.
- During secondment to Goldman; negotiated and drafted engagement letters, non-disclosure agreements and non-reliance letters, and reviewed press releases and advertising materials.

EDUCATION

Columbia Law School

Juris Doctor

New York, NY

Aug 2006 – May 2009

Honors: Jerome L. Greene Scholarship; Harlan Fiske Stone Scholar; Parker School Certificate

Activities: Journal of Transnational Law, *Staff Member*; Domestic Violence Project, *Courtroom Advocate*; Bankruptcy Assistance Project, *Volunteer*; Domestic Violence Bureau, Queens County, *Intern*

McGill University

Bachelor of Arts

Montréal, QC

Sept 2001 – Oct 2005

Honors: Joint Honors in History and Political Science; Golden Key International Honor Society; Student Athlete Honor Roll, Rugby Union, 2002-4

PUBLICATIONS

Co-Author, "[The Cannabis Business: Understanding Law, Finance, and Governance in America's Newest Industry](#)"
December 30, 2020.

Numerous articles on cannabis and corporate law.

BAR ADMISSIONS

Admitted in Colorado, Massachusetts, and New York.



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: April 25, 2022

Subject: Re-Appointment

I hereby re-appoint, subject to your approval, the following named individual as a member of the Conservation Commission. This term will expire on May 1, 2025.

Stephen Moore
10 North Atkinson Street
Newburyport, MA 01950

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA
2022 APR 19 AM 8:23



From: scan-moores@juno.com <scan-moores@juno.com>
Sent: Monday, November 8, 2021 9:27 AM
To: NBPT Mayor <Mayor@CityofNewburyport.com>
Subject: [Ext]Reappointment to Conservation Commission

external e-mail use caution opening

Hi Donna,

My appointment to the Conservation Commission expires on 12/1. I would like to be reappointed and was hoping you could take care of that before leaving office. Thanks in advance and thanks for your years of service to the city.

Steve Moore

Approved

*Juhai Godfredsen
e-mailed me to
follow-up on
this re-appointment.*

Stephen J. Moore
10 North Atkinson St.
Newburyport, MA 01950
(978) 462-8059
scan-moores@juno.com

PROFESSIONAL EXPERIENCE

Measured Progress, Inc., Dover, NH **2002 – 2014**
Responsible for creating and maintaining schedules for large scale educational assessments.

AT&T Bell Laboratories/Lucent Technologies, N Andover, MA **1985 - 2001**
Held many positions over the years of employment, starting as a Technical Trainer and progressing to System Tester, Software Developer, Project Manager and ending as a Systems Engineer.

Essex Technical Institute, Hathorne, MA **1978 - 1984**
Taught courses in Botany, Geology and Coastal Ecology at the Junior College level.

Texas Instruments, Inc. Dallas, Texas **1976 - 1978**
Senior Marine Biologist for 2 projects at power plants and 2 oceanographic cruises

EDUCATION

MS, Software Engineering, Boston University
AS, Computer Technology, Northern Essex Community College
MS, Marine Science, University of South Florida
BA, Botany, Minor in Geology, University of New Hampshire

COMMUNITY SERVICE

Vice Chairman Newburyport Conservation Commission, 2006 - Present
Vice Chairman Newburyport Open Space Committee, 2002 - 2006
Newburyport Public Library Board of Directors, 1999 - Present
Technology Task Force, Newburyport Public Schools, 1992-1993



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

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2022 APR 21 PM 4:31

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

To: President and Members
of the City Council

From: Sean R. Reardon, Mayor

Date: April 25, 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 May 15, 2023.

Lynn Schow
75 High Street
Newburyport, MA 01950

Christine Jackson

From: Lynn Schow <lynnanneschow@gmail.com>
Sent: Friday, April 8, 2022 6:48 PM
To: Christine Jackson
Subject: ZBA Statement of Interest
Attachments: 20220408142524.pdf

ZBA?

Follow Up Flag: Flag for follow up
Flag Status: Flagged

Dear Christine,

My name is Lynn Schow and I have been a resident of Newburyport since 2007. I am interested in serving on the City's Zoning Board of Appeals. I am an attorney and, as the General Counsel of an investment company and family office, have experience in real estate acquisitions, construction and management.

I am attaching my resume for your consideration. I am also providing a summary in case it is useful (it was prepared for a charitable board position so I thought I'd include it here in case it was useful).

“Ms. Schow is an attorney (licensed in New York) living in Newburyport, Massachusetts, and is a Director, General Counsel and Executive Vice President of 1922 Investment Company LLC and Woodland Advisors LLC (investment and administrative offices for an ultra high net worth family) and 1922 Trust Company LTA. Ms. Schow's current role includes work related to private equity, , exchange traded, venture and hedge fund investments; U.S. and international real estate and art acquisitions and management; SEC reporting and compliance; executive compensation structuring; family office, entity, trust and charitable governance issues; and estate, gift, generation-skipping transfer and income tax planning and compliance for U.S. and international individuals, trusts, estates, entities and charitable organizations. She previously practiced with the law firm of Sullivan & Cromwell, LLP in New York. Ms. Schow is currently Vice-Chair of the Board of Johns Hopkins University's Blue Jays Unlimited, a Trustee Associate at St. John's Preparatory School in Danvers, Massachusetts and a member of the Duke Law School Alumnae Council. She is a past board member of the Newburyport Youth Soccer Association, Newburyport Girls Basketball Association and the American Fund for the South Bank Centre as well as a current volunteer coach for the Newburyport Youth Soccer Association (since 2010). Ms. Schow's educational background includes: Duke University, School of Law, J.D. (Order of the Coif; Magna Cum Laude; Estate Planning Award, 1996; Outstanding Tax Scholar Award, 1996; Duke Law Journal, 1994 to 1996 (Editorial Board, 1995-96); Duke Journal of Gender Law & Policy, 1993 to 1996 (Editor-in-Chief, 1995-96)); Duke University,

