

CITY COUNCIL “HYBRID”

MEETING AGENDA

July 11, 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

- ODNC00119_07_11_2022 Amend Ch 13 Sec 168 Plummer Ave Restricted Parking (PS)
- ODNC00120_07_11_2022 Amendment Plummer Ave Drop Off Zone (PS)
- ODNC00121_07_11_2022 Amendment Merrimac-Plummer Safety Zone Revision (PS)
- ORDR00373_07_11_2022 Crosswalk Plummer Ave (PS)
- ORDR00374_07_11_2022 Plummer Ave Safety Zone Plan (PS)
- APPL00093_07_11_2022 Block Party Barton St. 8/27/2022 12pm-8pm (PS)
- APPL00094_07_11_2022 Misselwood Concours d'Elegance Classic Car Tour Ferry Wharf Parking Lot
Saturday, July 16th 10am-11:30am (PS)
- APPL00095_07_11_2022 Artsville/Artist Shanty Program 8/1-10/2 Waterfront East Park (PS)
- APPT00333_07_11_2022 Richard S. “Max” Tilson 1 Boston Way Board of Health 8/31/2025 (PS)
- APPT00334_07_11_2022 EP
- APPT00334_07_11_2022 John P. Gavin Sergeant Newburyport Police Dept. (PS)
- APPL00096_07_11_2022 NFD Fill the Boot 8/4, 8/5, 8/6 9am-4pm Market Square (PS)
- ODNC00122_07_11_2022 Proposed-Zoning-Amendment-Fire-Stations (P&D)

5. PUBLIC COMMENT

6. MAYOR'S COMMENT

7. SWEARING IN CEREMONY John P. Gavin

CONSENT AGENDA

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

8. APPROVAL OF MINUTES

June 27, 2022

(Approve)

9. COMMUNICATIONS

- COMM00422_07_11_2022 Mayor’s Memo & Community Paradigm Associates Report (GG/COTW)
- APPL00091_07_11_2022 10th Annual Car Show 8/11 5-8pm (PS)
- APPL00092_07_11_2022 2nd A Frame Charleston + Coco at Pleasant & State (PS)

10. TRANSFERS

- TRAN00135_07_11_2022 Parks: Paid Parking Fund \$10,000 to Inn St. Improvements \$10,000 (B&F)
- TRAN00136_07_11_2022 Parks: 40R Zoning Incentive \$17,300 to Enclosed Landscape Trailer \$17,300 (B&F)

11. APPOINTMENTS

- APPT00332_07_11_2022 Biff Bouse 6 Iona Ave. Historical Comm. 8/1/2025 (P&D)

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

BUDGET & FINANCE

- ORDR00356_05_09_2022 Loan Order \$3,000,000 Market Landing Park Expansion Project (COTW)
- ORDR00371_06_27_2022 PARC Grant App. & Park Designation for Market Landing Park Exp. (COTW)
- ORDR00354_05_09_2022 FY23 CPC Recommendations (COTW) (PARTIAL Project 9)

GENERAL GOVERNMENT

- APPT00330_06_27_2022 Donna Drelick 8 Chadwick St. Methuen HR Dir. 7/1/2025 (COTW)
- ORDR00366_06_13_2022 Ward 2 Polling Place Change

PLANNING & DEVELOPMENT

- 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
- APPT00329_06_27_2022 Jacob Majahad 6 59th St. Comm. On Disabilities 7/31/2025
- APPT00331_06_27_2022 Andrew R. Port 61 Water St. Dir. Planning & Dev. 1/31/2024 (COTW)
- ODNC00111_05_09_2022 Amendment Net Zero Energy Public Projects
- ORDR00358_05_31_2022 Acceptance of Stables - Colby Farm Lane Lot 3
- COMM00415_05_31_2022 Global Efforts Related/Potential Residential Use Property 5/22 Update

PUBLIC SAFETY

- APPL00088_06_27_2022 Greek Food Festival Fri. 7/29-Sat. 7/30 10am-9pm Harris St
- APPL00089_06_27_2022 Block Party 29 Hill St & Bricher St. Sat. 7/23/2022 2pm-10pm
- APPL00090_06_27_2022 Yankee Homecoming July 30th -August 7th

END OF CONSENT AGENDA

REGULAR AGENDA

9. MAYOR'S UPDATE

10. FIRST READING APPOINTMENTS

11. COMMUNICATIONS

12. TRANSFERS

13. SECOND READING APPOINTMENTS

14. ORDERS

- ORDR00372_07_11_2022 Herman Roy Trust Appropriation to Market Landing Park (P&D)

15. ORDINANCES

- ODNC00115_06_13_2022 **2nd Reading** Amendment to Noise 8 – 101
- ODNC00118_07_11_2022 Amend Municipal Fees (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:

- **ORDR00356 05 09 2022 Loan Order \$3,000,000 Market Landing Park Expansion Project (COTW)**
- **ORDR00371 06 27 2022 PARC Grant App. & Park Designation for Market Landing Park Exp. (COTW)**
- **ORDR00354 05 09 2022 FY23 CPC Recommendations (COTW) (PARTIAL Project 9)**
- ORDR00336_03_28_2022 ARPA Amesbury 250K (COTW)
- ORDR00355_05_09_2022 Loan Order \$2,574,000 Bartlet Mall Improvements Project (COTW)
- ORDR00354_05_09_2022 FY23 CPC Recommendations (COTW) (PARTIAL Projects 1, 8)
- ORDR00369_06_27_2022 Pioneer League Gift \$2836.50
- ODNC00117_06_27_2022 Building Inspector Enforcement

Education

In Committee:

General Government

In Committee:

- **APPT00330 06 27 2022 Donna Drelick 8 Chadwick St. Methuen HR Dir. 7/1/2025 (COTW)**
- **ORDR00366 06 13 2022 Ward 2 Polling Place Change**
- 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

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
- ORDR00368_06_27_2022 Waiver for Asphalt Sidewalk Bourbeau Terrace
- APPT00328_06_27_2022 Sara Kelso 1 Robin Glen Rd. Stratham, NH Head Librarian 07/09/2025

Planning & Development

In Committee:

- 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
- APPT00329 06 27 2022 Jacob Majahad 6 59th St. Comm. On Disabilities 7/31/2025
- APPT00331 06 27 2022 Andrew R. Port 61 Water St. Dir. Planning & Dev. 1/31/2024 (COTW)
- ODNC00111 05 09 2022 Amendment Net Zero Energy Public Projects
- ORDR00358 05 31 2022 Acceptance of Stables - Colby Farm Lane Lot 3
- COMM00415 05 31 2022 Global Efforts Related/Potential Residential Use Property 5/22 Update
- ODNC046_01_27_2020 Zoning Amendment Short Term Rental Unit (STRU) (COTW)

Public Safety

In Committee:

- APPL00088 06 27 2022 Greek Food Festival Fri. 7/29-Sat. 7/30 10am-9pm Harris St
- APPL00089 06 27 2022 Block Party 29 Hill St & Bricher St. Sat. 7/23/2022 2pm-10pm
- APPL00090 06 27 2022 Yankee Homecoming July 30th -August 7th
- 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:

- ORDR00352_05_09_2022 Licensed Contractor Robert Pike Construction, Inc.
- ORDR00353_05_09_2022 Licensed Contractor Commonwealth and Consulting Co., Inc.
- ORDR00370_06_27_2022 M. L. Mazzotta - Licensed Contractor
- COMM00420_06_27_2022 Ltr. Owen Smith re: Water/Sewer Rates
- COMM00421_06_27_2022 Communication re: Water/Sewer Rates b/w Mayor Reardon, Roger Jones, and Owen Smith

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:

July 11, 2022

AN ORDINANCE TO AMEND CH. 13 SEC. 168 WITH RESPECT TO TRAFFIC AND MOTOR VEHICLES ON PLUMMER AVENUE

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

THAT Chapter 13 Section 13-168 of the Code of Ordinances, City of Newburyport, Massachusetts, is hereby amended to include the following parking restrictions:

CHAPTER 13. – TRAFFIC AND MOTOR VEHICLES

Sec. 13-168. – Parking restricted on certain streets

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

<u>Street</u>	<u>Restriction</u>
<u>Plummer Avenue</u>	<u>Easterly side from Merrimac Street for a distance of 240 feet in a southerly direction</u>
<u>Plummer Avenue</u>	<u>Westerly side from Merrimac Street for a distance of 60 feet in a southerly direction</u>

Councillor Christine E. Wallace

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

July 11, 2022

AN ORDINANCE TO ALLOW A DROP OFF ZONE ON PLUMMER AVENUE

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:

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

Designated school drop-off zone in front of the Community Action, Inc. school, along the Westerly side of Plummer Ave for a distance of 180 feet.

Councillor Christine E. Wallace

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

July 11, 2022

DIVISION 9. SAFETY ZONES

Sec. 13-192. Established.

The City of Newburyport establishes safety zones under the provisions of M.G.L.A. c. 90, § 18B that regulate statutory speed limits to twenty (20) miles per hour in these designated areas. Regulatory speed limit signs, including safety zone speed limit signs, are required to conform to the Manual on Uniform Traffic Control Devices, per M.G.L.A. c. 85 § 2.

Sec. 13-193. Designated.

The following portions of streets are located in designated safety zones:

Street	Extent
Merrimac Street	Between the intersection with Moulton Street and the intersection with Plummer Avenue, in both directions of travel
Plummer Avenue	Between the intersection with Merrimac Street and approximately 425 <u>725</u> feet south on Plummer Avenue <u>to the intersection with the Atkinson Common parking lot</u> , in both directions of travel

Councillor Christine E. Wallace

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

July 11, 2022

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

1. Realignment of the crosswalks at the intersection of Merrimac Street and in front of the Community Action, Inc. school.
2. Addition of a crosswalk on Merrimac St to the east of Plummer Ave.

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

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

Councillor Christine E. Wallace

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

July 11, 2022

WHEREAS, the City of Newburyport Home Rule Charter provides at Section 2-5 that, except as otherwise provided by general law or by the charter, all powers of the City shall be vested in the City Council which shall provide for their exercise and for the performance of all duties and obligations imposed upon the City by law; and

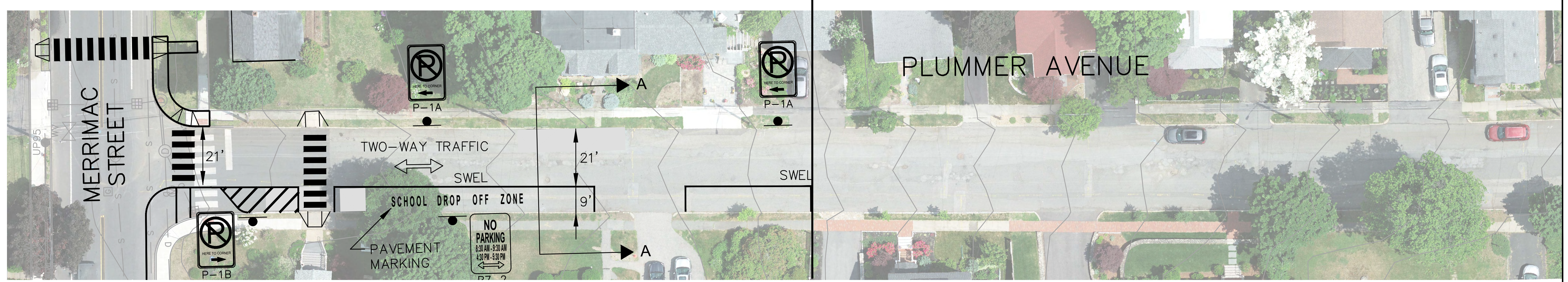
WHEREAS, the Newburyport Code provides at Section 12-30 that the surveying and laying out, relocation or altering of a street, highway, or private way, or part thereof, shall be done under the supervision of the City Council; and

WHEREAS, the Newburyport Code provides at Section 13-46 that the City Council is authorized, and as to those signs and signals required under such code it shall be its duty, to place and maintain or cause to be placed and maintained all official traffic signs, signals, markings and safety zones;

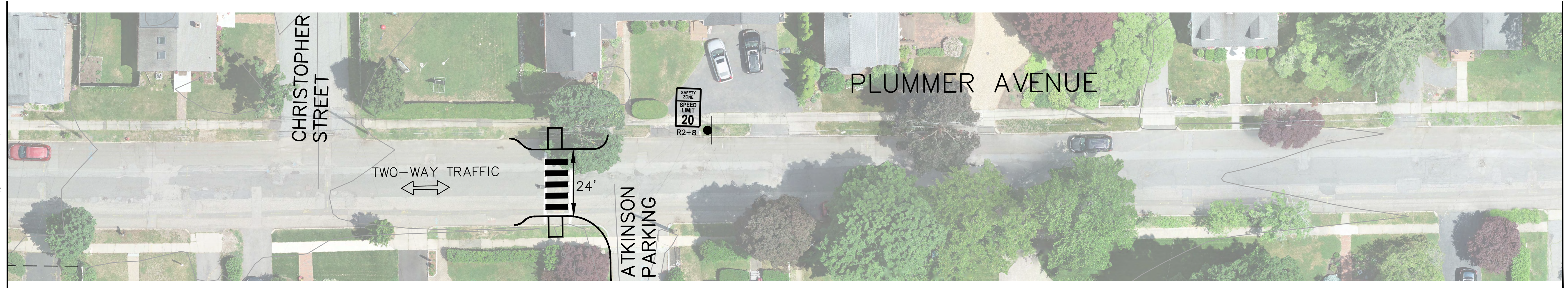
NOW, THEREFORE, the City Council shall review and approve the Plummer Ave Safety Zone plan submitted herewith, and authorize the Department of Public Service and the City Engineer to use said plan and complete the same within 14 days from the date of approval of this order.

Councillor Christine Wallace

PARKING ONE SIDE PARKING BOTH SIDES



MATCH LINE
SEE BELOW



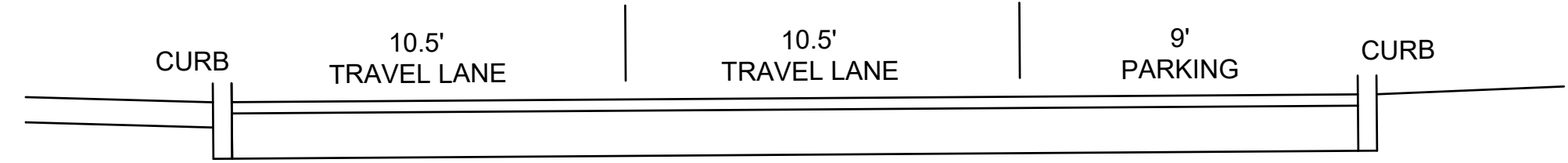
MATCH LINE
SEE ABOVE

MATCH LINE
SEE BELOW



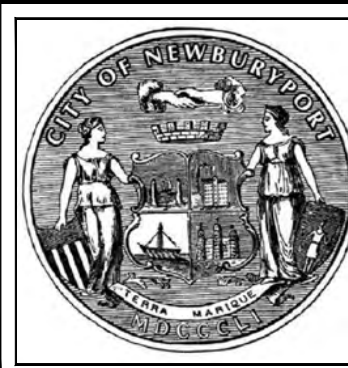
MATCH LINE
SEE ABOVE

SITE PLAN



SECTION A-A
SCALE: 1" = 4'

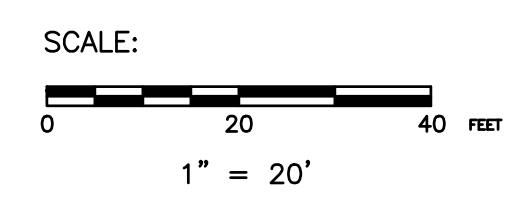
**DRAFT - FOR
DISCUSSION
PURPOSES ONLY**



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

Rev No	Date	Drawn	Chkd	Description

Designed By:
D GAGNON
Checked By:
J-E WHITE
Date:
JULY 2022



PLUMMER STREET
TWO-WAY, PARKING 1 SIDE ONLY

Sheet No.
1 OF 1
SK-1



RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2022 JUL -7 PM 2:23

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: 6/30/2022

CONTACT INFORMATION

FIRST AND LAST NAMES: Elizabeth Marcus

MAILING ADDRESS: 10 Barton St, Newburyport, MA

PHONE NUMBER: 978-462-1308

E-MAIL ADDRESS: _____

BLOCK PARTY INFORMATION

BLOCK PARTY DATE: 8-27-2022

DESIRED STREET CLOSING LOCATION: Barton St, Barton Ct, Allen Ct

Please indicate cross streets when requesting the closing of street sections between High St & Chestnut

STREET TO BE BARRICADED: Barton St

DESIRED STREET CLOSING TIME: 12 PM to 8 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: Elizabeth B. Mains Date: 6/27/22

APPROVAL SIGNATURES REQUIRED FOR STREET CLOSURE

CITY MARSHALL
4 Green Street

[Signature] 7/5/22

FIRE CHIEF
0 Greenleaf Street

[Signature] 7.7.22

DEPUTY DIRECTOR
16A Perry Way

[Signature] 7/7/22

CITY CLERK
60 Pleasant Street

[Signature]

City use only:

Approved _____ Denied _____ Date _____

NEWBURYPORT SPECIAL EVENT APPLICATION

Tel.

Fax.

(For Street Closure or Any Use of a Public Way - Please complete page 3 of this application)**NAME OF EVENT:** Misselwood Concours d'Elegance TourDate: Saturday, July 17 Time: from 10:00am to 11:30amRain Date: NA Time: from _____ to _____2. Location*: Ferry Wharf parking lot

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

3. Description of Property: _____ Public Private 4. Name of Organizer: Darren Stewart City Sponsored Event: Yes No

Contact Person

Address: 407 Hale Street Beverly, MA 01915 Telephone: 978-232-2347E-Mail: dstewart@endicott.edu Cell Phone: 978-232-2347Day of Event Contact & Phone: Darren Stewart, 978-265-05375. Number of Attendees Expected: 40-50 cars6. MA Tax Number: 04-21035677. Is the Event Being Advertised? Yes _____ Where? Online, social media, newsletters, chamber of commerce, etc.8. What Age Group is the Event Targeted to? Car Owners/Community9. Have You Notified Neighborhood Groups or Abutters? Yes No , Who? _____**ACTIVITIES:** *(Please check where applicable.)* Subject to Licenses & Permits from Relevant City DepartmentsA. 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? _____
- b) How many recycling receptacles will you be providing? _____
- c) Will you be contracting for disposal of : **Trash** Yes ____ No ____ **Recycling** Yes ____ No ____
 - i. If yes, size of dumpster(s): **Trash** _____ **Recycling** _____
 - ii. Name of disposal company: **Trash** _____ **Recycling** _____
 - iii. If no, will you remove trash & recycling with organizers' cars or trucks? Yes ____ No ____
 - iv. If no, where will the trash & recycling be disposed ? _____

If no:

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

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

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

_____ Standard # _____ ADA accessible

Name of company providing the portable toilets: _____

FOR STREET CLOSURE OR ANY USE OF A PUBLIC WAY

PARADE _____

ROAD RACE _____

WALKATHON _____

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

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

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

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

5. Start Time: _____ Expected End Time: _____

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

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

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

9. Formation Location & Time for Participants: _____

10. Dismissal Location & Time for Participants: _____

11. Additional Parade Information:

• Number of Floats: _____

• Locations of Viewing Stations: _____

• Are Weapons Being Carried: Yes _____ No _____

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

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

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

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

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:	_____
	Is Fire Detail Required: _____	# of Details Assigned: _____
___	9. Public Works: <i>Fee for Special Events: \$45/hr/DPS employee for trash handling/staging etc. may apply</i>	
	Yes: \$_____ due on _____	No Fee for Special Events applies
	Other requirements/instructions per DPS _____	_____
___	10. Parks Department:	_____
___	11. License Commission	_____

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

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

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

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

(c) *Definitions.*

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

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

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

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

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

(d) *Limitations.*

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

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

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

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

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

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

NEWBURYPORT SPECIAL EVENT APPLICATION

Tel.

Fax.