Terry Sanford Institute of Public Policy, M.A.; Johns Hopkins University, School of Arts and Sciences, B.A. , Political Science (Phi Beta Kappa; University and Departmental Graduation Honors, Women's Soccer & Phi Mu). She is a member of the New York Bar, Society of Trusts and Estates Practitioners, American Bar Association (Tax and Real Property sections), and the Association of the Bar of the City of New York. “

Lynn-Anne M. Schow
(978) 463-1770 (Direct)
(917) 686-2766 (Cell)

LYNN-ANNE M. SCHOW
75 HIGH STREET
NEWBURYPORT, MASSACHUSETTS 01950
T: (978) 463-1776
F: (978) 463-1766
CELL: (917) 686-2766

EXPERIENCE

1922 INVESTMENT COMPANY LLC, Houston, Texas

Director, November 2011 to present

Compensation Committee, January 2012 to Present

Executive Vice President and General Counsel, July 2012 to Present

Created and executed strategic plan involving the creation of a family investment office exempt from SEC registration as an investment advisor to provide captive investment advice, including attention to governance, regulatory and tax compliance and legal issues. Experience related to international and domestic real estate acquisitions and construction projects, including in international historic centers with historic and artistic restrictions; SEC and CFTC reporting and compliance; executive compensation structuring and monitoring for investment advisory personnel; tax and investment structuring advice; review of real estate, private equity and secondary fund partnership investment documents, venture capital, other private and exchange traded fund investment documents, fine art acquisition documents (including import/export restrictions and CITES treaty compliance) and negotiation of same; monitoring the transition of management of legacy family investments; attention to know your customer, anti-money laundering, Bank Secrecy Act and OFAC compliance; counsel to affiliated family members for a variety of matters.

WOODLAND ADVISORS LLC, Houston, Texas

Director, September 2017 to present

Compensation Committee, February 2018 to Present

Executive Vice President and General Counsel, May 2018 to Present

Created and executed strategic plan involving the creation of a single family office (sister company of 1922 Investment Company LLC) for an ultra high net worth family upon the dissolution of Timmons Advisors to provide consulting, structuring, administrative, bookkeeping, compliance, investment monitoring, real estate management and financial services to the trustees of multiple domestic, generation-skipping transfer tax exempt trusts (and related individuals, business entities and charitable entities) for the benefit of family members and affiliates. Experience includes U.S. and international real estate and art acquisitions and management; creation and management of an international subsidiary office; executive compensation structuring and monitoring; family office, entity, trust and charitable governance issues; charitable and gift structuring and reporting; immigration and marital planning; and estate, gift, generation-skipping transfer and income tax planning and compliance for U.S. and international individuals, trusts, estates, entities and charitable organizations; counsel to affiliated family members for a variety of matters.

1922 TRUST COMPANY LTA, Houston, Texas

Director and Member, Investment Committee, April 2008 to present

Executive Vice-President & General Counsel, January 2021 to present

Vice-President, Secretary and Cashier, May 2008 to December 2020/December 2017/December 2019

Worked on structuring and formation and continuing management of a Texas Department of Banking regulated "private trust company" designed to serve as trustee of multiple generation-skipping transfer tax exempt trusts for the benefit of members of a single private family.

TIMMONS ADVISORS LLC, Houston, Texas

Managing Director, January 2007 to June 2012

Extensive and broad experience involving the creation of Timmons Advisors, LLC to serve as a multi-family "family office" to provide consulting, structuring, administrative, bookkeeping, compliance,

investment monitoring, real estate management, tax and financial services using best practices to the trustees of several hundred domestic, generation-skipping transfer tax exempt trusts (and related individuals, business entities and charitable entities) for the benefit of members of certain, related ultrawealthy families for whom I acted as attorney at Sullivan & Cromwell and related implementation.

LINN THURBER LLP, HOUSTON, TEXAS

Tax Director, January 2007 to June 2012

Managing Director, March 2005 to December 2006

Extensive and broad experience relating to the provision of tax advice relating to estate, gift, generation-skipping transfer and income tax planning and compliance for U.S. and international trusts, estates, individuals and charitable organizations for the benefit of, or affiliated with, the same family members whose trustees utilized the services of Timmons Advisors LLC, with a special focus on foreign trust issues and tax issues incident to trust disputes. Experience included monitoring and assisting in the implementation of a family settlement agreement, the creation of Timmons Advisors LLC, investment entities, other service providers and several Texas "private trust companies" to serve as trustees of trusts for the benefit of these same family members.