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

NAME OF EVENT: ARTSVILLE IN NEWBURYPORT / ARTIST SHANTY PROGRAM

Date: AUGUST 1 THROUGH OCT 2, 2022 Time: from 11am to 4pm

Rain Date: _____ Time: from _____ to _____

2. Location*: WATERFRONT EAST PARK

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

3. Description of Property: PARK AREA NEAR FIREHOUSE PERFORMED LAST SUMMER Public Private _____

4. Name of Organizer: NEWBURYPORT LCC AND FIREHOUSE CENTER City Sponsored Event: Yes _____ No _____

Contact Person JOHN MOYNIHAN

Address: 1 MARKET SQUARE, NEWBURYPORT, MA Telephone: 978-499-9931

E-Mail: john@firehouse.org Cell Phone: 603-312-2917

Day of Event Contact & Phone: SARA

5. Number of Attendees Expected: 50/DAY

6. MA Tax Number: 04-2649373

7. Is the Event Being Advertised? Yes Where? FACEBOOK, POSTERS, ONLINE, ETC.

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

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

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

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

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

If no:

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

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

of Newburyport. E. Portable Toilets: (Each cluster of portable toilets must include at least

one ADA accessible toilet)

Standard # ADA accessible

Name of company providing the portable toilets: _____

FOR STREET CLOSURE OR ANY USE OF A PUBLIC WAY

PARADE _____

ROAD RACE _____

WALKATHON _____

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

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

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

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

5. Start Time: _____ Expected End Time: _____

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

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

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

9. Formation Location & Time for Participants: _____

10. Dismissal Location & Time for Participants: _____

11. Additional Parade Information:

• Number of Floats: _____

• Locations of Viewing Stations: _____

• Are Weapons Being Carried: Yes _____ No _____

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

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

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

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

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: _____	
	Is Fire Detail Required: _____	# of Details Assigned: _____
___	9. Public Works: <i>Fee for Special Events: \$45/hr/DPS employee for trash handling/staging etc. may apply</i>	
	Yes: \$ _____ due on _____	No Fee for Special Events applies
	Other requirements/instructions per DPS _____	
___	10. Parks Department: _____	
___	11. License Commission _____	

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

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

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

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

(c) *Definitions.*

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

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

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

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

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

(d) *Limitations.*

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(e) *Enforcement.*

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

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

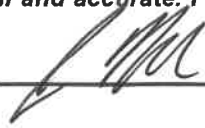
(3) *Noncriminal disposition.* If the city determines that a violation has occurred in which a noncriminal violation is issued, the named event organizer shall be penalized by a non-criminal disposition as provided in Massachusetts General Law as adopted by the City of Newburyport as a general ordinance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

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

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

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

Signed: _____



Date: _____

7/8/22



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

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA
2022 JUL -7 PM 5:19

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: July 7, 2022
Subject: Appointment

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

Dr. Richard S. "Max" Tilson
1 Boston Way, Apt. 220
Newburyport, MA 01950

Curriculum Vitae

Richard Salorgne Tilson

1 Boston Way Apt 220 Newburyport, MA 01950

Phl: (617)388-6747 Email: mtilson@integratedgic.com

Work Experience:

Integrated GI Consultants North Chelmsford, MA 2007- Present
CEO

Harvard Vanguard Medical Associates Boston, MA 2004 - 2007
Gastroenterology Staff, Brigham and Women's Hospital

Education:

Brigham and Women's Hospital Boston, MA 2001 - 2004
GI Fellowship

Channing Laboratory, Boston, MA 2000 - 2001
Research Fellow

Georgetown University Medical Center Washington, DC 1999 - 2000
Chief Resident

Georgetown University Medical Center Washington, DC 1999-1999
Resident, Internal Medicine

University of North Carolina, Chapel Hill School of Medicine Chapel Hill, NC
1991-1996
Doctor of Medicine

Harvard School of Public Health Boston, Massachusetts 1995
Masters of Public Health

Board Certifications:

Internal Medicine, 2000 Gastroenterology, 2004, 2015

Leadership Experience:

Board of Directors, Northeast Endoscopy, Lowell MA 2015 - Present

Physicians Advisory Group, AmSurg. Nashville, TN 2021 - Present

Chief of Gastroenterology, Lawrence General Hospital Lawrence, MA
2020 - Present

Board of Health, North Andover, MA 2020 - 2022

Board of Directors, Wholebath. Chatham, NY 2019 - 2022

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED

July 11, 2022

AN EMERGENCY PREAMBLE TO ALLOW THE APPOINTMENT OF JOHN GAVIN AS POLICE SERGEANT IN ONE READING

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

EMERGENCY PREAMBLE:

WHEREAS there is a manning shortage in the police department with respect to superior officers;

WHEREAS John Gavin has been selected to become a police sergeant with the Newburyport Police Department;

WHEREAS there is a Council Rule that requires two readings of an appointment and a Charter Section 2-9 requiring an declaration of an emergency to allow the passage of a measure in one reading;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF NEWBURYPORT hereby declares an emergency exists and the appointment of John Gavin shall be allowed in one reading and furthermore any and all Council Rules shall be waived in order to effectuate the same.

Councillor Heather L. Shand



CITY OF NEWBURYPORT RECEIVED
OFFICE OF THE MAYOR CITY CLERK'S OFFICE
SEAN R. REARDON, MAYOR NEWBURYPORT, MA
2022 JUL -8 AM 9:46

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: July 11, 2022
Subject: Promotion

I hereby appoint, pursuant to Code Sec. 2-349, subject to your approval, the following named individual as Sergeant, Newburyport Police Department.

John P. Gavin



John Patrick Gavin

Education Fitchburg State College, Fitchburg, MA (Sept. '04-May '08)
B.S. Criminal Justice
• Graduated May '08

Newburyport High School, Newburyport, MA (Sept. '01-June '04)
• Graduated June '04

Law Enforcement Experience Essex County Sheriff's Department (Sept. '08-Present)

Deputy Sheriff

- Graduated from Sheriff's Department Academy 2nd in class
- Squad Leader during Academy
- Middleton House of Corrections
- Finished NERPI in February of 2010

Summer Internship Lawrence Community Corrections Center (July '06-Sept '07)

- Drug Screening Collector
- Helped with monthly/quarterly reports
- Worked security desk
- Helped with sanctions reports
- Worked closely with probation department of Lawrence District Court

Boxford Police Department (May '08-August '08)
• Ride-alongs

Newburyport Police Department (June '09-Present)
• Reserve Police Officer / Dispatcher

Awards Fitchburg State College (Sept. '04-May '08)
Undergraduate Student
• Dean's List Student

- Criminal Justice Academic Achievement Award
- Graduated Magna Cum Laude with a 3.63 GPA

Newburyport High School

(Sept. '01-June '04)

- College Algebra Topics Award
- Honor roll student every semester
- Baseball Captain '04 season
- MVP Baseball team '04 season

Qualifications

- First Responder
- CPR/AED certified
- Class A Large Capacity License to Carry Firearms issued in Massachusetts
- NERPI qualified

References

- Dave Barker 617-438-6570
- Michael Grady 978-423-3094
- Kevin Callahan 978-463-6619

Current employer contact information

- Essex County Correctional Facility
PO Box 807
Middleton, MA 01949-2807
978-750-1900

NEWBURYPORT SPECIAL EVENT APPLICATION

Tel.

Fax.

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

NAME OF EVENT:

FILL THE BOOT

Date: 8/4, 8/5, 8/6 2022 Time: from 9am to 4pm

Rain Date: _____ Time: from _____ to _____

2. Location*: Market Square

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

3. Description of Property: _____ Public Private

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

Contact Person Jonathan Kelley Address: _____ Telephone: 978-821-5237

E-Mail: _____ Cell Phone: _____

Day of Event Contact & Phone: _____

5. Number of Attendees Expected: NA

6. MA Tax Number: _____

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

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

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

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

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

*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: NA

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

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

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

_____ Standard # _____ ADA accessible

Name of company providing the portable toilets: _____

FOR STREET CLOSURE OR ANY USE OF A PUBLIC WAY

PARADE _____

ROAD RACE _____

WALKATHON _____

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

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

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

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

5. Start Time: _____ Expected End Time: _____

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

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

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

9. Formation Location & Time for Participants: _____

10. Dismissal Location & Time for Participants: _____

11. Additional Parade Information:

• Number of Floats: _____

• Locations of Viewing Stations: _____

• Are Weapons Being Carried: Yes _____ No _____

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

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

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

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

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

DEPARTMENT APPROVAL (for Committee Member use only):

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

Approval Required Date: _____ Signature: _____

____ 1. Special Events: _____

____ 2. Police: _____
 Is Police Detail Required: _____ # of Details Assigned: _____

____ 3. Traffic, Parking & Transportation: _____

____ 4. ISD/Health: _____

____ 5. Recycling: _____

____ 6. ISD/Building: _____

____ 7. Electrical: _____

____ 8. Fire: _____
 Is Fire Detail Required: _____ # of Details Assigned: _____

____ 9. Public Works: *Fee for Special Events: \$45/hr/DPS employee for trash handling/staging etc. may apply*
 Yes: \$_____ due on _____ No Fee for Special Events applies
 Other requirements/instructions per DPS _____

____ 10. Parks Department: _____

____ 11. License Commission _____

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

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

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

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

(c) *Definitions.*

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

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

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

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

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

(d) *Limitations.*

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(e) *Enforcement.*

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

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

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

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

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

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

Signed: _____

Scott Kelly

Date: _____

7/11/22

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

July 11, 2022

AN ORDINANCE TO AMEND THE DIMENSIONAL REQUIREMENTS OF THE NEWBURYPORT ZONING ORDINANCE AS THEY APPLY TO MUNICIPAL FIRE STATIONS

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

THAT Section VI of the Newburyport Zoning Ordinance, entitled “Dimensional Controls,” subsection VI-A, entitled “General regulations” is hereby amended to read as follows with respect to the specific uses so noted, with deletions ~~double-stricken through and in bold~~, and additions **double-underlined and in bold**:

Table of Dimensional Requirements

USE	NUM	District	Lot Area	Street Frontage	Height	% Lot Cov.	Open Space	Yard Requirements		
								Front	Side	Rear
Fire station	203		15,000 40,000	120	40	40 30	N/A	0 20	15 20	15 20
	203	B-3, R-3	20,000	90	40	40	1,000	20	10	20

Councillor James J. McCauley

Councillor Edward C. Cameron Jr.

CONSENT AGENDA

CITY COUNCIL “HYBRID”

MEETING MINUTES

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**

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: Lane, McCauley, Preston, Vogel, Wallace, Wright, Zeid, Cameron, and Shand. 9 present (1remote BL), 2 absent (AK, JD).

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 App. & Park Designation for Market Landing Park Exp. (B&F/COTW)
- APPT00330_06_27_2022 Donna Drelick 8 Chadwick St. Methuen HR Dir. 7/1/2025 (GG/COTW)
- APPT00331_06_27_2022 Andrew R. Port 61 Water St. Dir. Planning & Dev. 1/31/2024 (P&D/COTW)
- APPL00090_06_27_2022 Yankee Homecoming July 30th -August 7th (PS)

Motion to waive the rules and accept the late files by Councillor Zeid, seconded by Councillor Cameron. Roll call vote. 9 yes, 2 absent (AK,JD). Motion passes.

5. PUBLIC COMMENT

Brian Callahan 29 Warren St.
Owen Smith 175 Storey Ave.
Charles Aloviseti 60 Bromfield St.
Matt Kane 63 Curzon Mill

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 (N&CS)

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

Motion to add COTW to APPT00330 and APPT00331, and refer APPT00328 to Neighborhood & City Services by Councillor McCauley, seconded by Councillor Wallace. Roll call vote. 9 yes, 2 absent (AK,JD). Motion passes. Motion to add the late files to the Consent Agenda, referring them to the respective Committees as noted and approve as amended by Councillor Zeid, seconded by Councillor McCauley. Roll call vote. 9 yes, 2 absent (AK,JD). Motion passes.

END OF CONSENT AGENDA

REGULAR AGENDA

9. MAYOR'S UPDATE

Motion to receive and file by Councillor Wright, seconded by Councillor Preston. Roll call vote. 9 yes, 2 absent (AK,JD). Motion passes.

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)
Motion to refer to Neighborhood & City Services by Councillor Zeid, seconded by Councillor McCauley. Roll call vote. 9 yes, 2 absent (AK,JD). Motion passes.

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
Motion to approve on 2nd reading collectively by Councillor Zeid, seconded by Councillor McCauley. Roll call vote. 8 yes, 1 no (CP), 2 absent (AK,JD). Motion passes.
- ODNC00117_06_27_2022 Building Inspector Enforcement (B&F)
Motion to refer to Budget & Finance by Councillor McCauley, seconded by Councillor Vogel. Roll call vote. 9 yes, 2 absent (AK,JD). Motion passes.

16. COMMITTEE ITEMS

Ad Hoc Committee on Economic Development

In Committee:

Ad Hoc Committee on Market Landing Park and COTW

In Committee:

Councillor Shand noted that there is a meeting schedules for Wednesday, June 29th at 6:30pm

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)**
Stabilization Trust Fund: Motion to approve by Councillor Zeid, seconded by Councillor McCauley. Roll call vote. 8 yes, 1 no (CW), 2 absent (AK, JD). Motion passes.
OPEB Trust Fund: Motion to approve by Councillor Zeid, seconded by Councillor Wright. Roll call vote. 9 yes, 2 absent (AK, JD). Motion passes.
IT001: Motion to approve by Councillor Zeid, seconded by Councillor Preston. Roll call vote. 6 yes, 3 no (CP, CW, SZ), 2 absent (AK, JD). Motion passes.
FD003: Motion to approve by Councillor Zeid, seconded by Councillor McCauley. Roll call vote. 9 yes, 2 absent (AK, JD). Motion passes.
PD002: Motion to approve by Councillor Zeid, seconded by Councillor Preston. Roll call vote. 9 yes, 2 absent (AK, JD). Motion passes.
HM002: Motion to approve by Councillor Zeid, seconded by Councillor Cameron. Roll call vote. 9 yes, 2 absent (AK, JD). Motion passes.

HM003: Motion to approve by Councillor Zeid, seconded by Councillor Preston. Roll call vote. 6 yes, 3 no (CP, CW, SZ), 2 absent (AK, JD). Motion passes.

HW003: Motion to approve by Councillor Zeid, seconded by Councillor Cameron. Roll call vote. 8 yes, 1 no (CW), 2 absent (AK, JD). Motion passes.

HW006: Motion to approve by Councillor Zeid, seconded by Councillor McCauley. Roll call vote. 8 yes, 1 no (CW), 2 absent (AK, JD). Motion passes.

WA002, WA003, WA004: Motion to approve by Councillor Zeid, seconded by Councillor Preston. Roll call vote. 9 yes, 2 absent (AK, JD). Motion passes.

WA005: Motion to approve by Councillor Zeid, seconded by Councillor Preston. Roll call vote. 6 no, 3 yes (BV, EC, HS), 2 absent (AK, JD). Motion fails.

WA007: Motion to approve by Councillor Zeid, seconded by Councillor Preston. Roll call vote. 8 yes, 1 no (MW), 2 absent (AK, JD). Motion passes.

SW002: Motion to approve by Councillor Zeid, seconded by Councillor Preston. Roll call vote. 8 yes, 1 no (CW), 2 absent (AK, JD). Motion passes.

SW004: Motion to approve by Councillor Zeid, seconded by Councillor Cameron. Roll call vote. 5 yes, 4 no (JM, CW, MW, SZ), 2 absent (AK, JD). Motion fails.

SW007: Motion to approve by Councillor Zeid, seconded by Councillor Preston. Roll call vote. 7 yes, 2 no (CW, SZ), 2 absent (AK, JD). Motion passes.

PK006: Motion to approve by Councillor Zeid, seconded by Councillor Vogel. Roll call vote. 5 yes, 4 no (JM, CW, MW, SZ), 2 absent (AK, JD). Motion fails.

PK010: Motion to approve by Councillor Zeid, seconded by Councillor Preston. Roll call vote. 5 no, 4 yes (BL, CP, BV, HS), 2 absent (AK, JD). Motion fails.

PK012: Motion to approve by Councillor Zeid, seconded by Councillor Preston. Roll call vote. 8 yes, 1 no (SZ), 2 absent (AK, JD). Motion passes.

PK017: Motion to approve by Councillor Zeid, seconded by Councillor Preston. Roll call vote. 5 yes, 4 no (JM, CW, MW, SZ), 2 absent (AK, JD). Motion fails.

PK021: Motion to approve by Councillor Zeid, seconded by Councillor Preston. Roll call vote. 5 yes, 4 no (BL, JM, CW, MW), 2 absent (AK, JD). Motion fails.

SC005: Motion to approve by Councillor Zeid, seconded by Councillor Preston. Roll call vote. 5 no, 4 yes (BL, CP, BV, HS), 2 absent (AK, JD). Motion fails.

SC007: Motion to approve by Councillor Zeid, seconded by Councillor Preston. Roll call vote. 6 no, 3 yes (BV, EC, HS), 2 absent (AK, JD). Motion fails.

SC013: Motion to approve by Councillor Zeid, seconded by Councillor Preston. Roll call vote. 8 no, 1 yes (BV.), 2 absent (AK, JD). Motion fails.

- **TRAN00133 06 21 2022 DPS: RRFA Legal \$13,500 to Brown Sch. Protective Measures \$13,500 (COTW)**

Motion to approve by Councillor Zeid, seconded by Councillor Preston. Roll call vote. 8 yes, 1 no (BV), 2 absent (AK,JD). Motion passes.

- **TRAN00130 06 13 2022 Fire Mult. \$195K to Fire OT \$150K, Fire Salary \$25K & Fire Dispatch OT \$20K**

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

- **TRAN00131 06 13 2022 Mayor's Office IT Salary Dir. \$45K to IT Prof Serv. \$20K & Offsite Serv. \$25K**

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

- **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**

- **ORDR00367 06 13 2022 Parks Make A Wish Gift Acceptance**

- **ORDR00354 05 09 2022 FY23 CPC Recommendations (COTW) (PARTIAL Projects 11, 12, 13, 14)**

Motion to approve collectively TRAN00132, TRAN00134, ORDR00359, ORDR00367, and projects listed in ORDR00354 by Councillor Zeid, seconded by Councillor Preston. Roll call vote. 9 yes, 2 absent (AK,JD). Motion passes.

- **ORDR00364 06 13 2022 FY23 Revolving Fund Spending Limits**

- Motion to approve by Councillor Zeid, seconded by Councillor Preston. Roll call vote. 6 yes, 3 no (BL, JM, SZ), 2

absent (AK,JD). Motion passes.

- 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**

Motion to approve collectively APPT00322 and ORDR00360 by Councillor Shand, seconded by Councillor Preston. Roll call vote. 9 yes, 2 absent (AK,JD). Motion passes.

- 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)**

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

- **ORDR00365 06 13 2022 Acceptance Preservation 90 Water Street**

Councillor Cameron recused. Motion to waive the rules and amend to change the sponsor from Councillor Cameron to Councillor Zeid by Councillor Zeid, seconded by Councillor Preston. Roll call vote. 9 yes, 2 absent (AK,JD). Motion passes. Motion to approve as amended by Councillor Wright, seconded by Councillor McCauley. Roll call vote. 7 yes, 1 no (JM), 1 recused (EC), 2 absent (AK,JD). Motion passes.

- **APPT00321 05 09 2022 Charles Aloviseti 60 Bromfield St Conservation Comm. 6/1/2025**

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

- **APPT00316 04 25 2022 Stephen Moore 10 N. Atkinson St. Conservation Comm. 5/1/2025**

Motion to approve by Councillor Cameron, seconded by Councillor Preston. Roll call vote. 9 yes, 2 absent (AK,JD). Motion passes.

- **APPT00317 04 25 2022 Lynn Schow 75 High St. ZBA 5/15/2023**

Motion to approve by Councillor Cameron, seconded by Councillor McCauley. Roll call vote. 8 yes, 1 no (BV), 2 absent (AK,JD). Motion passes.

- 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**

Motion to approve collectively APPL00084, APPL00086, APPL00087, and APPL00080 by Councillor McCauley, seconded by Councillor Zeid. Roll call vote. 9 yes, 2 absent (AK,JD). Motion passes.

- **APPT00324 05 31 2022 Justin Dutcher 7 Morin Rd. St. Harbor Commission 5/31/2025**
****Re-appointment***

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

- **ODNC00115 06 13 2022 Amendment to Noise 8 – 101**

Motion to approve on 1st reading by Councillor McCauley, seconded by Councillor Preston. Roll call vote. 9 yes, 2 absent (AK,JD). Motion passes.

Councillor Donahue present (remote).

- COMM00412_05_31_2022 Ltr Ann Jaroncyk 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**

Motion to approve by Councillor Vogel, seconded by Councillor McCauley. Motion to amend to raise the service charges from \$25.00 to \$27.50 per quarter by Councillor Vogel, seconded by Councillor Preston. Roll call vote. 6 no, 2 yes (BV, CP), 1 absent (AK). Motion fails. Motion on floor to approve. Roll call vote. 10 yes, 1 absent (AK). 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 McCauley and Councillor President Shand stated that the police had a detail at the protest on Saturday at High and State Streets and made every effort to avoid closing the street to traffic. They also mentioned that there were emails received regarding the recent protests.

18. ADJOURNMENT

Motion to adjourn at 10:22pm by Councillor Zeid, seconded by Councillor Preston. Roll call vote. 10 yes, 1 absent (AK).
Motion passes.

COMMUNICATIONS

MEMORANDUM**To:** Newburyport City Council**From:** Mayor Sean Reardon**Subject:** Community Paradigm Operational Improvement Report**Date:** 7/5/2022

Last month, Community Paradigm submitted their report on potential operational improvements in the City of Newburyport. They based this report on a series of interviews, a review of materials including our budget, charter, and website, and through exercises comparing the City's government structure to that of other similar municipalities. This work is best understood as a high-level document and first scan of the city's structure, with a number of recommendations that can be considered.

The report is relatively brief, and does not require summary in this memo. My office is deciding on which recommendations can be incorporated at what time, and will continue research and discussions on some of the items. More research is needed on the contract issue that was flagged, and we are discussing this with the City Solicitor. We are also planning to look further at their recommendations around Boards and Commissions.

The most significant changes are around combining departments and consolidating the number of department heads. These are major changes, and you will hear more from this office about if and how these changes may occur.

June 7, 2022

Mayor Sean Reardon
City of Newburyport
City Hall
60 Pleasant Street
Newburyport, MA 01950

RE: Outside Review of Newburyport Organizational Framework and Operational Processes

Dear Mayor Reardon:

Community Paradigm Associates was engaged by the City of Newburyport to assess the existing organizational framework and operational processes. Community Paradigm was asked to conduct necessary research about the City; assemble and review background documents and materials regarding the existing organizational structure, departmental needs, and operational processes; meet with representatives from the City's departments to receive input and information relative to their perspective on the structure and operation of the City; and provide analysis and recommendations on identified areas of concern.

The first phase of the assessment consisted of consultation with the Mayor and his Chief of Staff to review the workplan and to obtain a perspective on current operations and identified issues of concerns. Community Paradigm then interviewed several Department Heads and staff including:

Donna Drelick, Human Resources Director
Molly Ettenborough, Recycling/Energy Manager
Ethan Manning, Finance Director
Andy Port, Planning Director
Anthony Furnari, DPS Director
Jamie Tuccolo, DPS Assistant Director
Lise Reid, Parks Director
Michael Hennessey, Parks Manager
Andrea Egmont, Youth Services Director
Paula Burke, Council on Aging Director
Christopher LeClaire, Fire Chief
Steve Bradbury, Deputy Fire Chief
Richard Jones, City Clerk
Nancy London, Grant Developer

Based upon review of available documents and interviews with City staff, a general assessment of major components of the City's organizational structure and operational processes was made within the scope of this project. As a result of this work several issues were identified, and recommendations developed. The remainder of this Report Letter summarizes our findings and describes our suggested course of action.