SULLIVAN & CROMWELL, New York, New York

Consulting Attorney, May 2003 to February 2005

Associate, Estates and Personal Group, September 1996 to April 2003

Associate, Executive Compensation and Benefits Group, May 2000 to April 2003

Summer Associate May 1995 to June 1995

Extensive and broad experience involving: **U.S. estate, gift and generation-skipping transfer taxation and income taxation** of individuals, trusts and estates, with special focus on "foreign trust" issues and rules (including tax treaties) applicable to multinational individuals; **Litigation, Settlement Negotiations and Settlement Implementation** in U.S. and foreign jurisdictions involving foreign and domestic trust disputes regarding alleged breaches of fiduciary duties, and certain other disputes, including guardian *ad litem* proceedings, and the implementation of multi-year settlements; **Estate and tax planning** for U.S. Persons and multinational individuals; **Exempt Organizations**, including creation of, and representation involving excise and other tax, state law compliance, expenditure responsibility and miscellaneous advice applicable to, private foundations (trusts and not-for-profit corporations); **Probate** (original and ancillary) in a variety of United States and foreign jurisdictions; **Trust and Estate administration** of large trusts and estates (e.g., *Estate of Paul Mellon*) involving charitable and noncharitable beneficiaries, prudent investor issues and settlement of fiduciary accounts; **Executive Compensation** related to tax and estate planning (and administration) involving nonqualified stock options, restricted stock units, stock appreciation rights and Qualified (including IRAs, 401(k), 403(b) and cash balance plans) and Non-Qualified Retirement Plans; and **Residential and commercial real estate**, including representation of individual, LLC and corporate clients buying, selling, leasing and assigning interests in residences, condominiums, cooperative apartments and commercial office buildings. First Associate to telecommute regularly to the Firm's New York office.

Other Firm duties and positions included:

- Member, Associate Quality of Life Committee, Spring 2000 to April 2003
- Summer Associate Assignment Coordinator, Estates & Personal Group, Summers 2000 to 2002
- Law School Recruiting Coordinator (Duke), Fall 2001
- On Campus Recruiter (Duke, Yale, University of North Carolina, Cornell, Harvard, Columbia, New York University, University of Pennsylvania Law Schools), Fall 1996 to Fall 2002
- Speaker, "U.S. Taxation for Mexican Citizens" Seminar, Mexico City, Mexico (co-hosted with Chevez, Ruiz, Zamarrilla y Cia), April 2000

CHARITABLE

NEWBURYPORT YOUTH SOCCER ASSOCIATION

Coach and Assistant Coach (Girls, Boys and Tots), Fall 2010 to present
Girls Travel Director, Fall 2016- Spring 2019

JOHNS HOPKINS UNIVERSITY, BLUE JAYS UNLIMITED, BOARD OF ADVISORS, July 2016 to present

Executive Committee, Fall 2017 to present
Vice Chair, Fall 2019 to present

ST. JOHN'S PREPARATORY SCHOOL, *Trustee Associate*, June 2020 to present

DUKE UNIVERSITY SCHOOL OF LAW, ALUMNAE LEADERSHIP COUNCIL, February 2021 to present

NEWBURYPORT GIRLS BASKETBALL ASSOCIATION, *Director and Registrar*, August 2015 to August 2019

OYSTER RIVER YOUTH ASSOCIATION, Durham, NH, *Coach (Boys Soccer)*, Spring 2006 to Spring 2007

AMERICAN FUND FOR THE SOUTH BANK CENTRE, New York, New York

Director and Treasurer, May 2001 to December 2005

Member: Newburyport Art Association, Customs House Maritime Museum, Friends of Newburyport Public Library, Museum of Old Newbury (Historic New England)

EDUCATION

DUKE UNIVERSITY, School of Law, J.D., May 1996

Cumulative G.P.A.: 3.68

Awards: Order of the Coif; *Magna Cum Laude*; Estate Planning Award, 1996; Outstanding Tax Scholar Award, 1996; Merit Scholarship Recipient, Summer 1993 to Spring 1996

Activities: Duke Law Journal, Fall 1994 to Spring 1996; *Editorial Board, Fall 1995 to Spring 1996*
Duke Journal of Gender Law & Policy, Fall 1993 to Spring 1996; *Editor-in-Chief, Fall 1995 to Spring 1996*; *Business Manager and Research Editor, Fall 1994 to Spring 1995*;
Gender and Sports Conference Co-Chair, Fall 1994 to Spring 1995
Duke Law Soccer, Intramural and County League Participant

DUKE UNIVERSITY, Terry Sanford Institute of Public Policy, M.A., Public Policy, May 1996

JOHNS HOPKINS UNIVERSITY, School of Arts and Sciences, B.A., Political Science, May 1992

Cumulative G.P.A.: 3.71

Awards: Phi Beta Kappa; University and Departmental Graduation Honors

Activities: Johns Hopkins University Women's Soccer Team, Fall 1988 to Spring 1992
Phi Mu Fraternity, Spring 1989 to Spring 1992; *Fundraising Chair, Fall 1991 to Spring 1992*;
Board of Intramural Athletics Representative, Fall 1990 to Spring 1991

OXFORD UNIVERSITY, St. Anne's College, Oxford, England, January 1991 to April 1991

Cumulative G.P.A.: 3.68

Activities: Lady Margaret Hall Women's Football (soccer) Team, Spring 1991
Oxford Union Society