FINDINGS AND RECOMMENDATIONS

A. Personal Employment Agreements

Issue: Of the identified Department Heads in the City of Newburyport's organization, nine (9) are members of the Teamsters Department Heads Union. The remaining Department Heads are governed by individual three (3) year employment agreements. Under Massachusetts law, certain Department Heads are allowed to have employment agreements: the Police Chief and Fire Chief under MGL Ch. 41, section 108(o), the City Auditor/Finance Director under MGL Ch. 41, section 108(n) and the Library Director under MGL, Ch 78, section 34. The Treasurer and Assessor are allowed to have employment agreements under MGL Ch. 41, section 108(n ½) but have chosen to become members of the Department Heads Union. Department Heads having employment agreements without clear statutory authority include the Human Resources Director, the DPS Director, the Youth Services Director, the Recycling/Energy Manager, and the Parks Director.

These positions are in essence employment-at-will positions with the City that are entered into voluntarily, and the employee is free to resign at any time, with or without reason. Similarly, the City may terminate its employment relationship with any employee at-will at any time, with or without notice or reason, provided there is no violation of applicable federal or state law. These positions having individual employment agreements may impact the City's ability to properly manage certain aspects of the individual's employment.

Recommendation: The City should request an opinion from its Labor Counsel as to the legal validity of these individual employment agreements that are not directly authorized by statute, and then proceed accordingly.

B. Consolidating and Refocusing Departments

1. Parks Department – Park Maintenance

Issue: The Parks Department maintenance crew consists of two (2) full-time individuals and seasonal staffing, when available. The crew is responsible for maintaining a number of park areas throughout the City. With very limited staff, accomplishing all its workload proves problematic at times. The Department of Public Services (DPS) has a much larger staff that performs many of the same tasks also throughout the City. As an example, in certain areas park maintenance staff is responsible for one side of the street while DPS is responsible for the opposite side.

Recommendation: Establish a Parks Division within DPS with responsibilities related to public parks and grounds. The two full-time park maintenance staff would be merged into existing DPS structure and utilized as other department personnel. This will eliminate duplication of tasks and responsibilities, as well as the purchase and maintenance of capital equipment. The larger DPS staff would be able to accomplish all necessary park maintenance tasks with the ability to provide coverage during vacations, sick leave, etc.

Assign the current Parks Manager as a General Foreman or a Division Head in DPS reporting to the DPS Assistant Director (similar to the already current General Foreman). This individual could be responsible for several DPS responsibilities that perform like-services that he currently oversees.

2. Parks Department – Recreation Programs

Issue: Other than the maintenance of park areas, the Parks Department coordinates four or five adult recreation programs that are dependent on volunteer instructors' availability. The Director also organizes three or four special events per year in the City.

Recommendation: Move the responsibility and coordination of the adult recreation programs and special events to Youth Services and rename the department Youth & Recreation Services. The responsibilities of the current Director position could be fulfilled by the Youth Services Director, its Assistant Director or its administrative staff, or through the administrative staff of the Department of Public Services. As a result of this and the previous recommendation, there would no longer be a self-standing Parks Department within the City's organization. In this regard the organizational structure would be more typical of municipalities of similar size, and help achieve the goal of reducing the number of management positions in the City and direct reports to the Mayor.

3. Recycling/Energy/Sustainability

Issue: There is a single person primarily accountable for all areas of recycling/energy/sustainability. This is a one-person standalone department, somewhat isolated, without a 'true home' within the City's organization. The associated tasks and responsibilities of this person cover a wide spectrum affecting several other City departments.

Recommendation: In order to provide emphasis and the importance of recycling, energy and sustainability within the City's organization, move the one person to the Mayor's Office and title the position as Sustainability Coordinator. This would send a message throughout the organization of the importance and significance of these functions.

4. Planning and Development

Issue: The Planning and Development Department staff is responsible for planning, conservation, and zoning enforcement. In addition to the expected responsibilities, the primarily two-person planning staff oversees many capital projects undertaken by the City. However, they do not engage with broad economic development initiatives. Economic development entails working on economic objectives such as attracting businesses, growing the local economy, or creating local jobs. These initiatives can be accomplished through a variety of methods.

Recommendation: Move the oversight responsibility of capital projects to a Special Projects Manager within the Mayor's Office. Focus one of the planning staff to actual planning functions and focus the second position to economic development initiatives. Ability to accomplish the essential economic development tasks will depend on evaluation of current staff competency. There should be a formal coordination with business organizations (i.e., Chamber of Commerce) to do the necessary 'cheerleader' work involved with economic development.

A longer-term plan for Planning and Development could be broadening the scope of the department to include more land use and development related activities within a larger umbrella of a Community Development Department that includes permitting and inspections. In this organizational structure health and building inspectors would fall into an inspectional services division of the Department. This reorganization would mirror other communities that have made a similar restructuring with success including the City of Lowell which I had implemented in 2012. A number of smaller communities similar to Newburyport have also implemented this type of organizational change. The benefits of the change would be improved coordination and communication between the planning and permitting functions related to development services. In addition, residents and builders obtain a more streamlined and customer friendly experience of one-stop service. A potentially added organizational change that may result from such a restructuring could be efficiencies that result in creating and assigning one staff person to manage the overall department and lead economic development initiatives.

5. Harbormaster

Issue: The Harbormaster is a one-person standalone department within the City's organization. This person is responsible for patrolling the harbor to enforce applicable laws, managing the boat launching facility at Cashman Park, managing the Central Waterfront docks, and managing the Plum Island Point beach and parking lot.

Recommendation: Move the Harbormaster and all associated tasks and responsibilities under the auspices of the Police Department with the position answering to the City Marshal.

6. Information Technology

Issue: Information Technology consists of 2.0 FTEs and one part-time staff. However, the Director position has been vacant for a period of time. During this period, the oversight of the Department has been the responsibility of the Finance Director.

Recommendation: Move Information Technology under the Finance Department, to be supervised by the Finance Director. This would provide continued consistency to the operation as has occurred over the past number of months.

7. Special Projects Manager

Issue: The Special Projects Manager is a position that has been introduced by the Mayor's administration to undertake, as the name implies, a number of special projects including the assessment of potential municipal capital projects.

Recommendation: The Special Projects Manager position should be further formalized to oversee and coordinate all municipal capital projects and manage other special initiatives of the Mayor's office. This Special Projects Manager position, the Sustainability Coordinator, and the Grant Developer offer cross-departmental functions that should reside within the Mayor's office and not as stand-alone functions or within a single department. By doing so, these functions would gain credibility and importance within the organization.

8. Municipal/School Consolidation

Although not directly a charge for Community Paradigm Associates to assess, in the coming years, the City should consider consolidating several municipal and school functions such as Human Resources, Information Technology, Payroll, and Facilities. Consolidating such support services would enhance services, create efficiencies, and conserve funds.

The above recommendations of ‘consolidating and refocusing departments’ entail the elimination of four separate departments (Parks, Recycling/Energy/Sustainability, Harbormaster, and Information Technology) without impacting their respective functions and task. Reducing the number of departments and relocating responsibilities provides for greater efficacy within the City’s organization. These recommendations would result in the overall Mayor’s Office span of control being reduced from 21 departments to 17 departments.

C. Boards and Commissions

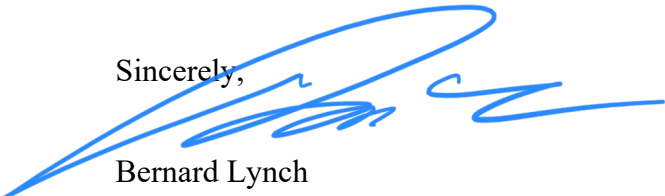
In addition to the work that was outlined within the scope of services that was contained within the Letter of Engagement Agreement with the City, we were asked to review the utilization of various boards and commissions as part of the overall governance of the City. We were asked to review the number of boards and commissions, how they are utilized within the creation and execution of municipal functions, and their general operations.

Issue: The City has about two dozen boards and commissions which is relatively consistent with other communities. Slightly more than half of the bodies could be considered statutory, required, or established within provisions of state law. Most of the remaining bodies are locally established by City ordinance, and generally consistent with the utilization that occurs in other municipalities.

Recommendation: Our review of the City’s boards and commissions finds that the quantity and utilization as part of City operations is appropriate. There might be a couple of instances where a merger could be made to reduce the total numbers, but specialized responsibilities and vested constituencies make such an effort problematic. Beyond their established mission and responsibilities, these boards and commissions play an important role of providing opportunities for citizen engagement and recruitment of new government participants. However, based upon our review of the bodies, it was noted that there should be increased efforts to incorporate diversity within the appointment of new members, and the terms of members should be made more consistent starting and ending dates.

We have appreciated the opportunity to work with the City of Newburyport on this project to examine large components of the City’s organization and its operational processes. The work is intended to provide high-level suggestions of potential improvements to improve the manner in which the City operates, provides services and plans for the future. Some recommendations can move forward immediately, while others may require additional consideration and analysis. We are certainly prepared to discuss our findings and recommendations in more detail as needed.

Sincerely,



Bernard Lynch
Principal

NEWBURYPORT SPECIAL EVENT APPLICATION

Tel. 415.577.4112 Fax.

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

NAME OF EVENT: 10TH Annual Car Show:Date: August 11, 2022 Time: from 5pm to 8pmRain Date: August 18, 2022 Time: from 5pm to 8pm2. Location*: State St, Unicorn St, Pleasant St.

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

3. Description of Property: City of Newburyport Streets Public Private 4. Name of Organizer: Chamber of Commerce City Sponsored Event: Yes No Contact Person ERIN DUGGANAddress: 382 Merrimac Nbrpt. Telephone: _____E-Mail: eduggan@newburyportchamber.org Cell Phone: 415.577.4112Day of Event Contact & Phone: ERIN DUGGAN 415.577.41125. Number of Attendees Expected: 2,000

6. MA Tax Number: _____

7. Is the Event Being Advertised? Yes Where? Social Media, Chamber Newsletter8. What Age Group is the Event Targeted to? All Ages9. Have You Notified Neighborhood Groups or Abutters? Yes No Who? _____→ We will figure downtown residents + post parking signs in advance

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

A. Vending*: Food Beverages Alcohol Goods 6-8 Total # of Vendors 6-8

*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 N/A

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? 20-30
- b) How many recycling receptacles will you be providing? _____
- c) Will you be contracting for disposal of: Trash Yes _____ No _____ Recycling Yes _____ No _____
- i. If yes, size of dumpster(s): Trash _____ Recycling _____
- ii. Name of disposal company: Trash _____ Recycling _____
- iii. If no, will you remove trash & recycling with organizers' cars or trucks? Yes No _____
- iv. If no, where will the trash & recycling be disposed? TBD: New England Development

If no:

- a) # of trash container(s) to be provided by DPS 0
- 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

FOR STREET CLOSURE OR ANY USE OF A PUBLIC WAY

CAR SHOW

PARADE _____ ROAD RACE _____ WALKATHON _____

1. Name of the Group or Person Sponsoring the Road Race, Parade, Walkathon: GREATER Newburyport Chamber of Commerce

2. Name, Address & Daytime Phone Number of Organizer: Erin Duggan 415 577 4112
382 Merimac St.
Newburyport MA

3. Name, Address & 24/7 Telephone Number of Person Responsible for Clean Up Erin Duggan 415.577.4112

4. Date of Event: August 11, 2022 Expected Number of Participants: 2,000

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

6. Road Race, Parade or Walkathon Route: (List street names & attach map of route): STATE St. + Pleasant St + Unicorn Place

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

8. Will Detours for Motor Vehicles Be Required? Yes If so, where? bottom of STATE, Along State + Pleasant

9. Formation Location & Time for Participants: Vehicles arrive 3pm - see schedule.

10. Dismissal Location & Time for Participants: Vehicles depart 8pm

11. Additional Parade Information:
- Number of ^{CARS} Floats: @ 250 CARS Invited.
 - Locations of Viewing Stations: STATE St, Pleasant St, Unicorn
 - Are Weapons Being Carried: Yes _____ No X
 - Are Marshalls Being Assigned to Keep Parade Moving: Yes _____ No X

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

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

DEPUTY DIRECTOR [Signature] 16A Perry Way CITY CLERK _____ 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.

Approval Required Date: 6/15/22 Signature: EJ Deegan

1. Special Events: ERIN Deegan, GNCCI

2. Police: _____
 Is Police Detail Required: _____ # of Details Assigned: _____

3. Traffic, Parking & Transportation: _____

4. ISD/Health: _____

5. Recycling: _____

6. ISD/Building: _____

7. Electrical: _____

8. Fire: _____
 Is Fire Detail Required: _____ # of Details Assigned: _____

9. Public Works: *Fee for Special Events: \$45/hr/DPS employee for trash handling/staging etc. may apply*
 Yes: \$ _____ due on _____ No Fee for Special Events applies
 Other requirements/instructions per DPS _____

10. Parks Department: _____

11. License Commission _____

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

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

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

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

(c) *Definitions.*

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

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

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

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

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

(d) *Limitations.*

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(e) *Enforcement.*

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

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

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

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

(5) *Failure to notify.* If the event fails to notify residents and provide documentation to the city clerk, pursuant to subsection (d)(5) above, shall render that organization ineligible to receive an event permit for a period of twelve (12) months unless special leave is granted by two-thirds supermajority 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: Eric Deegan Date: 02/14/22



2022 Car Show Timeline:

12:00PM: Chamber Employees at Market Square with radios & volunteer clipboards

Nate Allard 978-270-5219
Erin Duggan 415-577-4112
Jacob Hoffman
Carol Ann

12:30PM: Volunteers meet in Market Square for set up directions

Dennis Palazzo
Dennis Card
Tracy Glynn
Rebecca Fortado

1:00PM: Roads officially Close and volunteers put out cones/blockades on all side-streets

(**Cones and Blockades provided by DPS ahead of time at each location)

1:00-2:00PM: Sponsors arrive and set up at their locations (Erin and Tori direct each to their spots)

Sponsors attending:

St Jean's Credit Union / Nichol's Village / Afford-A-Move
E-Keys / Sand & Flag

3:00PM: Classic Cars begin to arrive

4:00PM: Chamber sets up table and booth at NBPT Bank

4:30PM: Chamber Employees and Volunteers start selling raffle tickets (20 Tickets for \$10.00)

5:00PM: Show officially opens and band performs

Billy D and the Rockits - Bill DiGiuseppe (603) 819-3158

5:00-6:00PM: Second shift volunteers arrive

7:30PM: Last Chance to sell 50-50 raffle tickets

7:45PM: Raffle winner announced

8:00PM: End of Show! Cars have one hour to exit for streets to re-open at 9:00PM

9:00PM: Streets re-open to the public

Notes about Streets

- The following roads close at 2:00PM sharp and reopen at 9:00PM after the event has ended.
- Cars participating in the show are instructed to enter downtown Newburyport by following Green Street to Merrimac Street to Market Square to State Street. Check-in for cars is in Market Square @ State Street.

Market Square/State Street

- Vendors to their spaces
- White Cadillac will park in front of M.K. Benatti

Temple Street

- If anyone lives on Temple Street they can drive to their home.
- Folks asking how to leave Temple Street can cut through the Newburyport Bank lot to Charter Street
- Prince Place residents are permitted but to cut across. Need to notify PD and volunteer across the street

Essex Street

- Guests of the Essex Street Inn can drive down Essex Street but cannot turn onto State Street.
- Please advise residents and hotel guests that they may only exit by cutting through the TD Bank lot.

Liberty @ Center Street

- No cars are to enter the show from Liberty Street.

End of Harris @ State

- Please help cars turning from Harris Street safely avoid pedestrians when turning on to State Street. Most will turn into Harris Street lot of Institution for Savings.

Prince Place

- Please make a path for residents crossing from Temple to Prince Place

Harris @ Park

- This is a very busy intersection that is for residents/local traffic only and not to be a cut through to avoid downtown.
- Classic cars may enter Green Street and have been instructed to do so as they are being parked at Institution for Savings and the State/Harris Street Lot.
- Very important to limit traffic to residents returning home or classic cars because we want to prevent vehicles from turning on to State due to number of pedestrians on State Street.

Notes about 50/50 Raffle

- Rules: 20 tickets for \$10, or 1 ticket for \$1. Must be present to win.
- Prizes: 1st prize is half the pot. 2nd and 3rd prizes are gift cards to Skip's in Merrimac, MA.
- Please bring to Chamber tent your cash and tickets to drop on the :15 and :45 of every hour
- We will radio on the :00 and :30 with the amount of prize money to help increase sales
- Last call for ticket sales is 7:30PM and the winner is announced on stage at 7:45PM

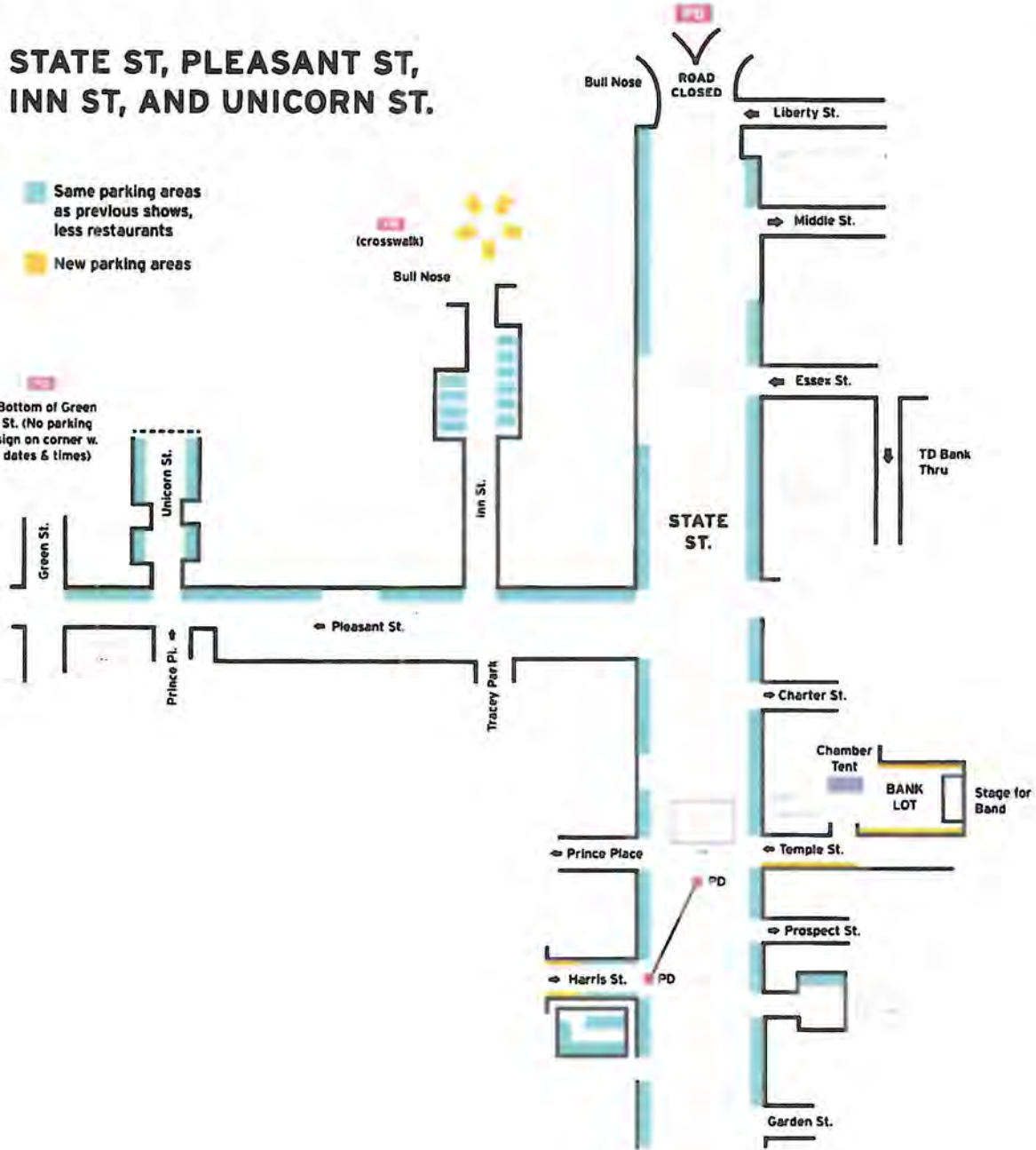
Tips for selling/Some phrases to use

- Help the Chamber and win some cash
- Help us support this free event

STATE ST, PLEASANT ST, INN ST, AND UNICORN ST.

- Same parking areas as previous shows, less restaurants
- New parking areas

Bottom of Green St. (No parking sign on corner w. dates & times)



More

Complete - 1 file uploaded

Share uploaded files

Trash

10TH ANNUAL NEWBURYPORT CAR SHOW

Each year, the Greater Newburyport Chamber of Commerce works to bring back an unforgettable car show. The show features more than 250 vintage cars from the 50's. This show is carefully curated and staged throughout downtown Newburyport. This FREE celebration is always a fabulous family friendly Summer event showcasing Newburyport's Quintessential New England Backdrop.

**COME HELP US CELEBRATE THE 10TH ANNIVERSARY
LIVE MUSIC ~ RAFFLES ~ VINTAGE CARS ~ FAMILY MOVIE
AUGUST 11TH, 2022 FROM 5:00 - 8:00PM**

NEW THIS YEAR!

Where have we been? Where are we going?

Throughout this year's show, we will work to tell the history and future of our regional auto manufacturing and sales stories. In addition to our vintage collection, we are excited to highlight the future of the auto industry. What better way to set the stage than with high end one of a kind and rare vehicles?

To learn more about attending this family friendly event, please visit:
business.newburyportchamber.org/events/details/cruisin-the-50s-car-show-2022-83274



MORE FOR THE FAMILY

Join us on Waterfront Park to enjoy a family friendly movie. Stretch out and relax under the Summer Stars. This movie will help the whole family unwind. Bring your blanket and a picnic!



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

6/30/2022

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: Select Department PHONE (A/C, No, Ext): 800-333-7234 E-MAIL ADDRESS: selectwork@easterninsurance.com	FAX (A/C, No): 781-586-8244	
	INSURER(S) AFFORDING COVERAGE		NAIC #
INSURED GREANEW-03 Greater Newburyport Chamber of Commerce Newburyport Chamber of Commerce 38 R Merrimac Street Newburyport MA 01950	INSURER A: Norguard Insurance Company		31470
	INSURER B: Philadelphia Indemnity Insurance Company		18058
	INSURER C:		
	INSURER D:		
	INSURER E:		
INSURER F:			

COVERAGES

CERTIFICATE NUMBER: 2056284895

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	
B	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:			PHPK2312243	8/5/2021	8/5/2022	EACH OCCURRENCE	\$ 1,000,000
							DAMAGE TO RENTED PREMISES (Ea occurrence)	\$ 100,000
							MED EXP (Any one person)	\$ 5,000
							PERSONAL & ADV INJURY	\$ 1,000,000
							GENERAL AGGREGATE	\$ 2,000,000
							PRODUCTS - COMP/OP AGG	\$ 2,000,000
								\$
B	<input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input checked="" type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS ONLY			PHPK2312243	8/5/2021	8/5/2022	COMBINED SINGLE LIMIT (Ea accident)	\$ 1,000,000
							BODILY INJURY (Per person)	\$
							BODILY INJURY (Per accident)	\$
							PROPERTY DAMAGE (Per accident)	\$
								\$
	<input type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> EXCESS LIAB DED RETENTION \$						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	N/A	GRWC332958	4/23/2022	4/23/2023	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER	
							E.L. EACH ACCIDENT	\$ 100,000
							E.L. DISEASE - EA EMPLOYEE	\$ 100,000
							E.L. DISEASE - POLICY LIMIT	\$ 500,000

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

Non-Profit Organization
 City of Newburyport is additional insured on the General Liability policy when required by written contract or agreement.
 Event Date: August 11th, 2022/Rain Date August 18th, 2022

CERTIFICATE HOLDER**CANCELLATION**

City of Newburyport
 60 Pleasant St.
 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

© 1988-2015 ACORD CORPORATION. All rights reserved.

Permit Issued: # _____

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

APPLICATION FOR MOVABLE SIGNAGE ON PUBLIC PROPERTY

Application Fee \$100.00
Date: 7/6/22

2022 JUL -6 PM 1:30

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 Jeanne Carter

Home address of applicant 129 Merrimac St #13

City, State, Zip of applicant Newburyport, MA 01950

Telephone of applicant 978 270 0020

Name of business Charleston & Co Co

Address of business 72 State Street

Telephone of business 978 255 4572

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

Reason to Drive Customers to upper State St
location Pleasant & State closer to Street
SIDE OF POLE

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 J. Carter Date 7/6/22





CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

07/05/2022

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 CS&S/EASTERN INSURANCE GROUP, LLC PO BOX 958489 LAKE MARY, FL 32746-8989 Phone - 800-741-6251 Fax - 877-763-5122	CONTACT NAME:		
	PHONE (A/C, No, Ext):	FAX (A/C, No):	
	E-MAIL ADDRESS:		
	INSURER(S) AFFORDING COVERAGE		NAIC #
	INSURER A : CONTINENTAL CASUALTY COMPANY		
	INSURER B :		
INSURER C :			
INSURER D :			
INSURER E :			
INSURER F :			

INSURED
Charleston & Coco LLC
 72 State Street
 NEWBURYPORT, MA 01950

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

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

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	COMMERCIAL GENERAL LIABILITY	N	Y	7013113997	03/01/2022	03/01/2023	EACH OCCURRENCE	\$ 1,000,000
	<input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR						DAMAGE TO RENTED PREMISES (Ea occurrence)	\$ 1,000,000
							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 <input type="checkbox"/> OTHER							PRODUCTS - COMP/OP AGG	\$ 2,000,000
A	AUTOMOBILE LIABILITY	N	Y	7013113997	03/01/2022	03/01/2023	COMBINED SINGLE LIMIT (Ea accident)	\$ 1,000,000
	<input type="checkbox"/> ANY AUTO OWNED AUTOS ONLY <input checked="" type="checkbox"/> SCHEDULED AUTOS NON-OWNED AUTOS ONLY						BODILY INJURY (Per person)	\$
	<input checked="" type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/>						BODILY INJURY (Per accident)	\$
							PROPERTY DAMAGE (Per accident)	\$
								\$
	UMBRELLA LIAB <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/>						EACH OCCURRENCE	\$
							AGGREGATE	\$
	DED <input type="checkbox"/> RETENTION \$ <input type="checkbox"/>							\$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY						PER STATUTE	OTH-ER
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N <input type="checkbox"/>	N/A				E.L. EACH ACCIDENT	\$
							E.L. DISEASE - EA EMPLOYEE	\$
							E.L. DISEASE - POLICY LIMIT	\$

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

City of Newburyport is added as an additional insured as provided in the blanket additional insured endorsement as it pertains to work being performed by the named insured under written contract.

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

TRANSFERS



CITY OF NEWBURYPORT FY 2023

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

TRANSFER/APPROPRIATION REQUEST

Department: Parks
Submitted by: Mayor Sean R. Reardon **Date Submitted:** 7/11/2022

Transfer From:

Account Name:	<u>Paid Parking Fund</u>	Balance:	<u>\$ 996,060.06</u>
Account Number:	<u>2739-59630</u>	Category:	<u>n/a</u>
Amount:	<u>\$10,000.00</u>	Trans I/O:	<u>\$ (214,564.00)</u>

Why Funds Are Available:

This fund is a receipts reserved for appropriation account. Funding sources include parking meter collections, violations and permits generated from the Downtown Paid Parking Program.

Transfer To:

Account Name:	<u>Inn Street Improvements</u>	Balance:	<u>\$ -</u>
Account Number:	<u>New Account</u>	Category:	<u>\$ -</u>
Amount:	<u>\$10,000.00</u>	Trans I/O:	<u>\$ -</u>

Why Funds Are Needed:

Repairs are needed to the elevated concrete walkway on Inn Street; this has been an ongoing safety concern that needs to be addressed as soon as possible. The total project cost is \$20,000 to be split between the City and the abutting property owner. A transfer to fund this project from Free Cash was not approved (TRAN00129_05_05_31_2022), so we are now requesting this project be funded from the Downtown Paid Parking Fund instead.

Sean R. Reardon, Mayor:

Sean R. Reardon

Date: 7/11/2022

Ethan R. Manning, Auditor:

Ethan R. Manning

Date: 6/30/2022

City Council Action:



CITY OF NEWBURYPORT FY 2023

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

TRANSFER/APPROPRIATION REQUEST

JUL 31 AM 8:54

Department: Parks
Submitted by: Mayor Sean R. Reardon **Date Submitted:** 7/11/2022

Transfer From:

Account Name:	<u>40R Zoning Incentive</u>	Balance:	<u>\$ 109,600.00</u>
Account Number:	<u>20020029-59600</u>	Category:	<u>n/a</u>
Amount:	<u>\$17,300.00</u>	Trans I/O:	<u>\$ (468,400.00)</u>

Why Funds Are Available:

Incentive/density bonus payments that the City has received in connection with the 40R Smart Growth District.


Transfer To:

Account Name:	<u>Enclosed Landscape Trailer</u>	Balance:	<u>\$ -</u>
Account Number:	<u>New Account</u>	Category:	<u>\$ -</u>
Amount:	<u>\$17,300.00</u>	Trans I/O:	<u>\$ -</u>

Why Funds Are Needed:

An enclosed landscaping trailer is requested to provide for mobile, secure and protected storage of landscaping equipment. This purchase is critical to help ease space constraints, especially in light of an anticipated move out of 59 Low St. Enclosed trailers are frequently utilized by landscapers to help create efficiency in eliminating the need to constantly load and unload equipment (e.g. from a garage to the site, from the site back to the garage, and so on). A transfer to fund this equipment from Free Cash was not approved (TRAN00129_05_05_31_2022), so we are now requesting this project be funded from the 40R Zoning Incentive account.

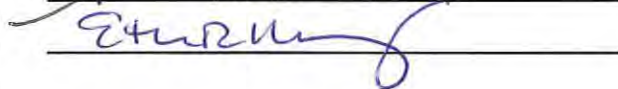
Sean R. Reardon, Mayor:



Date:

7/1/2022.

Ethan R. Manning, Auditor:



Date:

6/30/2022

City Council Action:

**APPOINTMENTS
FIRST READING**



CITY OF NEWBURYPORT
OFFICE OF THE MAYOR

SEAN R. REARDON, MAYOR

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA
2022 JUN 28 AM 11:25

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: July 11, 2022
Subject: Appointment

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

Biff Bouse
6 Iona Avenue
Newburyport, MA 01950



BIFF BOUSE

WEB DESIGNER & DEVELOPER
NEWBURYPORT, MA

EDUCATION

HARVARD GRADUATE SCHOOL OF DESIGN, CERTIFICATE OF URBAN DESIGN, 1996

VASSAR COLLEGE, B.A. OF URBAN STUDIES, 1996

EXPERIENCE

DIRECTOR, WEB DESIGN & DEVELOPMENT • KINESSO • 2013 - PRESENT

Responsible for the design, development, and maintenance of 50+ individual WordPress sites, and other various web technologies. Manages small team of web developers and works with various partners across a network of agencies, to develop and maintain web sites.

SENIOR WEB DEVELOPER • NAVEX • 2009 - 2013

Responsible for the development and delivery of custom ethics and compliance related web interfaces for some of the best-known brands in the world, including the production and creation of custom graphics and code for client user interfaces and web forms.

NEWS PROMOTION PRODUCER • WFSB-TV & WTIC-TV • 2005 - 2008

Wrote, produced, and edited topical news promotions and proof-of-performance spots, that effectively attracted potential news viewers to nightly newscasts. Oversaw promotional events for trade shows and conventions and coordinated public appearances/signing events with the station's talent.

CREATIVE SERVICES DIRECTOR • KLKN-TV • 2003 - 2005

Responsible for the development and delivery of custom ethics and compliance related web interfaces for some of the best-known brands in the world, including the production and creation of custom graphics and code for client user interfaces and web forms.



BIFFBOUSE@GMAIL.COM



[@NEWBURYPORTARCHITECTURE](https://www.instagram.com/NEWBURYPORTARCHITECTURE)



510-551-8658



[LINKEDIN.COM/IN/BIFF-BOUSE](https://www.linkedin.com/in/biff-bouse)

BIFF BOUSE

6 Iona Avenue
Newburyport, MA 01950
biffbouse@gmail.com
510-551-8658

CHRISTINE JACKSON

EXECUTIVE ASSISTANT TO THE MAYOR • CITY OF NEWBURYPORT •
MAYOR'S OFFICE, CITY HALL • 60 PLEASANT STREET, NEWBURYPORT, MA
01950

Friday, March 25, 2022

Dear Christine Jackson,

I was excited to see that volunteers were needed as members of the Historical Commission, as I've long been interested in historical architecture.

About 4 years ago, I had the chance to move anywhere in the country when my employer allowed me to work remotely full-time. We settled on Newburyport for many reasons: the quality of life, good schools, proximity to water, etc. But the abundance and quality of historic architecture in Newburyport is what really excited me.

Since moving here, I've joined several of the local and regional historical organizations and worked with many members of the community to help bring important pieces of history to light, for the public to enjoy.

I studied architecture and urban planning in school and had intended to work in those fields before I got sidetracked into Television and Web Design. So, instead, architecture has become my hobby, and Newburyport has been a great source of inspiration. I'm motivated to do my part to ensure that the essence of that history is preserved for generations to come.

I also started an Instagram account, [@NewburyportArchitecture](#), dedicated to capturing the historic buildings and homes in Newburyport. I research, compile and share historical anecdotes and ephemera about the buildings. In doing so, I've been able to really understand a lot about the fabric of the city, in such a short time.

I've attached my resume, and my full CV can be found on my [LinkedIn profile](#). I would love to be considered for a position on the Historical Commission, and I thank you for your time.

Sincerely,
Biff Bouse

END OF CONSENT AGENDA

BEGINNING OF REGULAR AGENDA

ORDERS

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

July 11, 2022

WHEREAS, Newburyport resident Herman A. Roy generously bequeathed the remainder of his estate to the City of Newburyport to be held for a term of one hundred years from the date of his death, or until the fund accumulated to the sum of \$1,000,000, whichever event were to happen first, to be spent under the direction and supervision of the Mayor and City Council for the improvement and betterment of the Newburyport Waterfront in the section lying between the Chain Bridge and the Atlantic Ocean, in whatever areas and for whatever purposes as they may, in their judgement, determine to be for the best interests of the City and the citizens thereof as a whole; and

WHEREAS, the fund reached a balance of \$1,000,000 in 2018, has a current balance of \$1,373,244, and is therefore available for expenditure; and

WHEREAS, the Newburyport Trust Fund Committee approved the expenditure of \$1,000,000 from said trust fund for the construction and expansion of the Market Landing Park on Newburyport's downtown central waterfront consistent with the original purpose of the bequest;

NOW, THEREFORE, BE IT ORDERED THAT, the CITY COUNCIL of the City of Newburyport, having accepted the bequest following Mr. Roy's passing on May 31, 1973, hereby appropriates \$1,000,000 from the Herman A. Roy Trust Fund to be spent on the construction of the Market Landing Park Expansion Project and in accordance with the funding conditions set forth by the Trust Fund Committee.

Councillor Sharif I. Zeid



CITY OF NEWBURYPORT
NEWBURYPORT TRUST FUND COMMITTEE
OFFICE OF THE TREASURER/COLLECTOR
60 PLEASANT STREET
NEWBURYPORT, MA 01950
P: (978) 465-4415 F: (978) 462-0883
treasurer@cityofnewburyport.com

Julie Languirand
Treasurer/Collector

March 15, 2022

Andrew Port
Director of Planning and Development
City of Newburyport
60 Pleasant Street
Newburyport, MA 01950

RE: Market Landing Park Expansion Project and Herman Roy Trust Fund

Dear Andy:

On behalf of the Newburyport Trust Fund Committee, I am pleased to inform you that the following funds for the Market Landing Park project requested from the Herman Roy Trust fund have been approved for use:

PROJECT: Market Landing Park Construction/Expansion – consistent with the original purpose(s) established for the use of such funds (“...for the improvement and betterment of the Newburyport Waterfront in that section lying between the Chain Bridge and the Atlantic Ocean...”).

AWARD amount: \$1,000,000.00 (one million dollars)

SOURCE: HERMAN ROY TRUST FUND

PROJECT DESCRIPTION: Construction and expansion of the Market Landing Park on Newburyport’s downtown central waterfront

Funding conditions:

- 1) Funds will be granted over two fiscal years; potentially beginning in FY2022 once a detailed timeline of the construction schedule is established; the City will safeguard funds to be available when needed.
- 2) Exact release of funds is pending confirmation by the City’s Director of Planning and Development of additional funding sources and commitment of State and/or Local grant funds.
- 3) A Dedication is to be established in honor of Herman Roy’s contribution to the park via the funds granted, whether by plaque or other landmark.
- 4) Updates are to be provided to the Trust Fund Committee at least quarterly throughout the project and a final report on the project may be requested by the Committee upon completion.

We wish you great success with this project!

Sincerely,

Julie Languirand
For the Newburyport Trust Fund Committee

I, HERMAN A. ROY of Newburyport, Essex County, Massachusetts, make this my last will, hereby revoking all other wills at any time heretofore made by me. In making this will I am cognizant of the fact that I am about to be married, but I am making no provision for my wife to be, because of the fact that she and I have executed an Antenuptial Agreement dated April 29, 1964, wherein each is surrendering any rights to the property of the other.

1. All the rest and residue of my estate I give to the City of Newburyport, to be held for the term of one hundred years from the date of my death, or until the fund has accumulated to the sum of one million dollars, whichever event shall happen first, and I direct that at said time the money be spent under the direction and supervision of the then mayor and city council, or other corresponding successors as government heads of said City of Newburyport, for improvement and betterment of the Newburyport Waterfront in that section lying between the Chain Bridge and the Atlantic Ocean, in whatever areas and for whatever purposes as they may, in their judgment determine to be for the best interests of said City and the citizens thereof as a whole.

2. I nominate JAMES T. CONNOLLY of said Newburyport and whoever may be holding the office of City Solicitor and whoever may be holding the office of City Treasurer in the City of Newburyport at the time of my death, to be executors hereunder and I request they be not required to furnish any surety on their official bonds.

IN WITNESS WHEREOF I, the said HERMAN A. ROY, herewith set my hand to this my last will, this 6th day of May, 1964.

On the 6th day of May, 1964, HERMAN A. ROY, declared to us, the undersigned, that the foregoing instrument was his last will and he requested us to act as witnesses to the same and to his signature thereon; thereupon he signed said will in our presence, we being present at the same time; and we now, at his request, in his presence, and in the presence of each other, do hereunto subscribe our names as witnesses; and we and each of us declare that we believe this testator to be of sound mind and memory.

Herman A. Roy
Zelma H. Herlihy
Mildred R. Jeffers
Norma A. Nicoletti

I, HERMAN A. ROY of Newburyport , Essex County, Massachusetts, declare this to be a codicil to my last will dated May 6 1964, which will I hereby ratify and confirm, excepting as hereby changed.

1. I direct the executor of my will to pay the sum of \$500.00 in to the Newburyport Five Cents Savings Bank, the interest on said sum to be used for the purpose of ringing on St. Valentine's Day the bells in a church in said Newburyport, preferably selecting the church in rotation, in alphabetical order.

IN TESTIMONY WHEREOF I, HERMAN A. ROY, HEREUNTO SET my hand and, in the presence of three witnesses, declare this to be a codicil to my last will, this 12 th day of ~~June~~ ^{July}, 1972.

Herman A. Roy

On this 12 th day of ~~June~~ ^{July}, 1972, HERMAN A. ROY of Newburyport, Massachusetts, signed the foregoing instrument in our presence, declaring it to be a codicil to his last will and, as witnesses thereof, we three do now, at his request, in his presence, and in the presence of each other, hereto subscribe our names.

Selma H. Welch
Carole J. Dowling
Joe L. Plummer

ORDINANCES

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.

In City Council June 27, 2022:

Motion to approve on 1st reading by Councillor McCauley, seconded by Councillor Preston. Roll call vote. 9 yes, 2 absent (AK,JD). Motion passes.