BAR ADMISSIONS New York

PROFESSIONAL ASSOCIATIONS

SOCIETY OF TRUSTS AND ESTATES PRACTITIONERS (STEP), TEP

PRIVATE INVESTOR COALITION

THE ASSOCIATION OF THE BAR OF THE CITY OF NEW YORK

THE AMERICAN BAR ASSOCIATION, TAX AND REAL PROPERTY & PROBATE SECTIONS

Committee Items – June 27, 2022

Public Safety

In Committee:

- APPL00084_06_13_2022 Block Party 22 Lafayette St. Sat., August 6th 3-10pm
- APPL00086_06_13_2022 19th Annual Chocolate Tour Saturday, Oct. 1st 12-4pm
- APPL00087_06_13_2022 Walk Against Domestic Violence Sunday, Oct. 2nd 8-11am
- APPL00080_05_31_2022 Movable Sign for Smitten at State St. & Threadneedle Alley



- APPT00324_05_31_2022 Justin Dutcher 7 Morin Rd. St. Harbor Commission 5/31/2025
*Re-appointment
- ODNC00115_06_13_2022 Amendment to Noise 8 – 101



RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2022 JUN -1 PM 1:36

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: May 25, 2022

CONTACT INFORMATION

FIRST AND LAST NAMES: Lindsay McPherson

MAILING ADDRESS: 22 Lafayette Street

PHONE NUMBER: (415) 336-8944

E-MAIL ADDRESS: lindsaymcp@gmail.com

BLOCK PARTY INFORMATION

BLOCK PARTY DATE: Saturday, August 6

DESIRED STREET CLOSING LOCATION: Lafayette Street (High to Highland)
Please indicate cross streets when requesting the closing of street sections

STREET TO BE BARRICADED: Lafayette Street

DESIRED STREET CLOSING TIME: 3:00pm - 10:00pm

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:  Date: 5/25/22

APPROVAL SIGNATURES REQUIRED FOR STREET CLOSURE


CITY MARSHALL
4 Green Street

 5/31/22


FIRE CHIEF
0 Greenleaf Street

Dep STB 5/27/22

DEPUTY DIRECTOR
16A Perry Way



CITY CLERK
60 Pleasant Street



City use only:

Approved _____ Denied _____ Date _____

NEWBURYPORT SPECIAL EVENT APPLICATION

RECEIVED
 APPLICATION OFFICE
 NEWBURYPORT, MA

Tel.

Fax.

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

2022 JUN -6 AM 11:51

NAME OF EVENT: 19th Annual Chocolate Tour

Date: October 1, 2022 (Saturday) Time: from 12:00 PM to 4:00 PM

Rain Date: NONE Time: from _____ to _____

2. Location: Start of Tour: First Religious Society Church, Pleasant St

3. Description of Property: Use of sidewalk and Social Hall Public Private _____

4. Name of Organizer: Central Congregational Church City Sponsored Event: Yes _____ No

Contact Person Diane Hawkins-Clark

Address: 14 Titcomb St, Newburyport MA Telephone: 978-465-0533

E-Mail: clarkj@comcast.net Cell Phone: 978-729-2263 (Primary Phone #)

Day of Event Contact & Phone: Diane Hawkins-Clark 978-729-2263

5. Number of Attendees Expected: 100 Volunteers, 300+ event ticket holders

6. MA Tax Number: 222 520 650 EXP 1/2/29 (Central Congregational Church)

7. Is the Event Being Advertised? YES Where? Local and regional news media, Chamber of Commerce, Social Media, Fliers, Banners, Newspapers

8. What Age Group is the Event Targeted to? Families, Adults

9. Have You Notified Neighborhood Groups or Abutters? Yes _____ No Who? _____
 Not Applicable

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

Not Applicable

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 _____ **Balloons, minimal trash**

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:

CENTRAL CONGREGATIONAL CHURCH

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

Diane Hawkins-Clark (Co-Chair) 978-729-2263

Erin Kenega (Co-Chair) 203-216-6827

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

Diane Hawkins-Clark (Co-Chair) 978-729-2263

Erin Kenega (Co-Chair) 203-216-6827

4. Date of Event: October 1, 2022 Expected Number of Participants: 300-400 throughout the day

5. Start Time: 12:00 PM Expected End Time: 4:00 PM

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

19th Annual Event: Ticket holders start on Pleasant St, visiting participating stores/businesses, and travel down State St, then head over to the Tannery to complete their tour (24-30 stores will be participating)

7. Locations of Water Stops (if any): None

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



9. Formation Location & Time for Participants: Pleasant St, Newburyport 11:30 AM 1st shift of volunteers
1:30 PM 2nd shift of volunteers

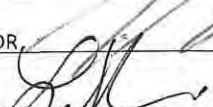

10. Dismissal Location & Time for Participants: Pleasant St, Newburyport 4:00 PM

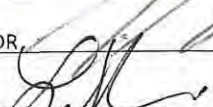
11. Additional Parade Information: None

- Number of Fleets: _____
- 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  5/26/22 0 Greenleaf St.

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

HEALTH DIRECTOR  60 Pleasant St. (only needed when Food & Beverage Vendors are included in the event)

- (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.