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

July 11, 2022

AN AMENDMENT TO AN ORDINANCE ON APPROVED FEES AND THE CODIFYING PROCEDURE OF PUBLISHING IN A “MUNICIPAL FEE SCHEDULE”

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

The Code of Ordinances, City of Newburyport Massachusetts is amended to make the following insertions and deletions related to the following Chapters, Articles and Divisions addressing municipal fees. [Furthermore, Appendix B – Municipal Fee Schedule will be created to identify city council approved fees for city departments.](#)

2-A – Animals

No changes for Licensing of dogs and kennels of Stray Animal Fees

<u>Kennel license fees</u>	<u>Fee</u>
Four (4) dogs	<u>\$30.00</u>
Five (5) to nine (9) dogs	<u>\$50.00</u>
Ten (10) or more dogs	<u>\$100.00</u>

2-B – Boats, Docks and Waterways (Harbormaster Department)

No Changes in Rates for Central Waterfront Docks

<u>Commercial Fish Pier</u>	<u>Fee</u>
Five cents (\$.05) per pound for each pound in excess of twenty thousand pounds (20,000) of fish per day	<u>\$500</u>
Annual Docking Permit, includes use of hoist/parking	\$1,700
<u>Commercial Shellfish</u>	<u>Fee</u>
<u>Residents License</u>	\$100
<u>Non-residents License</u>	\$200
<u>Rack Fee</u>	\$2.00 per rack
<u>Waterways, Moorings, etc, Annual Permits</u>	<u>Fee</u>
<u>Dinghies up to 16 feet</u>	<u>\$20.00 flat</u>
<u>Waterways</u>	\$5 per foot
<u>Moorings</u>	\$4 per foot
<u>Moorings, overnight only</u>	\$50
<u>Dinghy Dock</u>	\$250

2-C – BUILDING INSPECTION PERMITS (PLUMBING, GAS, METAL & ELECTRICAL)

<u>Building Permits</u>	<u>Fees</u>
First one thousand dollars (\$1,000) of cost estimate	\$50
Each additional one thousand dollars (\$1,000) of estimate or part thereof.	\$10
<u>Certificate of Occupancy</u>	<u>\$40</u>
<u>Work without a Permit</u>	<u>The lesser of double permit cost or \$2,000</u>
<u>Certificate of Inspection</u>	<u>\$50</u>
<u>Plumbing Permit Fees</u>	<u>Fees</u>
<u>Permit fee</u>	\$40
<u>Inspection/Re-inspection fee</u>	\$45
<u>Charge for each fixture (Residential)</u>	\$10
<u>Charge for each fixture (Commercial)</u>	<u>\$20</u>
<u>Replacement hot water heater (Residential)</u>	\$60
<u>Replacement hot water heater (Commercial)</u>	<u>\$75</u>
<u>Work without a permit (Residential)</u>	<u>\$150</u>
<u>Work without a permit (Commercial)</u>	<u>\$300</u>
<u>Gas Permit Fees</u>	<u>Fees</u>
<u>Permit fee</u>	\$40
<u>Inspection/Re-inspection fee</u>	\$45
<u>Appliance fee (Residential)</u>	\$5
<u>Appliance fee (Commercial)</u>	\$10
<u>Replacement hot water heater (Residential)</u>	\$60
<u>Replacement hot water heater (Commercial)</u>	<u>\$75</u>
<u>Work without a permit (Residential)</u>	<u>\$150</u>
<u>Work without a permit (Commercial)</u>	<u>\$300</u>
<u>Sheet Metal Permit Fees</u>	<u>Fees</u>

<u>Permit fee (Residential)</u>	<u>\$75</u>
<u>Permit fee (Commercial)</u>	<u>\$150</u>
<u>Inspection fee/Re-inspection fee</u>	<u>\$45</u>
<u>Charge for each fixture (Residential)</u>	<u>\$5</u>
<u>Charge for each fixture (Commercial)</u>	<u>\$10</u>
<u>Work without a permit (Residential)</u>	<u>\$150</u>
<u>Work without a permit (Commercial)</u>	<u>\$300</u>
<u>Residential Electrical Permit Fees</u>	
<u>New Construction - Fee is based on the projected building cost as shown on the building permit.</u>	<u>First \$50,000 = \$180</u> <u>Each additional \$1,000 = \$1.00</u>
<u>Additions/Renovations (service not included)</u>	<u>\$60 permit plus \$3 per item, maximum allowable charge \$300</u>
<u>Garages Added On</u>	<u>\$80, attached</u> <u>\$125, detached</u>
<u>Generators</u>	<u>\$45, manual start</u> <u>\$85, automatic</u>
<u>Services—New, changed, or altered</u>	<u>Single Family Overhead = \$45</u> <u>Single Family Underground = \$85</u> <u>Multi Family = \$85 plus \$20 each additional unit-, sub- or house- panel</u>
<u>Temporary Service</u>	<u>\$50</u>
<u>Solar</u>	<u>\$100 up to 10kW (>10kW use commercial solar rate)</u>
<u>Re-inspection Fee</u>	<u>\$45.00</u>
<u>Commercial Electrical Permit Fees</u>	
<u>New construction - Fee is based on the projected building cost as shown on the building permit.</u>	<u>First \$100,000 is \$300</u> <u>Each additional \$1,000 or fraction thereof is \$1.00</u>
<u>Additions/renovations (service not included)</u>	<u>\$60.00 for the permit plus \$3 for each (service not included) plug, switch, light, appliance, special equipment, etc.= fee</u>

<u>Services—New, changed, or altered</u>	<u>Each 200 amps or fraction thereof \$50.00</u> <u>(includes 1st panel or main circuit breaker enclosure)</u> <u>Each additional panel \$20.00</u> <u>Temporary Service \$65</u>
<u>Re-inspection Fee</u>	<u>\$45.00</u>

<u>Miscellaneous Electrical Permits</u>	<u>Fee</u>
<u>Burglar/fire alarm systems</u>	<u>\$50, residential</u> <u>\$85, commercial</u>
<u>Central heat or A/C</u>	<u>\$65, residential</u> <u>\$85, commercial</u>
<u>Swimming pool – Above Ground</u>	<u>\$65</u>
<u>Swimming Pool – In Ground</u>	<u>\$95</u>
<u>Marina Commercial</u>	<u>\$150</u>
<u>Re-inspection</u>	<u>\$30</u>
<u>Hot water heater replacement</u>	<u>\$40, residential</u> <u>\$50, commercial</u>
<u>Utility lighting retrofit</u>	<u>\$65</u>
<u>Tel/data systems</u>	<u>\$85</u>
<u>Remove and reinstall for siding</u>	<u>\$55</u>
<u>Gas piping grounding</u>	<u>\$35</u>

2-D – CITY CLERK (VITAL RECORDS AND CERTIFICATIONS)*No changes***2-E – FINANCE DEPARTMENT***No changes***2-F – FIRE PREVENTION AND PROTECTION***No changes***2-G – LICENSES, PERMITS, SIGNS AND BUSINESS REGULATIONS***No changes***2-H – MUNICIPAL FACILITY USE FEE**

Senior/Community Center	Fee (see note below)	Reference
<i>Weekday Rates: Monday through Thursday 4:00pm-10:00pm</i>		
Community Room A + B + Dining Room / Kitchen	\$100/hour – Commercial or Private Function \$50/hour – Non-Profit/Civic Organization	By order
Community Room A or B	\$50/hour – Commercial/Private Function \$25/hour – Non-Profit/Civic Organization	By order
Dining Room/Kitchen	\$75/hour – Commercial/Private Function \$50/hour – Non-Profit/Civic Organization	By order
Arts & Crafts Room, Billiards Room, Board Room, Computer Lab, Exercise Equipment Room, Library, Wellness Room	\$50/hour – Commercial/Private Function \$25/hour – Non-Profit/Civic Organization	By order
Set-up/access to reserved space prior to event	No charge for first hour \$35/hr per additional hour	By order
<i>Weekend Rates: Friday 4:00pm through Monday 7:00am (two hour minimum)</i>		
Community Room A + B + Dining Room / Kitchen – Weekday	\$150/hour – Commercial/Private Function \$100/hour – Non-Commercial	By order
Community Room A or B	\$100/hour – Commercial/Private Function \$75/hour – Non-Profit	By order
Dining Room/Kitchen	\$125/hour – Commercial/Private Function \$100/hour – Non-Profit	By order
Arts & Crafts Room, Billiards Room, Board Room, Computer Lab, Exercise Equipment Room, Library, Wellness Room	\$100/hour – Commercial/Private Function \$75/hour – Non-Profit/Civic Organization	By order
Set-up/access to reserved space prior to event	No charge for first hour \$50/hr per additional hour	By order

Note: For community organizations that do not charge membership fees, do not hold fundraisers and do not accept donations, the fee to use municipal facilities is \$0/hour on weekdays and \$50/hour on weekends. Includes up to one hour of set-up/access to reserved space prior to event; each additional hour per fee schedule.

City Hall Auditorium	Fee (see note below)	Reference
<i>Weekday Rates: Monday through Thursday 8:00am – 10:00pm, Friday 8:00am – 4:00pm</i>		
Auditorium	\$75/hour – Commercial/Private Function \$50/hour – Non-Profit/Civic Organization	By order
Set-up/access to reserved space prior to event	No charge for first hour	By order

	\$35/hr per additional hour	
<i>Weekend Rates: Friday 4:00pm through Monday 7:00am (two hour minimum)</i>		
Auditorium	\$125/hour – Commercial/Private Function \$75/hour – Non-Profit/Civic Organization	By order
Set-up/access to reserved space prior to event	No charge for first hour \$50/hr per additional hour	By order

Note: For community organizations that do not charge membership fees, do not hold fundraisers and do not accept donations, the fee to use municipal facilities is \$0/hour on weekdays and \$50/hour on weekends. Includes up to one hour of set-up/access to reserved space prior to event; each additional hour per fee schedule.

2-I – PARKING FEES (PERMITS, RATES)

No changes

2-J – PARKS AND RECREATION FEES

No changes

2-K – PLANNING DEPARTMENT FEES

<u>Planning Board Application Fees</u>	<u>Fee</u>
Form A – Approval Not Required	\$200/lot or lot line change
Form B – Preliminary Subdivision	\$100 base plus \$100 per lot
Form C – Definitive Subdivision	\$1,000 base plus \$250/lot if Preliminary Plan was approved or \$500/lot otherwise
Modification of Definitive Subdivision	\$500 base plus \$175/lot
Special Permit/Amendment	\$200
Site Plan Review – Major	\$500
Site Plan Review – Minor	\$200
Repetitive Petition	\$200
Smart Growth Plan Review	\$1,000
Publication and abutters fee	\$450 per project
Minor Modification	\$50
<u>Planning Board Peer Review Fees</u>	<u>Fee</u>
Preliminary Plan, Modification of Definitive Plan, or Special Permit Amendment	
2 – 15 Lots/Units	\$2,000
16 – 20 Lots/Units	\$3,000
21-25 Lots/Units	\$4,250
More than 25 Lots/Units	\$5,000
Fewer than ten Parking Spaces	\$1,000
Ten or more Parking Spaces	\$1,500

Definitive Plan, Special Permit or Site Plan:	
2 – 15 Lots/Units	\$4,000
16 – 20 Lots/Units	\$6,000
21-25 Lots/Units	\$10,000
More than 25 Lots/Units	\$20,000
Minor Site Plan Review	\$500
Major Site Plan Review	\$1,500
Fewer than ten Parking Spaces	\$2,000
10 or more Parking Spaces	\$5,000
Smart Growth Plan Review	\$5,000
<u>Zoning Board of Appeals Application Fees</u>	<u>Fee</u>
Appeal	\$200
Special Permit/Amendment	\$200
Variance	\$200
Publication and abutters fee	\$450
Minor Modification	\$50
<u>Historical Commission Application Fees</u>	<u>Fee</u>
Demolition Delay Application	\$100
<u>Fruit Street Local Historic Commission</u>	<u>Fee</u>
Certificate of Appropriateness/Non-Applicability	\$25
<u>Conservation Commission Fees</u>	<u>Fees</u>
Request for Determination	\$100
Notice of Intent	
Category 1	\$50 for each activity
Category 2	\$150 for each activity
Category 3	\$300 for each activity
Category 4	\$500 for each activity
Category 5	\$1/linear foot, not less than \$100 or more than \$1,000
Category 6	\$1/linear foot, not more than \$100 for a single-family home or \$1,000 for all other activities
Certificate of Compliance	\$25 for active Orders of Conditions \$100 for expired Orders of Conditions \$50 for each additional request
Amendments to Orders of Conditions	\$50 for the first amendment, \$75 for any subsequent amendments
Abbreviated Notice of Resource Area Delineation	\$25/100 linear feet of resource area not to exceed \$1,000
Minor Modification	\$25
Extension Permit	\$50
Emergency Certification	\$100
Letter Permit	\$25
Publication fee	\$175

2-L – POLICE DEPARTMENT FEES

No changes

2-M – Health Department Fees

<i><u>Day Camps and Funeral Directors</u></i>	<i><u>Fee</u></i>
<u>Administrative Determination of Applicability</u>	<u>\$75</u>
<u>Bed & Breakfast License</u>	<u>\$50</u>
<u>Body Art Practitioner (tattoo/piercing)</u>	<u>\$200</u>
<u>Body Art Establishment</u>	<u>\$200</u>
<u>Day Camp for Children</u>	<u>\$100</u>
<u>Day Care Service for Children</u>	<u>\$50</u>
<u>Certificate of Compliance</u>	<u>\$50</u>
<u>Document Preparation Fee</u>	<u>\$25, first page</u> <u>\$2 each add'l page</u>
<u>Disposal Works Installers Exam</u>	<u>\$10</u>
<u>Burial Permit</u>	<u>\$10</u>
<u>Funeral Directors</u>	<u>\$50</u>
<u>General License / Permit</u>	<u>\$100</u>
<u>Special Inspection</u>	<u>\$75</u>

<i><u>Title V /Septic and Wells</u></i>	<i><u>Fee</u></i>
<u>Disposal Works Installers Exam</u>	<u>\$10</u>
<u>Disposal Works Installers Permit</u>	<u>\$100</u>
<u>Ground Water Test (Deep Hole)</u>	<u>\$100</u>
<u>Perk Test</u>	<u>\$150</u>
<u>Deep Hole Test</u>	<u>\$100</u>
<u>Well Permit</u>	<u>\$25</u>

<i><u>Food Service Establishment – Plan Review</u></i>	<i><u>Fee</u></i>

Plan Review (Pool, Stables, Skating Rinks, Tobacco, Tanning Establishments)	\$150	<u>Fee</u>
Plan Review (Food Establishment)	\$150	
Plan Review (Mobile Food)	\$75	\$100
Plan Review (Mobile Food Kitchen)	\$150	\$110
Plan Review (Residential Kitchen)	\$75	\$110
Stable (Barn Fee)		\$25
		\$5 per horse
Tanning Establishment		\$100
Temporary Food Events	Fee	
Tobacco		\$100
Temporary Event	Fee	\$50/day
Permit Fee	\$230	
- Each Seat (Max of \$450)	\$5/seat	
Frozen Dessert	\$25	
Refundable Deposit	Fee	
Milk & Ice Cream	\$10	
Cooking Event Organizer	\$500	
Mobile Food	\$165	
Non-Cooking	\$100	
Mobile Food Kitchen Annual	\$350	
Social Establishment Permit	\$320	
Retail Vehicle	\$2360	
Residential Kitchen Vehicle	\$250	
Seasonal Establishment	\$165	
Sentage / Fats, Oils, Grease / Other Offal Substances	Fee	
Rec Inspections (Additional)	\$55	
Hauler Permit		
First Vehicle	\$250	
Each Additional Vehicle	\$50	

2-N
- PUBLIC
WAYS
FEES

(DEPARTMENT OF PUBLIC SERVICES – HIGHWAY)

2-O – Recycling and Solid Waste

Yard Waste Facility and Landscaper Permit	Fee
Under 65 years of age,	
First Vehicle	\$20
Second Vehicle	\$10
65 years of age and older	\$5
Replacement Sticker	\$10.00

<u>Landscaper Permit</u>	\$250
<u>Curbside Bulk Waste Stickers</u>	<u>Fee</u>
<u>Any furniture item</u>	<u>\$5</u>
<u>Mattress (trash)</u>	<u>\$20</u>
<u>Mattress (recycled)</u>	<u>\$15</u>

<u>Recycling Center Fees – Appliances</u>	
<u>Clothes Washer/Dryer (stackable) - \$20.00</u>	<u>Microwave - \$1.00 (metal), \$5.00 (plastic)</u>
<u>Clothes Washer/Dryer - \$10.00</u>	<u>Refrigerator - \$15.00 (regular), \$5.00 (dorm-size)</u>
<u>Dehumidifier - \$10.00</u>	<u>Room Air Conditioner - \$10.00</u>
<u>Dishwashers - \$5.00</u>	<u>Stove – 410.00</u>
<u>Recycling Center Fees – Electronics</u>	
<u>Copier Machine - \$5 (<30lbs), \$25 (>30lbs)</u>	<u>Televisions (CRT) - \$10 (10-19’'), \$15 (20-31’')</u>
<u>Computer (CPU Tower) - \$5</u>	<u>Televisions (CRT) - \$20 (32-35’'), \$25 (>=36’')</u>
<u>Electronics, miscellaneous - \$0 to \$3, varies by size</u>	<u>Televisions (Flatscreen) - \$5<32’’, \$10 >= 32’')</u>
<u>Monitor – 410 (CRT), \$5 (flat-screen)</u>	<u>TV (wood case) - \$25</u>
<u>Printer - \$5 (inkjet), \$10 (laser)</u>	<u>TV (Projection) - \$30 <= 200lbs, \$0.22/lb>200lbs</u>
<u>Printer over 30lbs - \$25</u>	<u>VCR/DVD - \$2</u>
<u>Recycling Center Fees – Miscellaneous</u>	
<u>Mattresses - \$15 (recycling)</u>	<u>Tire - \$3/each (rim or no rim)</u>
<u>Helium Tank - \$1</u>	<u>Water Cooler - \$5 (small), \$10 (large)</u>
<u>Propane tank - \$1 (gas grill size)</u>	<u>Water Tank - \$3</u>

2-P – Water and Sewer Fees (Department of Public Services – Water and Sewer

<u>Water Consumption Usage Rates</u>	<u>Fee</u>
<u>First 3,000 cu-ft for Residential and Non-residential</u>	<u>\$6.61/100 cu-ft</u>
<u>3,001 cu-ft and over for Residential and Non-residential</u>	<u>\$7.37/100 cu-ft</u>
<u>Residential Service Charge – Meters 1” or smaller</u>	<u>\$25/quarter</u>
<u>Residential Service Charge – Meters larger than 1”</u>	<u>\$125/quarter</u>
<u>Non-Res Service Charge – Meters 1” or smaller</u>	<u>\$30/quarter</u>
<u>Non-Res Service Charge – Meters larger than 1”</u>	<u>\$125/quarter</u>
<u>Sewer Usage Rates</u>	<u>Fee</u>
<u>First 3,000 cu-ft</u>	<u>\$9.84/100 cu-ft</u>
<u>3,001 cu-ft and over</u>	<u>\$10.60/100 cu-ft</u>
<u>Customer Service Charge – All customers</u>	<u>\$25/quarter</u> <u>\$30/quarter (Newbury)</u>
<u>Customer Service Charges</u>	<u>Fee</u>
<u>Emergency Call</u>	<u>\$400</u>
<u>Water On/Off</u>	<u>\$50</u>
<u>Water off, Meter Out</u>	<u>\$75</u>
<u>Water on, Meter In</u>	
<u>Labor – Water</u>	<u>\$75</u>
<u>Cut & Cap Water Service</u>	<u>\$400</u>

<u>Water Reconnect</u>	<u>\$400</u>
<u>Property Transfer</u>	<u>\$60</u>
<u>New Account Fees</u>	<u>Fee</u>
<u>New Service Connections</u>	-
<u>1 Inch</u>	<u>\$2,500</u>
<u>2 Inch</u>	<u>\$4,270</u>
<u>4 Inch</u>	<u>\$7,140</u>
<u>6 Inch</u>	<u>\$10,000</u>
<u>Water Main Connections</u>	-
<u>8 Inch</u>	<u>\$13,000</u>
<u>12 Inch</u>	<u>\$16,000</u>
<u>16 Inch</u>	<u>\$20,000</u>
<u>Tap Fees</u>	-
<u>Tap 1 - 2 inch</u>	<u>\$400</u>
<u>Tap 4 - 6 inch</u>	<u>\$650</u>
<u>Tap 8 inch</u>	<u>\$800</u>
<u>Greater than 8 inch</u>	<u>\$1,200</u>
<u>Meter Charge</u>	-
<u>5/8 Inch</u>	<u>Market Cost (Variable)*</u>
<u>1 Inch</u>	<u>Market Cost (Variable)*</u>
<u>Greater than 1 inch</u>	<u>Market Cost (Variable)*</u>
<u>Meter horns fittings</u>	<u>Market Cost (Variable)*</u>
<u>Meter Test</u>	<u>\$150</u>
<u>Valve Repair</u>	<u>\$100</u>
<u>Sewer Connection Fees</u>	<u>Fee</u>
<u>Cut & Cap Service</u>	<u>\$1,500</u>
<u>Sewer Reconnect</u>	<u>\$225</u>
<u>Property Transfer</u>	<u>\$60</u>
<u>I/I Fee</u>	<u>\$300</u>
<u>Contractor Services</u>	<u>Fee</u>
<u>Hydrant Flow Test</u>	<u>\$150</u>
<u>Hydrant Charge</u>	<u>\$400</u>
<u>Hydrant Charge Newbury</u>	<u>\$75</u>
<u>Inspection</u>	<u>\$60</u>

Councillor Afroz Khan

COMMITTEE ITEMS

Committee Items – July 11, 2022

Budget & Finance

In Committee:

- ORDR00356_05_09_2022 Loan Order \$3,000,000 Market Landing Park Expansion Project (COTW) AMENDED
- ORDR00371_06_27_2022 PARC Grant App. & Park Designation Mkt. Landing Park Exp. (COTW) AMENDED
- ORDR00354_05_09_2022 FY23 CPC Recommendations (COTW) (PARTIAL: Project 9 Market Landing Park)

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

May 9, 2022

THAT, upon the recommendation of the Community Preservation Committee, \$3,000,000 is appropriated, subject to a final plan being presented to the Council for approval, to pay costs of the Market Landing Park Expansion project, including the payment of all costs incidental and related thereto. To meet this appropriation, the Treasurer with the approval of the Mayor, is authorized to borrow said amount under and pursuant to M.G.L. c. 44, §7(1), M.G.L. c. 44B (the Community Preservation Act), or pursuant to any other enabling authority, and to issue bonds or notes of the City therefor; and that the Mayor and the Treasurer are authorized to take any other action necessary or convenient to carry out this vote.

Councilor 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.

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:** This project is anticipated to be completed in phases with an estimated total overall cost of Phase I of the Market Landing Park Expansion Project is estimated to cost a total of~~

~~\$10,568,656,650,000~~ (~~Four Ten~~ Million ~~Six Hundred Fifty Thousand~~ ~~Five Hundred Sixty Eight Thousand Six Hundred and Fifty Six~~ Dollars). ~~and~~ The City has secured \$1,250,000 in local Herman Roy Trust funds and Community Preservation Act (CPA) funds for the construction of Phase I 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~~ Office of Planning and Development in conjunction with the City Council's Ad Hoc Committee on Market Landing Park Expansion; and
4. That this Order shall take effect upon passage.

Councillor Heather L. Shand

In City Council June 27, 2022:

Motion to waive the rules and accept the late files by Councillor Zeid, seconded by Councillor Cameron. Roll call vote. 9 yes, 2 absent (AK,JD). Motion passes. Motion to add the late files to the Consent Agenda, referring ORDR00371_06_27_2022 to Budget & Finance as noted and approve as amended by Councillor Zeid, seconded by Councillor McCauley. Roll call vote. 9 yes, 2 absent (AK,JD). Motion passes.

I, HERMAN A. ROY of Newburyport, Essex County, Massachusetts, make this my last will, hereby revoking all other wills at any time heretofore made by me. In making this will I am cognizant of the fact that I am about to be married, but I am making no provision for my wife to be, because of the fact that she and I have executed an Antenuptial Agreement dated April 29, 1964, wherein each is surrendering any rights to the property of the other.

1. All the rest and residue of my estate I give to the City of Newburyport, to be held for the term of one hundred years from the date of my death, or until the fund has accumulated to the sum of one million dollars, whichever event shall happen first, and I direct that at said time the money be spent under the direction and supervision of the then mayor and city council, or other corresponding successors as government heads of said City of Newburyport, for improvement and betterment of the Newburyport Waterfront in that section lying between the Chain Bridge and the Atlantic Ocean, in whatever areas and for whatever purposes as they may, in their judgment determine to be for the best interests of said City and the citizens thereof as a whole.

2. I nominate JAMES T. CONNOLLY of said Newburyport and whoever may be holding the office of City Solicitor and whoever may be holding the office of City Treasurer in the City of Newburyport at the time of my death, to be executors hereunder and I request they be not required to furnish any surety on their official bonds.

IN WITNESS WHEREOF I, the said HERMAN A. ROY, herewith set my hand to this my last will, this 6th day of May, 1964.

On the 6th day of May, 1964, HERMAN A. ROY, declared to us, the undersigned, that the foregoing instrument was his last will and he requested us to act as witnesses to the same and to his signature thereon; thereupon he signed said will in our presence, we being present at the same time; and we now, at his request, in his presence, and in the presence of each other, do hereunto subscribe our names as witnesses; and we and each of us declare that we believe this testator to be of sound mind and memory.

Herman A. Roy
Zelma H. Herlihy
Mildred R. Jeffers
Norma A. Nicoletti

I, HERMAN A. ROY of Newburyport , Essex County, Massachusetts, declare this to be a codicil to my last will dated May 6 1964, which will I hereby ratify and confirm, excepting as hereby changed.

1. I direct the executor of my will to pay the sum of \$500.00 in to the Newburyport Five Cents Savings Bank, the interest on said sum to be used for the purpose of ringing on St. Valentine's Day the bells in a church in said Newburyport, preferably selecting the church in rotation, in alphabetical order.

IN TESTIMONY WHEREOF I, HERMAN A. ROY, HEREUNTO SET my hand and, in the presence of three witnesses, declare this to be a codicil to my last will, this 12 th day of ~~June~~ ^{July}, 1972.

Herman A. Roy

On this 12 th day of ~~June~~ ^{July}, 1972, HERMAN A. ROY of Newburyport, Massachusetts, signed the foregoing instrument in our presence, declaring it to be a codicil to his last will and, as witnesses thereof, we three do now, at his request, in his presence, and in the presence of each other, hereto subscribe our names.

Selma H. Welch
Carole J. Dowling
Joe L. Plummer



OFFICE OF
TREASURER AND COLLECTOR
CITY OF NEWBURYPORT
MASSACHUSETTS

THOMAS S. MURRAY
Treasurer - Collector

June 15, 1977

Nolan Morris, Auditor
City Hall
Newburyport, MA

My Dear Nolan:

This is to notify you that there has been set up in the trust fund accounts an account known as the Herman Roy Trust. Whereby, under the will of said Roy, all the rest and residue of his estate, was to go to the City of Newburyport under paragraph one, the proceeds were to be held for 100 years or until the fund has accumulated to 1,000,000 Dollars for beautifying the water front from Chain Bridge to the Atlantic Ocean. A copy of said paragraph one of said will is enclosed. Interest to accumulate.

These funds consist of proceeds from mortgage payments on property he owned and have been paid off.

Book #62111 (Melanson Mtg.)	\$29,883.63	
Book #68205 (Weiner Mtg.)	16,929.38	
Also a transfer from Book #67428 (Wood Mtg.)	6,800.00	\$53,613.01

The Raymond A. & Lydia B. Wood is still outstanding. This account has been transferred from Book #68205 to a new Book #620014 City of Newburyport. The Woods make mounthly payments to the Newburyport Five Cents Savings Bank to this account and are to be added to the fund as the Treasurer finds time to have the deposits added to the account. This new account book will start off with a balance of \$84.96.

The Raymond A. Wood & Lydia B. Wood mortgage to Herman A. Roy has been assigned by the Executives under the Will of Herman A. Roy to the City of Newburyport.

Very truly yours,

Thomas S. Murray,
City Treasurer &
Tax Collector

Andrew Port

From: Ethan Manning
Sent: Thursday, February 11, 2021 2:23 PM
To: Andrew Port
Subject: Herman Roy Trust - Waterfront
Attachments: Herman Roy Will May 6, 1964.pdf; Herman Roy Trust Establishment June 15, 1977.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Andy,

For the memo, another potential funding source is the Herman Roy Trust Fund. In his will, Herman Roy (2/14/1893-5/31/1973) donated the remaining of his estate to the City of Newburyport (see below).

“All the rest and residue of my estate I give to the City of Newburyport, to be held for the term of one hundred years from the date of my death [May 31, 1973], or until the fund has accumulated to the sum of one million dollars, whichever event shall happen first, and I direct that at said time the money be spent under the direction and supervision of the then mayor and city council, or other corresponding successors as government heads of said City of Newburyport, for improvement and betterment of the Newburyport Waterfront in that section lying between the Chain Bridge and the Atlantic Ocean, in whatever areas and for whatever purposes as they may, in their judgment determine to be for the best interests of said City and the citizens thereof as a whole.”

As stipulated, the fund reached \$1,000,000 in 2018 so it is now available to be spent. The current balance is \$1,125,427. Given that the use is specific to the waterfront, the expanded park would be a good use. While the Trust Fund Committee would most likely recommend not drawing down the full balance, but utilizing a good portion, say \$750,000, may be a reasonable request.

Thanks,

Ethan



CITY OF NEWBURYPORT
NEWBURYPORT TRUST FUND COMMITTEE
OFFICE OF THE TREASURER/COLLECTOR
60 PLEASANT STREET
NEWBURYPORT, MA 01950
P: (978) 465-4415 F: (978) 462-0883
treasurer@cityofnewburyport.com

Julie Languirand
Treasurer/Collector

March 15, 2022

Andrew Port
Director of Planning and Development
City of Newburyport
60 Pleasant Street
Newburyport, MA 01950

RE: Market Landing Park Expansion Project and Herman Roy Trust Fund

Dear Andy:

On behalf of the Newburyport Trust Fund Committee, I am pleased to inform you that the following funds for the Market Landing Park project requested from the Herman Roy Trust fund have been approved for use:

PROJECT: Market Landing Park Construction/Expansion – consistent with the original purpose(s) established for the use of such funds (“...for the improvement and betterment of the Newburyport Waterfront in that section lying between the Chain Bridge and the Atlantic Ocean...”).

AWARD amount: \$1,000,000.00 (one million dollars)

SOURCE: HERMAN ROY TRUST FUND

PROJECT DESCRIPTION: Construction and expansion of the Market Landing Park on Newburyport’s downtown central waterfront

Funding conditions:

- 1) Funds will be granted over two fiscal years; potentially beginning in FY2022 once a detailed timeline of the construction schedule is established; the City will safeguard funds to be available when needed.
- 2) Exact release of funds is pending confirmation by the City’s Director of Planning and Development of additional funding sources and commitment of State and/or Local grant funds.
- 3) A Dedication is to be established in honor of Herman Roy’s contribution to the park via the funds granted, whether by plaque or other landmark.
- 4) Updates are to be provided to the Trust Fund Committee at least quarterly throughout the project and a final report on the project may be requested by the Committee upon completion.

We wish you great success with this project!

Sincerely,

Julie Languirand
For the Newburyport Trust Fund Committee



DIVISION OF CONSERVATION SERVICES

FY23 LAND and PARC Grant Programs Workshop

DCS Grant Programs

- **Local Acquisitions for Natural Diversity (LAND)** – acquire conservation land
- **Parkland Acquisitions and Renovations for Communities (PARC)** – acquire recreation land and/or develop public outdoor recreation facilities



Erving Riverfront Park



Holland Glen Forest, Belchertown

DCS Grant Programs

- **Grant announcement is in anticipation of funding**
- Priorities for the FY23 Grant Round:
 - ▶ **Conservation Projects (LAND)**
 - Biodiversity protection
 - Landscape conservation
 - Outdoor passive recreation
 - Stewardship of conservation lands
 - ▶ **Recreation Projects (PARC)**
 - Environmental Justice neighborhoods
 - Development of new parks
 - Designs that incorporate climate resilience
 - Access to recreation for all residents, especially those that go above and beyond to provide access to people with disabilities

LAND and PARC Grant Information

- **Grant deadline July 14, 2022 at 3:00 pm**
- Applicants must have an Open Space and Recreation Plan on file with DCS by grant deadline
- Applicants with outstanding conversion issues are ineligible
- Maximum grant award of \$400,000
- Reimbursement rate between 52% and 70%



Hazelwood Park, New Bedford

LAND and PARC Grant Information

- **New this year: online application form**
- Do not purchase land without signed contract!
- Do not begin construction without signed contract!
- MHC and NHESP review



Hoyt-Sullivan Park, Somerville
Photo courtesy KMD

Eligible Project Costs

- **For LAND & PARC acquisition projects:**
 - ▶ Property purchase
 - ▶ Title research & certification
 - ▶ Recording fees
 - ▶ Survey
- **For PARC renovation/development projects:**
 - ▶ Engineering
 - ▶ Design
 - ▶ Construction
 - ▶ Construction supervision (during year 2)
- This is not an inclusive list – ask if you have specific questions

Ineligible Project Costs

- Appraisals
- Donations
- In-kind expenses
- Legal fees
- Staff time
- Equipment or goods
- Application preparation costs
- 21E assessment and compliance fees
- Brownfields restoration
- And everything else not listed as eligible!
- **When in doubt, ask!**



Adams Station

Selection Process for DCS Grants

- All projects are visited by DCS staff, then rated and ranked (rating system is included in each grant's application package)
- Recommendations are approved by EEA's Secretary and the Governor's office
- ***Estimated*** grant award announcement date is November 2022
- Do not plan on closing on any properties during calendar year 2022
- Project completion dates:
 - FY23 acquisition projects: June 1, 2023
 - FY24 acquisition and construction projects: June 1, 2024

Rating Systems

- Two rating systems – one for LAND, one for PARC
- Each contains demographic information
 - ▶ Federal census data
 - ▶ Environmental Justice
 - ▶ Calculated by EEA
- Rating systems included in each grant BID package



Pulaski Park, Northampton

Municipal Votes

- All projects must have a town meeting/city council vote
- The vote must do three things:
 - ▶ Authorize submission of grant application
 - ▶ Approve appropriation of 100% of the total project cost
 - ▶ Dedicate the land to recreation or conservation purposes (specific to each grant program)
- Use sample vote language in application package
- **Send all LAND grant draft vote language to Vanessa for approval**
- **Send all PARC grant draft vote language to Melissa for approval**

Municipal Votes

- Vote can occur after application deadline or after grant decisions have been announced, but...
- Successful grants must have vote in by end of the calendar year – plan accordingly
- May use some types of federal monies, such as CDBG and ARPA, as local portion of total grant costs
- CPA funds can be used as local share
- Other state grants cannot be used as local share



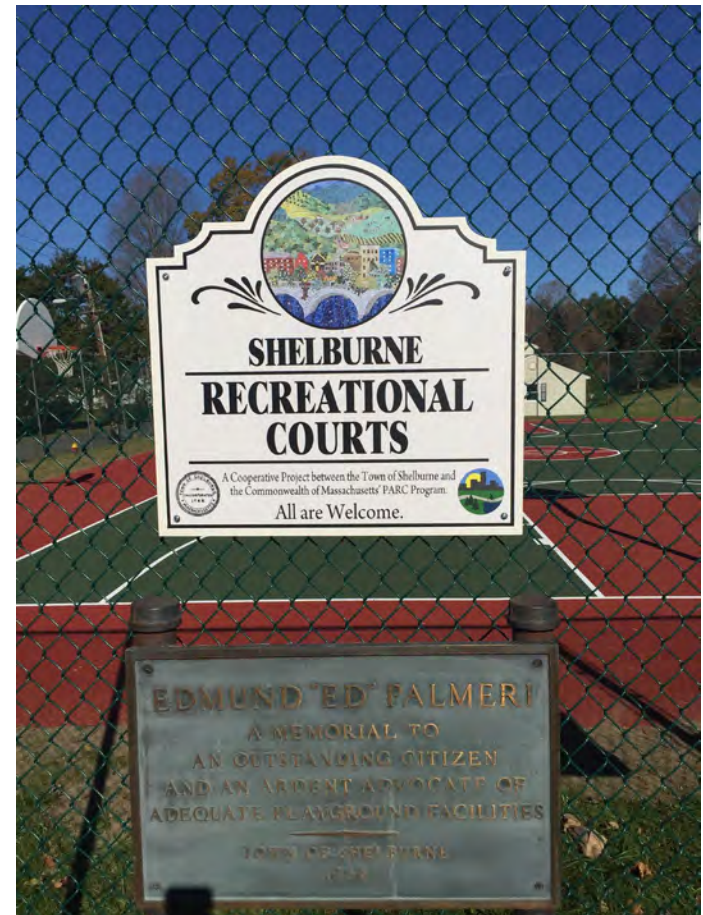
Lee Athletic Field, Lee

CPA Communities, LWCF Recipients

- Any properties acquired with Community Preservation Act (CPA) funds must include the conveyance of a Conservation Restriction to an eligible 3rd party
- LAND and PARC grant recipients must show compliance with this requirement prior to final reimbursement
- This is required for all CPA communities regardless of if CPA funds are being used for the project subject to this application; close all CRs on CPA acquired properties
- Grant recipients that have Land and Water Conservation Fund sites in their community will have to complete an inspection form on all properties prior to final reimbursement

Post-completion Responsibilities

- All sites that receive LAND or PARC funding are protected by Article 97, which means the land must remain as conservation or recreation land in perpetuity
- Site must be open to all – this includes both non-residents and people with disabilities
- Fair fee policy
- Sign requirements



Useful Tips

- Don't wait to start working on online application form until just before the grant deadline, also don't start too soon – save feature lasts only 30 days
- OSRPs should be emailed to Melissa separately
- Appraisal should be emailed separately to respective grant administrator
- PARC: electronic form, 1 hard copy
- LAND: electronic form, 1 hard copy
- Double-sided hard copy if possible, please
- Clearly mark all attachments – use the application form as an attachment checklist

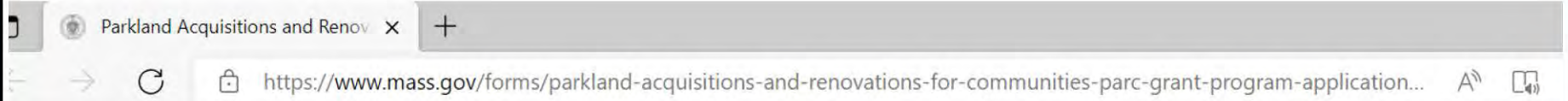
Useful Tips

- Answer ALL questions
- If you are a repeat customer, be sure to check the list of attachments to make sure you're not including unnecessary items
- If providing copies of municipal charter, only include relevant section and highlight appropriately
- Focus on the big picture— if one thing is filled in incorrectly, the application will still be eligible (most likely)



LoPresti Park, Boston

Online Form



Parkland Acquisitions and Renovations for Communities (PARC) Grant Program Application Form FY 2023

Please fill out the form below (* indicates required field)

You will need to submit the following:

- Application form
- Municipal Open Space and Recreation Plan, if not already on file with DCS (email as a separate attachment to melissa.cryan@mass.gov)
- Appraisal reports for acquisition projects (email as a separate attachment to melissa.cryan@mass.gov)

The application form available on this page contains detailed instructions. Please refer to it for more information.



1. Municipality

Municipality: *

Population: *

2. Project Name

Project Name: *

PARC Projects

- Purchase parkland
- Develop new public outdoor recreation facilities
- Renovate existing municipal public parks
- Land must be dedicated to public park purposes and under custody of Park or Recreation Commission or Park Department (Chapter 45, Section 3 or 14)



Camp Paradise, Beverly

PARC Grants

- All cities regardless of size or towns with more than 35,000 residents are eligible for maximum \$400,000 grant award
- Towns with less than 35,000 residents proposing project with access to public transportation or 100 car parking lot are also eligible for maximum \$400,000 grant award
- All other town projects are eligible for maximum \$100,000 grant award (this is referred to as a “small town” grant)
- Small town grant applications will be competing for separate pool of funding
- Letters of support deadline – postmarked by July 21, 2022 (not required)
- Two-year grant (for renovation/development projects) – first year for design, second year for construction

PARC Application Tips

- Complete answers to all questions
- Appraisal(s) must be submitted for acquisition projects – email to Melissa
- Preliminary design (done prior to application deadline) must be firm enough to generate a solid cost estimate
- Make sure to break budget details into design and construction costs (two distinct FYs)
- Remember to include construction administration costs in year 2



Cushing Memorial Park, Framingham

PARC Application Tips

- Answer the following questions in the project description:
 - ▶ Is this park in an EJ neighborhood?
 - ▶ Does the park design go above and beyond in providing access to people with disabilities? How so?
 - ▶ Is this a new park?
 - ▶ Will there be environmental education on site?
 - ▶ Is water-based recreation offered at the park?
 - ▶ Is the park located in an area mapped as an Urban Heat Island?
 - ▶ Does the park design incorporate resiliency?
 - ▶ Did my community complete enhanced outreach in EJ neighborhoods?
 - ▶ Do I have a partner for future stewardship?
 - ▶ How does this project address my OSRP's goals, objectives or action plan items?

PARC Model Project

- Project will build a new park in an Environmental Justice neighborhood that goes above and beyond in its consideration of accessibility for people with disabilities with its design incorporating climate resiliency that was developed through multiple public input sessions
- Park includes waterfront access with signage on the importance of water quality and will host summer camps
- Municipality proposing the project has not received a PARC grant in the past five grant rounds and demonstrated its ability to maintain park through its partnership with a local Friends of Said Park group

LAND Projects

- Land acquisition
 - ▶ Fee simple
 - ▶ Conservation Restriction
- Conservation Commission control
- For conservation and passive recreation
- Cooperative projects – many communities work closely with land trusts



Punkhorn Parklands, Brewster

LAND Grants

- Appraisals
 - ▶ Requirements are on page 5 of the BID document
 - ▶ Two appraisals recommended if the first has value over \$750,000
- Budget
 - ▶ Itemize anticipated expenses
- Project narrative
- Maps
 - ▶ Natural resources and landscape context

Most Competitive Projects

- Ecological resources
 - ▶ Habitat & biodiversity
 - ▶ Water resource
- Landscape level protection
 - ▶ Links to existing protected open space or serves as catalyst
 - ▶ Climate change resiliency
 - ▶ Larger tracts
- Public passive recreation
- Open Space and Recreation Plan goals
- Stewardship capacity
- Working lands



LAND Model Project

- Provides passive outdoor recreation close to an area of high population density that lacks open space
- Protects valuable habitat, including water resources
- Preserves farmland and agricultural resources
- Connects other protected open space and will advance conservation efforts for abutting properties
- Municipality has not received a LAND grant in the past five rounds
- Applicant has proven record of strong stewardship of existing conservation lands

Joint Applications

- Two or more municipalities applying jointly
- Properties in each municipality must be contiguous
- A letter signed by all municipalities designating a lead contact for project
- Reimbursements up to \$400,000 per municipality
 - ▶ Up to \$800,000 for two municipalities
 - ▶ \$1.2M for three municipalities
- Reimbursement rate will be the average of all the municipalities' rates

Other DCS Grant Programs

- **Conservation Partnership grant** (Non-profits)
Max award: \$175,000 for purchase of land/CRs. **App deadline: July 18, 2022**
- **Land and Water Conservation Fund grant** (municipalities, tribes, DCR, DFG)
Max award: \$1,000,000 to build/renovate trails, acquire land for trails. App deadline: Jan. 24, 2022
- **Drinking Water Supply Protection grant** (munic. water departments/non-profit public water suppliers/water districts)
Max award: \$300,000 for purchase of land/CRs. App deadline: March 18, 2022
- **Landscape Partnership grant** (munic. conservation commissions, water departments, non-profits, and state and federal agencies)
Max award: \$1,250,000 for purchase of 500+ acres of land/CRs/APRs. App deadline: May 2, 2022
- **Conservation Assistance for Small Communities grant** (munic. conservation commissions in towns with population < 6,000)
Max award: \$12,500 for OSRP preparation work. **App deadline: May 6, 2022**

Contact Information

Vanessa Farny
(857) 330-1978
vanessa.farny@mass.gov

Melissa Cryan
(857) 274-7173
melissa.cryan@mass.gov

Visit DCS online at:

<https://www.mass.gov/grant-programs-offered-by-the-division-of-conservation-services>

Open question period ends on June 30, 2022
Have your questions answered before then

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.

In City Council June 27, 2022:

Motion to approve collectively TRAN00132, TRAN00134, ORDR00359, ORDR00367, and projects listed in ORDR00354 by Councillor Zeid, seconded by Councillor Preston. Roll call vote. 9 yes, 2 absent (AK,JD). Motion passes.

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 – July 11, 2022

General Government

In Committee:

- APPT00330_06_27_2022 Donna Drelick 8 Chadwick St. Methuen HR Dir. 7/1/2025 (COTW)
- ORDR00366_06_13_2022 Ward 2 Polling Place Change



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

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA
2022 JUN 27 AM 9:51

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: Re-Appointment

I hereby re-appoint, subject to your approval, the following named individual as Human Resources Director. This term will expire on July 1, 2025.