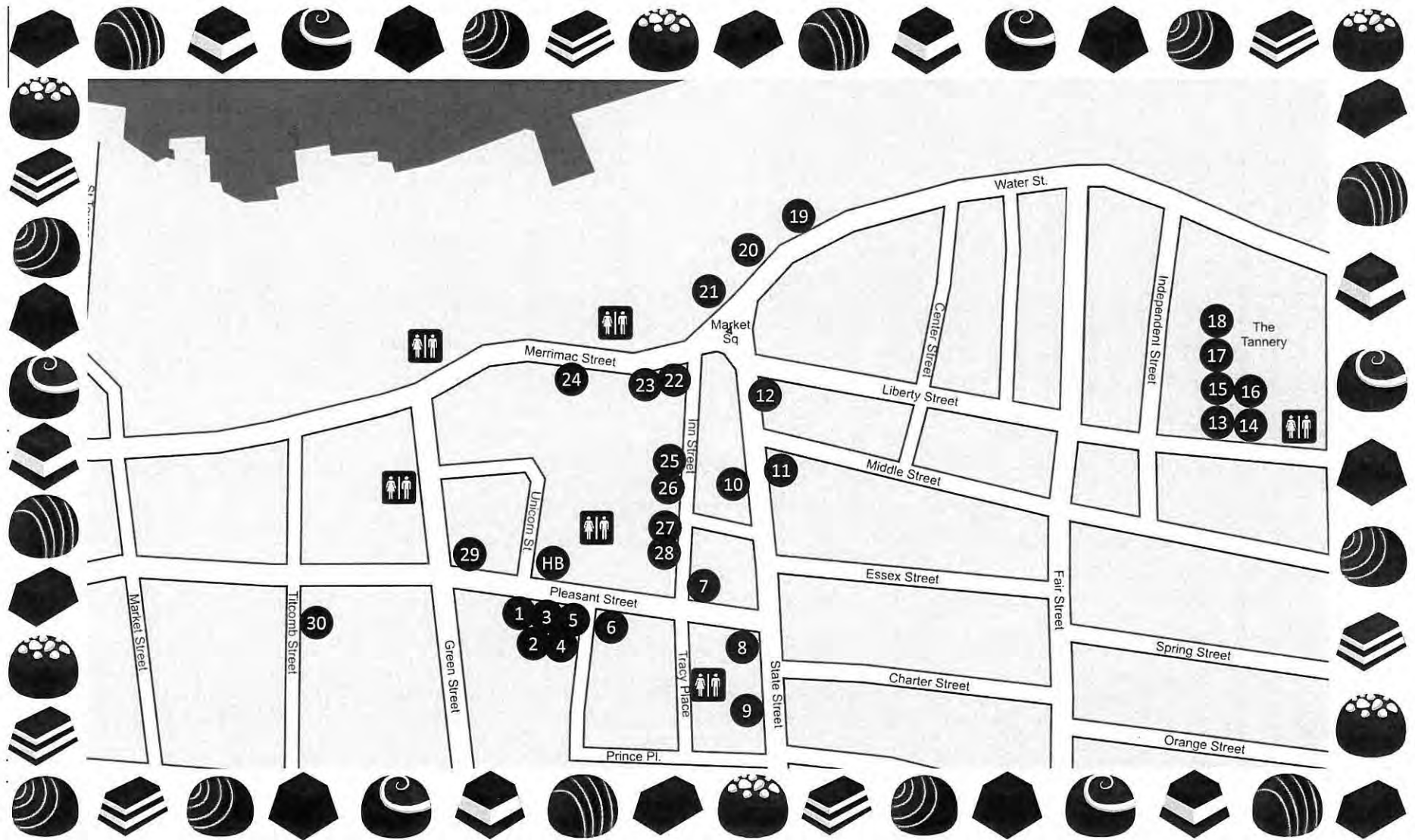
I fully understand and agree to all the terms set forth in this application. The information that I have provided is truthful and accurate. I accept all responsibility related to this event.

Signed: _____

Glenn H. Clark

Date: _____

5/4/2022



- | | | | | |
|----------------------------|-------------------------|---|--------------------------|------------------------------------|
| (HB) Home Base | (7) The Candy Man | (13) Beach Plum Flower Shop | (19) Coastal Chic | (25) The Wild Clover |
| (1) A Pleasant Street Shop | (8) Richdale Food Store | (14) Black Duck Market and Deli | (20) Vaalbara Supply | (26) WSM Talent |
| (2) BC Essentials | (9) Life is Good | (15) Chococoa Baking Company | (21) Greetings by Design | (27) The Angry Donut |
| (3) Design of Mine | (10) Nauti Pearl | (16) Port Plums & Newburyport Olive Oil | (22) Brass Lyon | (28) Native Sun |
| (4) Lolo Poke | (11) Soak | (17) Quinn's Canine Cafe | (23) Dolce Freddo Gelato | (29) Polished Salon Spa & Boutique |
| (5) Pretty Poppy | (12) Starbucks | (18) WishBasket | (24) Paper Moon | (30) Garrison Inn |

NEWBURYPORT SPECIAL EVENT APPLICATION

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

Tel.

Fax.