Donna Drelick
8 Chadwick Street
Methuen, MA 01844

Donna Drelick

8 Chadwick Street
Methuen, Ma 01844

(978)688-0124
kaddrelick@comcast.net

Objective: *To obtain a challenging and fulfilling position in a busy, caring and team-oriented environment.*

City of Newburyport, Newburyport, Massachusetts, 2019 – Present

Human Resource Director

- ***Managed the Human Resources Department***
- ***Negotiations for all Unions***
- ***Recruitment***
- ***Work with department heads on complex employee issues***
- ***Manage hiring process for all new hires***
- ***Write and audit job descriptions***
- ***Manage all employee benefits***
- ***Process all employee changes***
- ***Collaborate with payroll to ensure all legal requirements are met***
- ***Set up accrual system for accurate accounting (per auditing requirements)***
- ***Communicate benefit information to employees and retirees***

Human Resources Specialist

- ***Assisted HR Director with payroll auditing***
- ***Benefit administration***
- ***On boarding and terminations***
- ***Maintained all CORI and I-9 Information***

Schleifring North America, LLC, Chelmsford, Massachusetts, March 2018 – present

Human Resource Consultant

- **Write and edit new company handbook**
- **Implement new employee policies**
- **Write new accounting and foreign export policies**
- **Manage new hire and contractor hires**
- **Manage benefits and open enrollment**
- **Manage payroll**
- **Handle company travel arrangements**
- **Plan company events**

Brooks School, North Andover, Massachusetts, 2000 – August 2017

Business Office Manager

- **Supervise account receivable, payable, student services.**
- **Accounts receivable & payable processing.**
- **Campus wide purchase process management.**

- Human resources responsibilities including administering, processing and evaluating employee benefits, customer support and hiring/termination processing.
- Budget coordination for the entire school.
- Manage deposits, transfers and reconciling of all cash accounts including endowment and restricted cash accounts.
- Prepare for cash transfers from line of credit based on the cash forecast and business needs.
- Stock purchases and sell orders.
- Process and manage payroll.
- Provide monthly reports to Business Manager & Asst. Business Manager.
- Provide year end reports for accounting firm for annual audit.

KGR, Inc., Lawrence, Massachusetts, 1989 -2000 *several positions held during this time.*

Accounts Receivable Representative for Major Accounts

- Handled all cash receipts and research on all charge backs.
- Customer service specialist handled all new orders from entry to verifying pricing.

Retail Store Accountant

- Responsible for all accounting function relating to retail processes including store opening, closing out sales and all month end reporting.

Inventory Control Coordinator

- Maintained all company piece good inventories. Handled annual audit of inventory.
- Worked closely with accounting department on all payables related to inventory.

KGR Line Representative

- Handled all accounts relating to KGR exclusive line. Cost accounting, sales and management of customer base.
- Sales Representative for major account.
- Managed all Talbot's retail orders. Coordinated pricing, samples, fabric costs, placing orders with contractors in order to comply with customer delivery dates.

Production Manager

- Scheduled all contractors to fulfill orders based on specified deliveries while accommodating customer needs.

Education & Skills

Castle Junior College, Windham, NH, Associates Degree, Business Administration

Software Knowledge: MS Word, MS Excel, Google Products, Senior Systems, ADP & Harpers Payroll, ConnectPay, SAP

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

June 13, 2022

WHEREAS, the current Ward 2 Polling Place is located at the Brown School, Milk Street, Newburyport, and

WHEREAS, said Brown School is closed for use due to various conditions of the building rendering the building unsuitable as a polling place, and

WHEREAS, the Newburyport Public Library ("Library") located at 94 State Street is within the boundaries of Ward 2 and has a suitable area known as the Program Room on the first floor, and

WHEREAS, Amended Article 114 of the Massachusetts Constitution and 950 CMR § 51.00 encourages the fundamental right to vote by improving access for handicapped and elderly individuals to polling places and the voting process, and

WHEREAS, the Library has passed the State mandated Polling Place Site Access Survey and approved locally by the ADA Coordinator.

Now, Therefore, the City Council of the City of Newburyport hereby approves the relocation of the Ward 2 polling location from the Brown School to the Library for any and all elections forthwith.

Jennie L. Donahue, Ward 2 Councillor

In City Council June 13, 2022:

Motion to refer to General Government by Councillor Khan, seconded by Councillor Vogel. So voted.

Committee Items – July 11, 2022

Planning & Development

In Committee:

- 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
- APPT00329_06_27_2022 Jacob Majahad 6 59th St. Comm. On Disabilities 7/31/2025
- APPT00331_06_27_2022 Andrew R. Port 61 Water St. Dir. Planning & Dev. 1/31/2024 (COTW)
- ODNC00111_05_09_2022 Amendment Net Zero Energy Public Projects
- ORDR00358_05_31_2022 Acceptance of Stables - Colby Farm Lane Lot 3
- COMM00415_05_31_2022 Global Efforts Related/Potential Residential Use Property 5/22 Update



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

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

To: President and Members of the
City Council

From: Sean R. Reardon, Mayor

Date: May 31, 2022

Subject: Re-Appointment

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

Bonnie Sontag
21 Smith Street
Newburyport, MA 01950

A large, handwritten signature in black ink, written vertically on the right side of the page.

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

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

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

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



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

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

To: President and Members
of the City Council

From: Sean R. Reardon, Mayor

Date: May 31, 2022

Subject: Appointment

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

Patricia Peknik
4 Dove Street
Newburyport, MA 01950

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

Dear Mayor Reardon,

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

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

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

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

Best,

Patricia Peknik

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

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

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

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

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

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

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

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

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

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

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

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

UNIVERSIDAD PANAMERICANA, Visiting Professor

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

*

BOSTON UNIVERSITY, Senior Lecturer

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

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

Questrom School of Business

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

College of Communication

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

BOSTON ARCHITECTURAL COLLEGE, Lecturer

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

PUBLICATIONS:

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

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

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

CONFERENCE PAPERS:

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

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

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

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

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

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

SERVICE TO THE PROFESSION:

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

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

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

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

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

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

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

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

PROFESSIONAL DEVELOPMENT:

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

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

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

SERVICE TO THE COMMUNITY:

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

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

EDUCATION:

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



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
OFFICE OF THE MAYOR
SEAN R. REARDON, MAYOR

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2022 JUN 27 AM 9:51

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

Sean R. Reardon

To: President and Members of the
City Council
From: Sean R. Reardon, Mayor
Date: June 27, 2022
Subject: Re-Appointment

I hereby re-appoint, subject to your approval, the following
named individual as Director Planning and Development.
This term will expire on January 31, 2024.

Andrew R. Port
61 Water Street #5
Newburyport, MA 01950

ANDREW R. PORT, AICP



61 Water St # 5, Newburyport, MA 01950

617-680-3621

andy.port@gmail.com

OBJECTIVES

Director of Planning & Development

- Increase the efficiency of municipal planning, permitting, inspectional services and administration and ensure proper development of the community.
- Improve the physical form of communities through increased provisions for a mix of land uses, greenway networks, recreation and open space, affordable housing, economic development, multi-modal transportation, civic spaces, and preserved cultural and historical resources.
- Raise social capital and further a sense of community and place, through public engagement and education in the areas of community development and long-range planning.

PROFESSIONAL ASSOCIATIONS

American Institute of Certified Planners (AICP)

American Planning Association (APA)

Massachusetts Association of Planning Directors (MAPD)

Massachusetts Certified Public Purchasing Official Program (MCPPO):

- Procurement Training/Certification: Contracting for Design & Construction / Supplies & Services

EDUCATION

MASSACHUSETTS INSTITUTE OF TECHNOLOGY (MIT)

Department of Urban Studies & Planning (DUSP)

Master of City Planning (MCP) Degree – June 2004 (Concentration: Community & Land Use Planning)

UNIVERSITY OF MASSACHUSETTS, AMHERST, MA

Department of Landscape Architecture & Regional Planning

Bachelor of Science - Landscape Architecture (BSLA) Degree – May 1999

RESEARCH PROJECTS & PRESENTATIONS

THESIS: “APPLICATION OF SELECTED NEW URBANIST PRINCIPLES TO RESIDENTIAL INFILL DEVELOPMENTS IN MATURE SUBURBS OF GREATER BOSTON” (MIT)

THESIS: “RENOVATION & REVITALIZATION OF THE CAMPUS LANDSCAPE: A LANDSCAPE FOR LEARNING.” (UMASS AMHERST)

SPEAKER: “MAKING THE CASE FOR SMART GROWTH: CONVINCING LOCAL COMMUNITIES.” (CITIZEN PLANNER TRAINING COLLABORATIVE - 2007 ANNUAL CONFERENCE: “ADVANCED TOOLS & TECHNIQUES FOR PLANNING AND ZONING”)

SPEAKER: “DEPLOYING A MUNICIPAL GEOGRAPHIC INFORMATION SYSTEM WITH LIMITED RESOURCES.” (SOUTHERN NEW ENGLAND PLANNING CONFERENCE - 2009) (NORTHEAST ARC USERS GROUP - 2008 ANNUAL CONFERENCE)

RELATED COURSEWORK

City & Regional Planning	History of Architecture & Landscape Architecture
Planning Action & Economics	Urban Design Policy & Action
Urban Design & Development	Law & Politics of Land Use
Comm. Growth & Land Use Planning	Legal Issues in the Development Process
Geographic Information Systems	Information & Comm. Tech. in Community Development
Site Engineering & Structures	Theory in Environmental Design & Human Habitation
Landscape Planning & Design	Natural & Cultural Factors in Planning

PROFESSIONAL EXPERIENCE

CITY OF NEWBURYPORT, OFFICE OF PLANNING & DEVELOPMENT *July 2010– Present*

Director of Planning & Development

Notable Projects & Work:

- **Master Plan Update** – Principal Editor, Project Management, Public Participation
- **Open Space & Recreation Plan** – Project Manager, RFP Scope & Contract with Selected Firm
- **Affordable Housing Plan** – Project Manager, RFP Scope & Contract with Selected Firm
- **40R Smart Growth Overlay District** – Principal Author, Oversight of Development Permitting
- **MassWorks Infrastructure Grant (2015)** – Awarded \$2M grant to upgrade the Graf Road Sewer Lift Station to support buildout within Newburyport's Smart Growth District and Business and Industry Park.
- **Zoning & General Code Amendments (Various)** – Principal Drafter, Revisions as Necessary
- **Online Permitting** – Procurement for City-Wide Web-Based Permitting System, Management and Oversight for Implementation and Rollout of Permits and Applications (Building & Planning)
- **Newburyport Redevelopment Authority** – Principal Author of Original Draft Special Act to Dissolve the NRA and transfer all land and assets to the City of Newburyport for Park Construction
- **Newburyport Intermodal Parking Facility (Parking Garage)** – Project Manager for \$13.5M Project Including Federal and State Funding, Land Acquisition, Relocation Services, Oversight of Design Team, & Contractors, Permitting, Procurement, etc.
- **Inn Street Fountain Restoration & Splash Pad Project** – Project Manager, Oversight of Design Team, Contractor, Scope of Services, Procurement, etc.
- **Green Street Parking Lot Project** – Project Manager, Oversight of Design Team, Contractor, Scope of Services, Procurement, etc.
- **Inn Street Lighting Improvements** – Project Manager, Oversight of Design Team, Contractor, Scope of Services, Procurement, etc.
- **Market Landing Park Expansion** – Project Manager, RFQ Design Scope & Contract with Selected Firm, Oversight for Schematic Design Phase & Contract Extension for Final Design Services
- **Permit Assistance to Boards & Commissions** – Oversight of Development Permitting, Resolution of Issues with developers, applicants, abutters, City officials and others as needed, Formalized and Streamlined the Process for drafting staff reports and clear, enforceable and defensible written decisions.
- **Meeting & Public Hearing Management** – Zoom Host for Remote Meetings and Public Hearings via online access in response to the Covid-19 Pandemic, Facilitate Public Participation, Visuals Support
- **Design Contracts & Feasibility Studies** – Drafted RFPs/Scope of Work and Contracts for Cutter Fire Station Architectural Feasibility Study, Brown School Adaptive Reuse Study and Youth Services Feasibility Study.

TOWN OF HANOVER, DEPARTMENT OF MUNICIPAL INSPECTIONS *Sept 2004 – June 2010*

Town Planner & Assistant Town Administrator - Responsibilities:

Administration of Planning Projects:

- **Master Plan Update** – Principal Author, GIS Mapping, Project Manager, Public Participation
- **Recreation & Open Space Plan** – Project Manager, Developed RFP & Contract with Selected Firm
- **Historic Preservation Plan** – Project Manager, Developed RFP & Contract with Selected Firm

- **Affordable Housing Plan** – Project Manager, Developed RFP & Contract with Selected Firm
- **Recreation Facilities Master Plan** – Project Manager, Developed RFP & Contract with Selected Firm
- **GIS Development** – Developed Mapping & Data for Town-wide GIS Accessible to all Town Agencies
- **Community Preservation Act (CPA)** – Bylaw Development, Town Meeting Articles, Project RFPs, Scopes of Work, Contracts, Project Management for multiple Contracts simultaneously.
- **Transportation Improvement Program (TIP)** – Support & Background for Funding Requests from MPO
- **Grant Writing** – Obtained Grant from MassGIS to upgrade Town Parcel Maps to “Level II” Standards

Project Review & Administration:

- **Subdivisions** – Recommendations Pursuant to Subdivision Control Law, Rules & Regulations.
- **Special Permit & Site Plan Reviews** – Recommendations Pursuant to Zoning Act, Zoning Bylaw.
- **Develop Legally Defensible Decisions** – For all Projects (Approved & Disapproved)
- **Monitor Development Projects** – From Approval through Construction, Compliance with Special Conditions, Site Plan Signoffs / Occupancy Permits & Reduction of Financial Guarantees.
- **Interpretations of Land Use Regulations** – In General & As Applied to Specific Projects
- **Draft Various Request for Proposals (RFPs)** – See above
- **Zoning & General Bylaw Amendments** – Recommendations & Draft Bylaws adopted by Town Meeting & Approved by Attorney General

Town Mapping & Geographic Information System (GIS):

- **For All Town Agencies** (see: <http://www.hanover-ma.gov/maps-gis/gis-viewer/gis-viewer.htm>)
- **Various Town Maps & Assessors Maps Viewable Online**
- **Development of Town Layers** (roads, subdivisions, development projects, voting precincts, municipal facilities, natural resources, zoning, etc.)

Website Design & Webmaster: (www.hanover-ma.gov)

- **Announcements & Calendar of Events** – Board Meetings, Agendas & Minutes, Town Meeting, etc.
- **Bylaws & Regulations** – Zoning Bylaw, Zoning Maps, General Bylaws, Various Rules & Regulations.
- **Reports & Publications** – Master Plan, Open Space Plan, Various Documents
- **Town Maps & GIS** – Various Maps (see: <http://www.hanover-ma.gov/maps.shtml>)
- **Forms & Permits** – Planning, Building, Conservation, Various Other Departments
- **Town Directory** – Descriptions & Contact Info for All Town Departments & Boards
- **Online Payment Center** – Utilization of Unibank/Unipay Services through Town Website
- **Online Feedback Forms & Surveys** – General Purpose, Department Specific, Master Plan Surveys
- **Search Feature, Links, Local Papers, Community Resources**

Town Representative to the Metropolitan Area Planning Council (MAPC)

Representative: Daily interaction with elected & appointed officials, general public, media, local/state/federal agencies. Presentations & Facilitation of Public Meetings

Department Head

- Administration of \$150,000 budget (Salaries & Line-Item Expenses)
- Administration of Project Budgets in excess of \$500,000 (Community Preservation, GIS, Master Plan, etc.)
- Administration and oversight of Procurement Processes
- Administration of Small Planning Office (Department of Municipal Inspections) & Coordination with other Permitting & Inspection Departments
- Attendance and Representation at Department Head Meetings, Annual State of the Town Meeting, etc.

CITY OF PEABODY, DEPARTMENT OF COMMUNITY DEVELOPMENT & PLANNING June 1999 – September 2004

Senior Planner – Responsibilities:

Administration of Planning Projects:

- **Recreation & Open Space Plan** – Principal Author, GIS Mapping, Project Manager
- **Downtown Riverwalk & Historic Trail Master Plan** – Principal Author, GIS Mapping, Project Manager
- **Plan of City Owned Land** – Principal Author, GIS Mapping, Project Manager

- Flood Hazard Mitigation Plan – Principal Author, Project Manager
- Stormwater Management Plan – Principal Author
- Wetlands & Rivers Protection Regulations – Principal Author, Agent/Administrator
- 2001 Comprehensive Master Plan Update – One of Principal Authors, Full GIS Mapping, & Website
- Comprehensive Re-Zoning Project – Project Management, Research, Ordinances, Regulations, Maps
- Comprehensive Emergency Management Plan for Hazardous Materials – GIS Mapping
- Downtown 2005 Plan – Graphics
- Massachusetts Community Preservation Act (CPA) – Education, Enactment, & Implementation. Successfully applied for and received funding for the following projects: Peabody Bikeway Design (\$162,000) and Riverwalk Park (\$62,000). Principal author of local bylaws, regulations, and application procedures.
- Census Reprecincting (2001) – Mapping & Data in accordance with State & Federal requirements.

Staff Review & Administration:

- Special Permit Applications & Site Plan Review – Pursuant to Peabody Zoning Ordinance.
- Request for Proposals & Bids for Capital Improvement Projects
- Zoning Amendments – Responsible for department-initiated recommendations as well as review of proposals and Council requests.

Project Management & Construction Administration:

For Capital Improvement Projects, including the following: Administration of construction services, from notice to proceed to project completion. Research. Preparation of request for proposals, design and construction drawings, details, specs for public bid, grant applications, and public presentation. Coordination between Architect, General Contractors, Sub-Contractors, and Director of facilities. Clerk of works, Attendance at job meetings, review of requisitions, work orders, change orders, selection of furnishings, and reports to the Mayor.

- Community Life Center Addition/Renovation & Parking Lot (plans & specifications for construction)
- Riverwalk Park (prepared plans & specifications for construction)
- Golf Course Maintenance Building
- Traffic Intersection Design
- Gateways Program ("Welcome to Peabody" Arches)
- Transportation Improvement Program (TIP) Applications

Supervision/Guidance for Planning Staff & Projects

Website Design & Webmaster (www.peabody-ma.gov)

Conservation Commission Administrator & Agent:

- Project review subject to local & state Wetlands & Rivers Protection Regulations.
- Site-inspection, public relations, issuance of Enforcement Orders & Criminal Complaints.

Representative: Daily interaction with elected & appointed officials, general public, media, local/state/federal agencies. Presentations & Facilitation of Public Meetings

CITY OF SPRINGFIELD, MA, PLANNING COMMISSION Sept 1998 - Nov 1998

Project Manager / Urban Planning Design Team – Responsibilities:

- Production of streetscape revitalization proposals and implementation maps to illustrate phased increases of connection between downtown Springfield & Connecticut River. Presentations to Mayor & City officials

LANDSDOWN QUADRANGLE, UNIVERSITY PARK AT MIT, CAMBRIDGE, MA Oct 1998 - Dec 1998

Project Manager / Urban Planning Design Team – Responsibilities:

- Design for urban park, AutoCAD plans and Photoshop renderings to represent design intentions in the context of the architectural environment. Presentation of a final design report and proposal.

NEW ENGLAND GREENWAY VISION PROJECT, UMASS, AMHERST, MA Jan 1999 - May 1999

Project Manager / Greenway Planning Design Team – Responsibilities:

- Production of written reports, plans, and proposals, GIS maps, and Photoshop images to represent town-wide and site-specific designs for pedestrian trail systems in Norwich Vermont.

- Presentation of a final design report and website illustrating the design process from concept through design.
- Work Featured in *Landscape Architecture Magazine*, Feb. 2000 issue. Web Site: www.umass.edu/greenway

COMPUTER PROFICIENCY

Windows, Microsoft Office (Word, Excel, Outlook, Access, Publisher, PowerPoint), PaintShop Pro, ArcView GIS 10.x, Pictometry (Electronic Field Study), Adobe Acrobat Professional, Website Design.

PERSONAL INTERESTS

Writing, Graphic Design, Web Design, Photography, Trail-Running, Biking, Rowing, Hiking, Camping.

REFERENCES

Available upon request.

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

May 9, 2022

AN ORDINANCE AMENDING THE CITY CODE TO REPLACE REQUIRED “GHG PROTOCOL” REPORTING FOR SIGNIFICANT CITY PROJECTS WITH A “NET ZERO” GOAL AND FACILITY-SPECIFIC ANALYSIS OF PROJECTED ENERGY USAGE

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

That the City of Newburyport Code of Ordinances be amended by deleting Section 5-48 in its entirety and replacing said section with the following:

Sec. 5-48. – Net Zero Energy Goals & Municipal Facility Design.

- (a) Purpose. The purpose of this Section 5-48 is to promote the policy of the City of Newburyport that its municipal facilities (buildings, structures or facilities): (i) consume the minimum amount of energy, with an ideal of “net zero energy” for each individual facility and when measured across the City’s entire portfolio of facilities; and (b) that the construction, maintenance, and operation of its facilities result in the minimal emission of greenhouse gases (GHG) associated with such energy usage.
- (b) Definitions. The following definitions apply under this Section 5-48.
- i. City shall mean the City of Newburyport, Massachusetts.
 - ii. Greenhouse Gas (GHG) shall mean any of the following gases: carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride.
 - iii. Gross Floor Area shall mean gross floor area as that term is defined under the Zoning Ordinance of the City of Newburyport, Massachusetts.
 - iv. Net Zero Energy shall mean a condition when the actual, annual energy usage of a facility is less than or equal to the Renewable Energy generated and/or exported from the subject facility and/or site.

- v. Significant City Project shall mean: (A) the design and/or construction of a municipal facility having a Gross Floor Area of five thousand (5,000) or more square feet; (B) expansion or enlargement of an existing facility so as to increase its Gross Floor Area by five thousand (5,000) or more square feet; or (C) Substantial rehabilitation of a building or structure having, or to have after rehabilitation, a Gross Floor Area of more than ten thousand (10,000) square feet.
 - vi. Substantial Rehabilitation shall mean alterations, extension, reconstruction, or repairs to a facility within any period of twelve (12) months that together re estimated to cost more than fifty percent (50%) of the equivalent assessed value of the subject facility, as if such facility were assessed as private property rather than exempt municipal property.
- (c) Design and Engineering Contracts and RFPs. Every design or engineering contract entered into by the City, as well as any Request for Proposals (RFP) issued by the City, for a Significant City Project shall require the design or engineering contractor, or a subcontractor associated with them, to demonstrate experience within the past three (3) years designing facilities to Net Zero Energy usage and/or Net Zero Energy goals, and such experience shall be included among the criteria used by the City to award any such contract or select a respondent under any such RFP. Any design or engineering contract entered into by the City for such projects, including those issued prior to the effective date of this Ordinance, may be modified by contract amendment or Change Order to add the aforementioned qualifications and experience to the design team, and the scope of work or analysis described in Section (d) below, in relation to the subject project and facility.
- (d) Projected Facility Energy Usage & On-Site Generation Analysis. Every Significant City Project shall be designed with the explicit goal of Net Zero Energy usage, both for the subject facility individually, and as part of the City's overall portfolio of municipal facilities. In order to achieve this objective the architectural and/or engineering team responsible for the design of such facilities shall be required to provide to the City, under their applicable contract and scope of work, a report summarizing the following key information:
- i. Methods used to increase energy efficiency of the facility, such as LED lighting fixtures, low consumption HVAC equipment, increased insulation, etc.
 - ii. Methods studied and/or utilized to facilitate any feasible on-site renewable energy generation for the proposed facility, such as solar, geothermal, wind, biomass, hydro, ocean thermal, wave action and tidal action etc.
 - iii. Projected annual energy usage for the proposed facility, based on its design and equipment specifications, in particular those elements requiring heavy energy usage, and including but not limited to heating, cooling, ventilation, domestic hot water, indoor and outdoor lighting, plug loads, process energy, elevators and conveying systems.
 - iv. Projected annual on-site energy generation from the methods included in this facility under (ii) above.

- v. The net difference between annual on-site energy generation and on-site energy consumption (iv and iii above, respectively) representing the total excess energy required from the electrical grid to operate the subject facility.

The report hereunder shall be provided forthwith to the Mayor, City Council and Energy Advisory Committee (EAC) for consideration during the design phase of any Significant City Project. And while this Section 5-48, and the reporting requirements herein, do not apply to smaller scale projects, all City officials are encouraged to implement a similar energy analysis and net zero energy goal during the design phase of any municipal project. Any request for funding to design a Significant City Project shall include reference to such reports (if already available) or confirmation of the proposed timeline for subsequent report preparation and submission in accordance with this Section 5-48.

- (e) Sourcing of Off-Site Renewable Energy. All Significant City Projects shall be designed to utilize the electric grid for any energy required for facility operation which cannot be provided on-site through renewable energy sources. Such sourcing will ensure that the City can offset remaining energy usage through renewable energy sourcing on the applicable electric grid.
- (f) Exemptions. This Section 5-48 shall not apply to: (A) routine maintenance of municipal facilities; and (B) those Significant City Projects for which the City's Director of Planning and Development has issued a written determination that insignificant energy usage is reasonably expected for the subject Project or facility.

Councillor Bruce L. Vogel

In City Council May 9, 2022:

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

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

May 31, 2022

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

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

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

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

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

Councillor Edward C. Cameron, Jr.

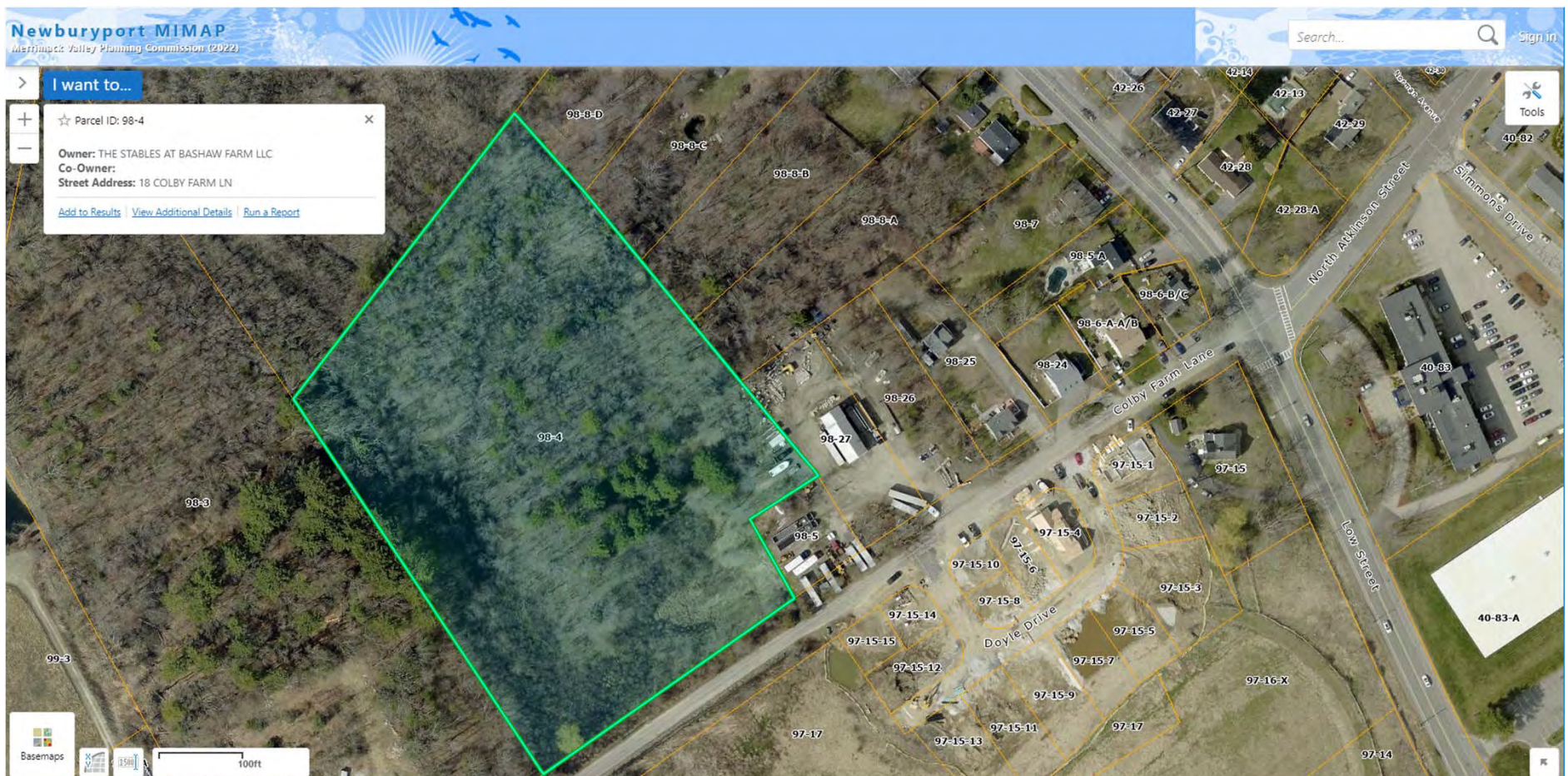
In City Council May 31, 2022:

Motion to refer to Planning & Development and COTW by Councillor Zeid, seconded by Councillor Preston. Roll call vote. 11 yes. Motion passes.

City of Newburyport Geographic Information System

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

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



PLAN BOOK 477 PLAN 97

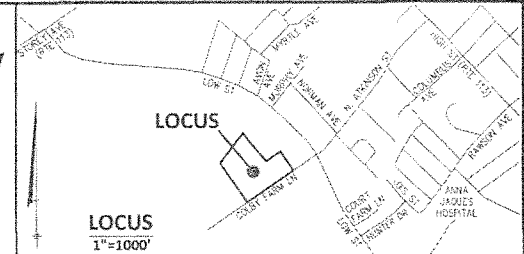
RECEIVED WITH
 July 31, 2020

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

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

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

99/477



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

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

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

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

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

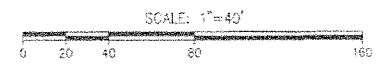
ZONING INFORMATION

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

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

DESCRIPTION	REQUIRED (R2)	PROP.		
		LOT 1	LOT 2	LOT 3
MIN. LOT AREA	15,000 SF			
MIN. FRONTAGE	120'			
MIN. FRONT YARD	25'			
MIN. SIDE YARD	20'			
MIN. REAR YARD	25'			

** INDICATES WAIVER GRANTED BY CITY OF NEWBURYPORT PLANNING BOARD



**APPROVAL NOT REQUIRED
 PLAN OF LAND**

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

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

PLAN PREPARED BY:

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

SHEET: 1 OF 1

SCALE: 1" = 40'
 MAY 27, 2020

NO.	REVISION DESCRIPTION	DATE

5-27-2020

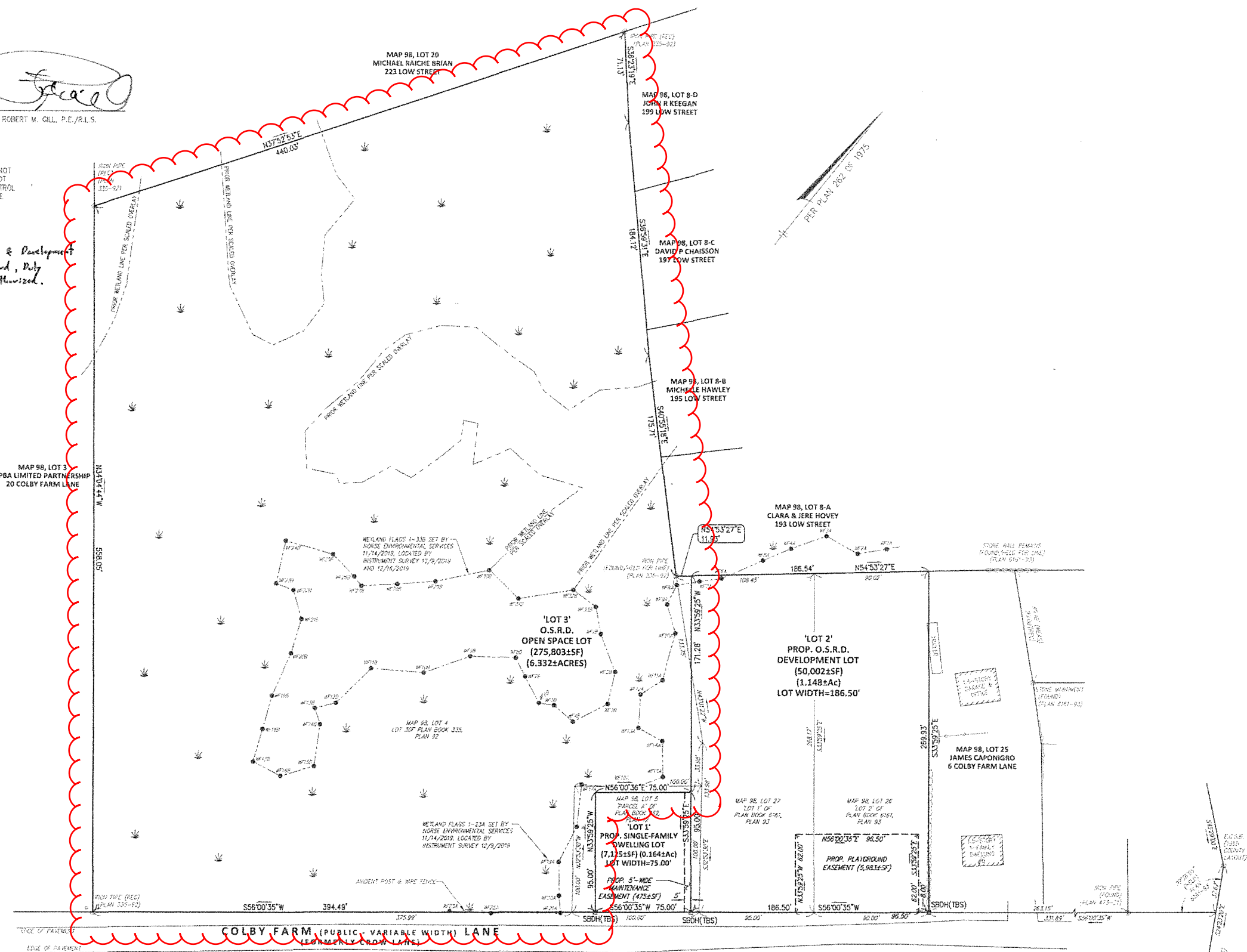
NEWBURYPORT PLANNING BOARD

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

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

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

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



ABBREVIATIONS

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

LEGEND

	STONEWALL
	STONE MONUMENT
	WETLAND LINE WITH FLAG

QUITCLAIM DEED

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

with QUITCLAIM COVENANTS,

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

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

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

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

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

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

[signatures on following page]

Property Location: Colby Farm Lane, Newburyport, Massachusetts

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

THE STABLES AT BASHAW FARM LLC

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

COMMONWEALTH OF MASSACHUSETTS

ESSEX, ss:

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

Notary Public:
My commission expires: _____

ACCEPTANCE OF DEED

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

EXECUTED as of this ____ day of May, 2022.

CITY OF NEWBURYPORT
By its Mayor,

Sean Reardon

COMMONWEALTH OF MASSACHUSETTS

Essex, ss.

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

Notary Public:
My Commission Expires:



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

Release Tracking Number

3 - 27998

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

A. SITE LOCATION:

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

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

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

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

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

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

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



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

Release Tracking Number

3 - 27998

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

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

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

17. Removal of Contaminated Soils

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

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

iib. Facility Name: _____ Town: _____ State: _____

iii. Describe:

b. Landfill _____

i. Cover Estimated volume in cubic yards _____

Facility Name: _____ Town: _____ State: _____

ii. Disposal Estimated volume in cubic yards _____

Facility Name: _____ Town: _____ State: _____

18. Removal of Drums, Tanks or Containers:

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

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

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

19. Removal of Other Contaminated Media:

a. Specify Type and Volume:

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

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



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

Release Tracking Number

3 - 27998

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

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

20. Other Response Actions:

Describe:

21. Use of Innovative Technologies:

Describe:

D. SITE USE:

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

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

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

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

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

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

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

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

5. Check all applicable categories that apply to the person making this submittal:

- a. Redevelopment Agency or Authority
 b. Community Development Corporation c. Economic Development and Industrial Corporation
 d. Private Developer e. Fiduciary f. Secured Lender g. Municipality
 h. Potential Buyer (non-owner) i. Other, describe: CORPORATION

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

E. PERMANENT OR TEMPORARY SOLUTION CATEGORY:

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

- 1. Permanent Solution with No Conditions** (check one)
 a. A threat of release has been eliminated.
 b. All contamination has been reduced to Natural Background levels.
 c. A condition of No Significant Risk exists or has been achieved with no Activity and Use Limitation or other limitations, assumptions, or conditions (310 CMR 40.1013).



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

Release Tracking Number
3 - 27998

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

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

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

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

i. Required pursuant to 310 CMR 40.1012(2)

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

1. Yes 2. No

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

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

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

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

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

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

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

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

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

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

i. Yes ii. No

F. PERMANENT AND TEMPORARY SOLUTION INFORMATION:

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

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

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

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

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

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

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

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

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



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

Release Tracking Number
3 - 27998

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

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

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



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

Release Tracking Number
3 - 27998

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

G. LSP SIGNATURE AND STAMP:

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

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

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

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



H. PERSON MAKING SUBMITTAL:

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



PERMANENT AND TEMPORARY SOLUTION STATEMENT

Pursuant to 310 CMR 40.1000 (Subpart J)

Release Tracking Number

3 - 27998

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

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

Check here to change relationship

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

e. Other RP or PRP Specify: _____

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

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

4. Any Other Person Making Submittal Specify Relationship: _____

J. REQUIRED ATTACHMENT AND SUBMITTALS:

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

Release Tracking Number

3 - 27998

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

K. CERTIFICATION OF PERSON MAKING SUBMITTAL:

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

2. By: JASON C FRIGON 3. Title: ENVIRONMENTAL PROJECT MGR

Signature

4. For: GLOBAL COMPANIES LLC 5. Date: 5/12/2022

(Name of person or entity recorded in Section H)

mm/dd/yyyy

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

7. Street: _____

8. City/Town: _____ 9. State: _____ 10. ZIP Code: _____

11. Telephone: _____ 12. Ext.: _____ 13. Email: _____

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

Date Stamp (DEP USE ONLY:)

Received by DEP on 5/13/2022 9:18:55 AM

Committee Items – July 11, 2022

Public Safety

In Committee:

- APPL00088_06_27_2022 Greek Food Festival Fri. 7/29-Sat. 7/30 10am-9pm Harris St
- APPL00089_06_27_2022 Block Party 29 Hill St & Bricher St. Sat. 7/23/2022 2pm-10pm
- APPL00090_06_27_2022 Yankee Homecoming July 30th -August 7th

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, 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 NEIGHBORS

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 _____

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 _____ 4 Green St. FIRE CHIEF _____ 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)

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



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: christianhansen@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.

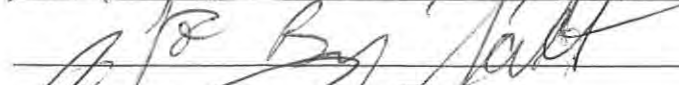
Applicant signature:  Date: 6/1/2022

APPROVAL SIGNATURES REQUIRED FOR STREET CLOSURE

CITY MARSHALL
4 Green Street

 6/6/22

FIRE CHIEF
0 Greenleaf Street

 6-12-22

DEPUTY DIRECTOR
16A Perry Way



CITY CLERK
60 Pleasant Street



City use only:

Approved _____ Denied _____ Date _____

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT

NEWBURYPORT SPECIAL EVENT APPLICATION

Tel. _____

2022 JUN 27 PM 2:57

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

NAME OF EVENT: YANKEE HOMECOMING CELEBRATION

Date: July 30, 2022 - AUG. 7, 2022 Time: from 6 AM to 10 PM

Rain Date: _____ Time: from _____ to _____

2. Location*: Cashier, Liberty St, Danvers

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

3. Description of Property: _____ Public Private _____

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

Contact Person

Address: PO Box 493 Telephone: 978 621 2967

E-Mail: liveevents@yankeehome.com Cell Phone: 508

Day of Event Contact & Phone: _____

5. Number of Attendees Expected: _____

6. MA Tax Number: _____

7. Is the Event Being Advertised? Yes Where? Lucero Newspaper

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

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

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

A. Vending*: Food Beverages Alcohol _____ Goods Total # of Vendors 50

*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? 30
- b) How many recycling receptacles will you be providing? 0
- c) Will you be contracting for disposal of : **Trash** Yes No **Recycling** Yes No
- i. If yes, size of dumpster(s): **Trash** 30 yards **Recycling** _____
- ii. Name of disposal company: **Trash** Mello **Recycling** _____
- iii. If no, will you remove trash & recycling with organizers' cars or trucks? Yes No
- iv. If no, where will the trash & recycling be disposed ? _____

If no:

- a) # of trash container(s) to be provided by DPS _____
- b) # of recycling container(s) to be provided by Recycling Office _____

c) \$45.00/hr/DPS employee charge must be paid by the organizer to DPS in advance of the event (Fee for Special Events). The hours required for the event will be determined by DPS.

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

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

8 Standard # 2 ADA accessible

Name of company providing the portable toilets: Reds Restroom

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

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

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

(c) *Definitions.*

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

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

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

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

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

(d) *Limitations.*

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(e) *Enforcement.*

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

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

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

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

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

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

Signed: _____

Date: _____

June 26, 2022

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:

YANKEE Homecoming INC.

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

DENNIS PALAZZO
67 OLD ROWLEY RD. 978 417-6118
NEWBURY, MA. 01951

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

JASON LACROIX
14 HILL ST.
NEWBURYPORT, MA. 01950

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

5. Start Time: _____ Expected End Time: _____

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

Liberty St Monday
Parad High St Aug
Old Fashion Sinden Pent Pent St

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

8. Will Detours for Motor Vehicles Be Required? yes If so, where? cones + DPW support

9. Formation Location & Time for Participants: 3 Roads, Mall, Daily News

10. Dismissal Location & Time for Participants: _____

11. Additional Parade Information:

- Number of Floats: 8
- Locations of Viewing Stations: Naked Basket lot
- Are Weapons Being Carried: Yes _____ No X
- Are Marshalls Being Assigned to Keep Parade Moving: Yes X No _____

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

CITY MARSHAL **DENIED** 4 Green St. FIRE CHIEF Day 5 HB 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)

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: YANKEE HUNGLOMING INC.

2. Name, Address & Daytime Phone Number of Organizer: DENNIS PALAZZO
67 OLD ROWLEY RD. 978 417-6118
NEWBURY, MA. 01951

3. Name, Address & 24/7 Telephone Number of Person Responsible for Clean Up JASON LACHIOX
14 HILL ST.
NEWBURYPORT, MA. 01950

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

5. Start Time: _____ Expected End Time: _____

6. Road Race, Parade or Walkathon Route: (List street names & **attach map of route**): Liberty St Sunday
Parade High St Aug
Old Fashion Sinden Port Pond St

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

8. Will Detours for Motor Vehicles Be Required? yes If so, where? cones + DPW support

9. Formation Location & Time for Participants: 3 Roads, Mall, Daily News

10. Dismissal Location & Time for Participants: _____

11. Additional Parade Information:

- Number of Floats: 8
- Locations of Viewing Stations: Naked Basket lot
- Are Weapons Being Carried: Yes _____ No X
- Are Marshalls Being Assigned to Keep Parade Moving: Yes X No _____

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

CITY MARSHAL [Signature] Green St. FIRE CHIEF Day SHB 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)