2022 JUN -7 PM 1:33

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

NAME OF EVENT: Walk Against Domestic ViolenceDate: Sunday, October 2nd, 2022 Time: from 8:00 am to 11:00 am

Rain Date: _____ Time: from _____ to _____

2. Location*: Start/end at Newburyport Waterfront

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

3. Description of Property: Newburyport Waterfront Park, 3.1 mile walk Public Private _____4. Name of Organizer: Jeanne Geiger Crisis Center City Sponsored Event: Yes _____ No Contact Person Lily CraggAddress: 2 Harris Street, Newburyport MA 01950 Telephone: 978-465-0999E-Mail: lcragg@jeannegeiger.org Cell Phone: 603-380-1841Day of Event Contact & Phone: Lily Cragg 603-380-18415. Number of Attendees Expected: 200-4006. MA Tax Number: 22-24748237. Is the Event Being Advertised? Yes Where? Online (social media, email blasts), postcards, press release8. What Age Group is the Event Targeted to? all ages9. Have You Notified Neighborhood Groups or Abutters? Yes No _____, Who? applying for permits with
Waterfront Park, and Parks & Rec.

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

A. Vending*: Food _____ Beverages _____ Alcohol _____ Goods _____ 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 _____ 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? N/A
- b) How many recycling receptacles will you be providing? N/A
- 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 existing barrels will suffice
- 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: N/A, We will provide extra toilet paper for public restrooms as we have done in past years.

FOR STREET CLOSURE OR ANY USE OF A PUBLIC WAY

PARADE _____

ROAD RACE _____

WALKATHON x

1. Name of the Group or Person Sponsoring the Road Race, Parade, Walkathon:
31st Annual Walk Against Domestic Violence

2. Name, Address & Daytime Phone Number of Organizer:
Jeanne Geiger Crisis Center (Development Associate- Lily Cragg: 603-380-1841)

2 Harris Street, Newburyport MA 01950

email address: lcragg@jeannegeiger.org, secondary point of contact Kelly Majewski kmajewski@jeannegeiger.org

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

4. Date of Event: Sunday, October 2nd, 2022 Expected Number of Participants: 200-400 people

5. Start Time: 8:00 am Expected End Time: 11:00 am

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

Route updated to incorporate rail trail that runs from High Street to Water Street, parallel to Broomfield Street. Please see map attached

7. Locations of Water Stops (if any): March's Hill High Street, Newburyport MA

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

9. Formation Location & Time for Participants: Waterfront Park 8:00 am registration, 9:00 am walk start time

10. Dismissal Location & Time for Participants: Route ends at Waterfront Park between 10:00 am- 11:00 am

11. Additional Parade Information:

• Number of Floats: N/A

• Locations of Viewing Stations: N/A

• Are Weapons Being Carried: Yes _____ No x

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

Volunteers and staff will serve as marshalls to direct walkers along route.

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

CITY MARSHAL [Signature] 6/3/22 4 Green St.

FIRE CHIEF [Signature] 6/3/22 0 Greenleaf St.

DEPUTY DIRECTOR [Signature] 6-3-22 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.

<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:	_____ <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>	
	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.

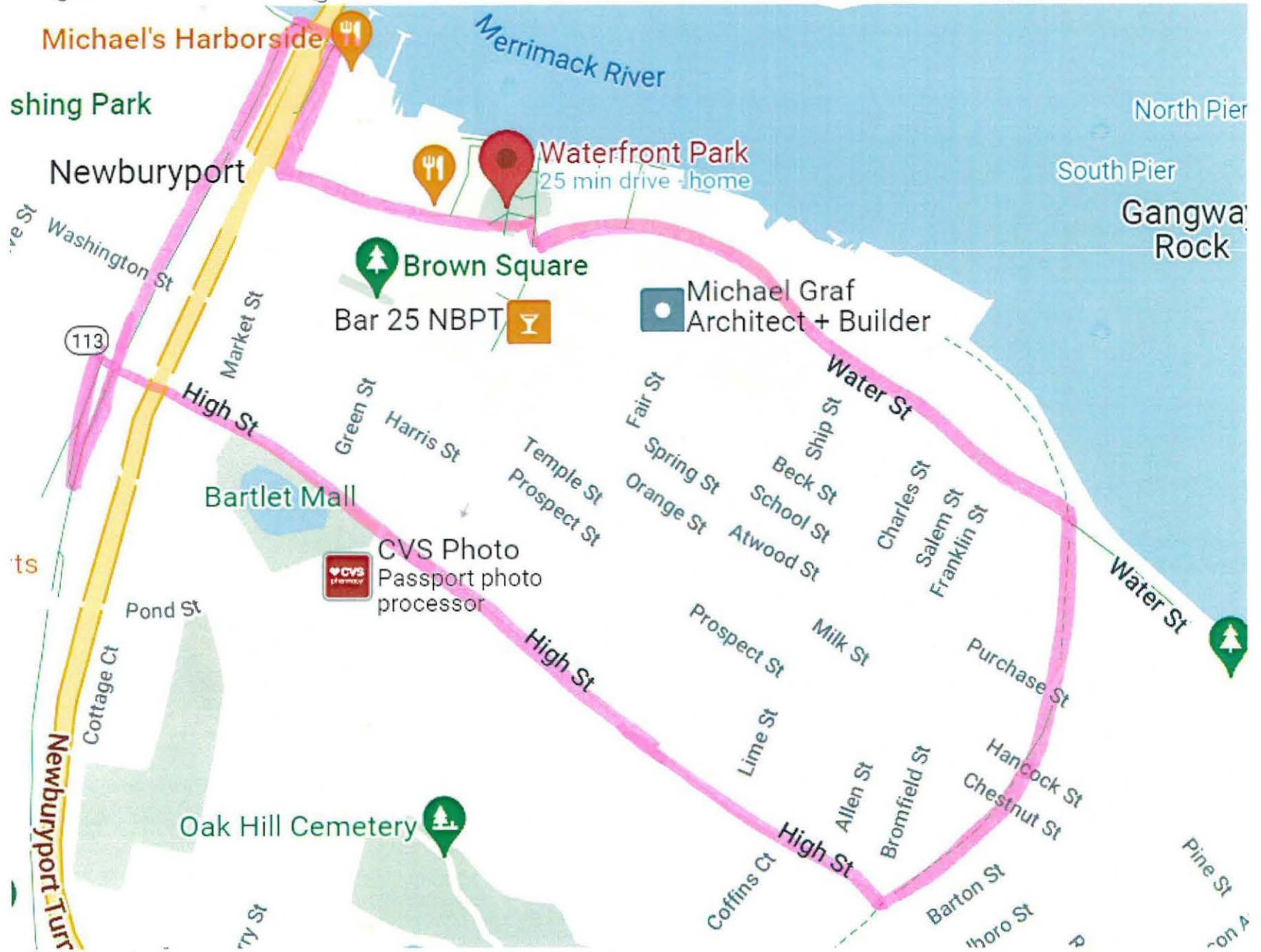
(2) *Exemptions.* Each event organizer or organization shall comply with this ordinance and no exemptions will be permitted.

(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,

31st Annual Walk Against Domestic Violence Jeannie Geiger Crisis Center



Sunday, October 2nd, 2022



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
6/2/2022

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).

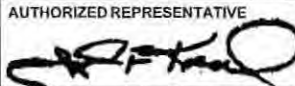
PRODUCER Eastern Insurance Group LLC 233 West Central St Natick MA 01760	CONTACT NAME: PHONE (A/C No, Ext): 800-333-7234 FAX (A/C, No): 781-586-8244 E-MAIL ADDRESS: CSR24CL@easterninsurance.com	
	INSURER(S) AFFORDING COVERAGE NAIC #	
INSURED Jeanne Geiger Crisis Center Attn: Liz Morin 2 Harris Street Newburyport MA 01950 JEANGEI-01	INSURER A : Philadelphia Indemnity Insurance Company 18058	
	INSURER B : American Zurich Insurance Co 40142	
	INSURER C :	
	INSURER D :	
	INSURER E :	
INSURER F :		

COVERAGES **CERTIFICATE NUMBER:** 398202056 **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 type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:			PHPK2247075	5/7/2021	7/1/2022	EACH OCCURRENCE	\$ 1,000,000
							DAMAGE TO RENTED PREMISES (Ea occurrence)	\$ 100,000
							MED EXP (Any one person)	\$ 10,000
							PERSONAL & ADV INJURY	\$ 1,000,000
							GENERAL AGGREGATE	\$ 2,000,000
							PRODUCTS - COMP/OP AGG	\$ 2,000,000
								\$
A	<input type="checkbox"/> AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS ONLY <input checked="" type="checkbox"/> NON-OWNED AUTOS ONLY			PHPK2247075	5/7/2021	7/1/2022	COMBINED SINGLE LIMIT (Ea accident)	\$ 1,000,000
							BODILY INJURY (Per person)	\$
							BODILY INJURY (Per accident)	\$
							PROPERTY DAMAGE (Per accident)	\$
								\$
A	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> DED <input checked="" type="checkbox"/> RETENTION \$ 10,000			PHUB759290	5/7/2021	7/1/2022	EACH OCCURRENCE	\$ 4,000,000
							AGGREGATE	\$
								\$
B	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	6UZZUB1K3209122	5/1/2022	5/1/2023	PER STATUTE	OTHER
							E.L. EACH ACCIDENT	\$ 1,000,000
							E.L. DISEASE - EA EMPLOYEE	\$ 1,000,000
							E.L. DISEASE - POLICY LIMIT	\$ 1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
Walk Against Domestic Violence, Sunday, October 2nd from 8:00 am - approximately 11:00 am
City of Newburyport is hereby included as additional insured with regards to the general liability

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 

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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.

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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:

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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
							GENERAL AGGREGATE	\$ 2,000,000
GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC. OTHER:							PRODUCTS - COM/OP AGG	\$ 2,000,000
AUTOMOBILE LIABILITY							COMBINED SINGLE LIMIT (Ea accident)	\$
<input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY <input type="checkbox"/> AUTOS ONLY							BODILY INJURY (Per person)	\$
							BODILY INJURY (Per accident)	\$
							PROPERTY DAMAGE (Per accident)	\$
								\$
UMBRELLA LIAB							EACH OCCURRENCE	\$
EXCESS LIAB							AGGREGATE	\$
								\$
DED RETENTION \$								\$
WORKERS COMPENSATION AND EMPLOYERS' LIABILITY							PER STATUTE	\$
ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below		Y / N					E.L. EACH ACCIDENT	\$
		N / A					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





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: June 13, 2022

Subject: Confirmatory Re-Appointment

I hereby re-appoint, subject to your approval, the following
named individual as a member of the Harbor Commission.
This term will expire on May 31, 2025.

Justin Dutcher
7 Morin Road
Newburyport, MA 01950

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



IN CITY COUNCIL

ORDERED:

June 13, 2022

AN AMENDMENT TO AN ORDINANCE ENTITLED HEALTH AND SANITATION SPECIFICALLY NOISE

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

THAT Chapter 8 Health and Sanitation, Article IV Nuisances, Division 1. Generally 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. 8-101. – Noise.

- (a) *No unnecessary emissions of noise.* No person owning, leasing, or controlling a source of sound shall willfully, negligently, or through failure to provide necessary equipment, service, or maintenance, or to take necessary precautions, cause, suffer, allow, or permit unnecessary emissions of noise from said source of sound.
- (1) This section shall apply to, but shall not be limited to, prolonged unattended sounding of burglar alarms, construction and demolition equipment which characteristically emit sound but which may be fitted and accommodated with equipment such as enclosures to suppress sound, or may be operated in a manner so as to suppress sound, suppressible and preventable industrial and commercial sources of sound, and other manmade sounds that cause noise.
- (2) This section shall not apply to sounds emitted during and associated with: (A) parades, public gatherings, or sporting events, for which all required city permits have been issued; (B) emergency police, fire, and ambulance vehicles; (C) police, fire, and civil and national defense activities; (D) customary, domestic equipment such as lawn mowers, leaf blowers, and power saws, between the hours of 7:00 a.m. and 10:00 p.m.; (E) dredging and related sand placement operations where the Mayor has placed a written waiver, which must include the terms and duration of the waiver, on file with

the Clerk's Office and said waiver has been submitted to the City Council as a communication.

- (b) *Noise defined.* For purposes of this section, noise shall mean sound of sufficient intensity and/or duration as to: (i) cause a nuisance; (ii) be injurious, or be on the basis of current information, potentially injurious to human health or animal life, to vegetation, or to property; or (iv) unreasonably interfere with the comfortable enjoyment of life and property or the conduct of business. A source of sound shall be considered to constitute unlawful noise under this section if such source: (i) increases the broadband sound level by more than ten (10) dB(A) above ambient; and/or (ii) produces a "pure tone" condition - when any octave band center frequency sound pressure level exceeds the two (2) adjacent center frequency sound pressure levels by three (3) decibels or more.
- (c) *Measurement.* The criteria of the previous subsection shall be measured both at the property line and at the nearest inhabited residence. "Ambient" is defined as the background A-weighted sound level that is exceed[ed] ninety (90) percent of the time, measured during vehicle or equipment operating hours. The ambient may also be established by other means with the consent of the Massachusetts Department of the Environmental Protection.
- (d) *Vehicle deliveries and idling vehicles and mechanical equipment.* Except in non-residential districts, or as expressly approved in writing, in advance, by the mayor, the city marshal, the director of the department of public services, or the administrative official charged to enforce the recycling ordinance, no vehicular deliveries shall occur, nor shall any commercial or non-commercial vehicle or mechanical equipment be left idling or otherwise operating audibly within the City of Newburyport between the hours of 10:00 p.m. and 7:00 a.m., on any day of the year. This restriction shall apply, without limitation, to all construction vehicles and equipment related to demolition and construction.
- (e) *[Enforcement.]* The provisions of this section shall be enforced by the police department or the department of health, and the building commissioner in the connection with activities undertaken pursuant to the state building code, and the zoning administrator in connection with activities undertaken pursuant to the Newburyport Zoning Ordinance.

Councillor Sharif I. Zeid

Councillor Mark R. Wright

Councillor James J. McCauley

In City Council June 13, 2022:

Motion to refer to Public Safety by Councillor Zeid, seconded by Councillor Cameron. So voted.

Committee Items – June 27, 2022

Public Utilities

In Committee:

- ORDR00363_06_13_2022 Water & Sewer Rates FY23

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

June 13, 2022

THAT, the City of Newburyport establishes the following water and sewer rates effective July 1, 2022:

	<u>FY2022 Approved</u>	<u>FY2023 Proposed</u>
<u>Water Rate</u>		
<u>Consumption</u>		
First 3,000 cubic feet:	\$5.94 per 100 cu. ft.	\$6.61 per 100 cu. ft.
3,001 cubic feet and over:	\$6.69 per 100 cu. ft.	\$7.37 per 100 cu. ft.
<u>Service Charge (Residential)</u>		
Customers with meters 1 inch or smaller:	\$25.00 per quarter	\$25.00 per quarter
Customers with meters larger than 1 inch:	\$125.00 per quarter	\$125.00 per quarter
<u>Service Charge (Non-Residential)</u>		
Customers with meters 1 inch or smaller:	\$30.00 per quarter	\$30.00 per quarter
Customers with meters larger than 1 inch:	\$125.00 per quarter	\$125.00 per quarter
<u>Sewer Rate</u>		
<u>Consumption</u>		
First 3,000 cubic feet:	\$9.84 per 100 cu. ft.	\$9.84 per 100 cu. ft.
3,001 cubic feet and over:	\$10.60 per 100 cu. ft.	\$10.60 per 100 cu. ft.
<u>Service Charge</u>		
Newburyport/Plum Island customers:	\$25.00 per quarter	\$25.00 per quarter
Newbury (Old Town) customers:	\$30.00 per quarter	\$30.00 per quarter

Councillor Bruce L. Vogel

In City Council June 13, 2022:

Motion to refer to Public Utilities and COTW by Councillor Vogel, seconded by Councillor Wright. So voted.