

CITY COUNCIL “HYBRID”

MEETING AGENDA

August 29, 2022

City Council Meeting 7:00 pm

LOCATION: City Council Chambers, City Hall

60 Pleasant Street, Newburyport

Zoom details for City 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**

- ORDR00381_08_29_2022 Special Municipal Employee - Aileen Graf of Graf Architects (P&D)
- ORDR00324_03_14_2022 Ad Hoc on Adaptive Reuse of Brown School

5. **PUBLIC COMMENT**
6. **MAYOR'S COMMENT**

CONSENT AGENDA

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

7. APPROVAL OF MINUTES

August 8, 2022

(Approve)

8. COMMUNICATIONS

- COMM00429_08_29_2022 Ghlee Woodworth Ltr. Re: Parks Department
- APPL00100_08_29_2022 Block Party Oakland St. Sat. Sept. 24th 3-10pm (PS)
- APPL00101_08_29_2022 Block Party Cushing Ave. Sat. Sept. 24th 2-8pm (PS)
- APPL00102_08_29_2022 Block Party Olive St. Sat. Sept. 17th 3-8pm (PS)
- APPL00103_08_29_2022 NBPT Half Marathon & Relay Sun. Oct. 23rd 9am-2pm (PS)
- APPL00104_08_29_2022 8th Annual Harborside Half Marathon & 5K Sun. Nov. 13th 9am-1pm (PS)
- APPL00105_08_29_2022 Paws for a Cause Sat. Oct. 15th 10am-12pm (PS)
- APPL00106_08_29_2022 NBPT Youth Hockey Tag Day Sat. Nov. 19th 7:30am-2pm (PS)

9. TRANSFERS

10. APPOINTMENTS

- APPT00335_08_29_2022 William J. Mullen 7 Broad St. Conservation Comm. 09/30/2025 (P&D)
Re Appointments:
- APPT00336_08_29_2022 Barry J. McBride 5 Pine St. Salisbury Asst. Wiring Inspector 09/15/2024 (PU)
- APPT00337_08_29_2022 Julie Languirand 13 Cushing Ave. Salisbury Treasurer/Collector 09/1/2025 (B&F)

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

BUDGET & FINANCE

- ORDR00354_05_09_2022 FY23 CPC Recommendations (COTW) (PARTIAL Projects) – Specifically the AHT CPA Request AMENDED
- COMM00428_08_08_2022 Ltr. Newburyport Affordable Housing Trust re: fund allocation
- ORDR00372_07_11_2022 Herman Roy Trust Appropriation to Market Landing Park
- TRAN00137_08_08_2022 Transfer Collective Bargaining Agreement Teamsters Union Local 170

GENERAL GOVERNMENT

- COMM00405_04_11_2022 Mayor's Strategic Plan (COTW)
- COMM00422_07_11_2022 Mayor's Memo & Community Paradigm Associates Report (COTW)
- COMM00418_06_13_2022 Ltr. Claire Papanastasiou re: IFS Proposed Settlement
- COMM00419_06_13_2022 Ltr. Peter Mackin re: IFS Proposed Settlement
- COMM00427_08_08_2022 Memo update re: West End Fire Station Project Update

PLANNING & DEVELOPMENT

- ORDR00376_08_08_2022 Special Municipal Employee - Thomas Hughes (COTW)
- ODNC046_01_27_2020 Zoning Amendment Short Term Rental Unit (STRU) (COTW)

PUBLIC SAFETY

- APPL00097_08_08_2022 Coast to the Cure Cycle Event Sept. 10th 8am-4pm
- APPL00098_08_08_2022 Block Party Otis Place 9/10/2022 10am-10pm
- APPL00099_08_08_2022 Newburyport Gridiron 5K 9/3/2022 10am-12pm

END OF CONSENT AGENDA

REGULAR AGENDA

9. MAYOR'S UPDATE

10. FIRST READING APPOINTMENTS

11. COMMUNICATIONS

12. TRANSFERS

13. SECOND READING APPOINTMENTS

14. ORDERS

15. ORDINANCES

- ODNC00111_05_09_2022 **2nd Reading** Amendment Net Zero Energy Public Projects
- ODNC00114_05_31_2022 **2nd Reading** Amended Liberty St Resident Parking
- ODNC00116_06_13_2022 **2nd Reading** Atwood St. Parking Restrictions

16. COMMITTEE ITEMS

Ad Hoc Committee on Economic Development

In Committee:

Ad Hoc Committee on Market Landing Park and COTW

In Committee:

Budget & Finance

In Committee:

- **ORDR00354 05 09 2022 FY23 CPC Recommendations (COTW) (PARTIAL Projects) – Specifically the AHT CPA Request AMENDED**
- **COMM00428 08 08 2022 Ltr. Newburyport Affordable Housing Trust re: fund allocation**
- **ORDR00372 07 11 2022 Herman Roy Trust Appropriation to Market Landing Park**
- **TRAN00137 08 08 2022 Transfer Collective Bargaining Agreement Teamsters Union Local 170**
- ORDR00336_03_28_2022 ARPA Amesbury 250K (COTW)
- ORDR00355_05_09_2022 Loan Order \$2,574,000 Bartlet Mall Improvements Project (COTW)
- ODNC00117_06_27_2022 Building Inspector Enforcement
- ODNC00118_07_11_2022 Amend Municipal Fees

Education

In Committee:

General Government

In Committee:

- **COMM00405 04 11 2022 Mayor's Strategic Plan (COTW)**
- **COMM00422 07 11 2022 Mayor's Memo & Community Paradigm Associates Report (COTW)**
- **COMM00418 06 13 2022 Ltr. Claire Papanastasiou re: IFS Proposed Settlement**
- **COMM00419 06 13 2022 Ltr. Peter Mackin re: IFS Proposed Settlement**
- **COMM00427 08 08 2022 Memo update re: West End Fire Station Project Update**
- COMM00402_04_11_2022 12 Cushing Ave Paper St. Inquiry
- COMM00417_05_31_2022 Ltr. Jane Snow re: Coffin St.
- COMM00410_05_31_2022 Ltr. Lawrence Cavalieri Coffin St. Ext

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
- ORDR00373_07_11_2022 Crosswalk Plummer Ave
- ORDR00374_07_11_2022 Plummer Ave Safety Zone Plan
- ORDR00378_08_08_2022 Crosswalk – Kent & Washington
- ORDR00380_08_08_2022 Parks Department Reorganization (with Mayor's message) (COTW)

Planning & Development

In Committee:

- **ORDR00376 08 08 2022** **Special Municipal Employee - Thomas Hughes (COTW)**
- **ODNC046 01 27 2020** **Zoning Amendment Short Term Rental Unit (STRU) (COTW)**
- ODNC00122_07_11_2022 Proposed-Zoning-Amendment-Fire-Stations
- ORDR00377_08_08_2022 Projected future use of the former GW Brown School Property
- ORDR00379_08_08_2022 Acceptance of Public Easement - Colby Farm Lane Playground

Public Safety

In Committee:

- **APPL00097 08 08 2022** **Coast to the Cure Cycle Event Sept. 10th 8am-4pm**
- **APPL00098 08 08 2022** **Block Party Otis Place 9/10/2022 10am-10pm**
- **APPL00099 08 08 2022** **Newburyport Gridiron 5K 9/3/2022 10am-12pm**
- COMM00412_05_31_2022 Ltr Ann Jaroncyk re: Traffic Safety
- COMM00414_05_31_2022 Ltr. Emily Dunn re: Traffic on Merrimac Street
- ODNC00119_07_11_2022 Amend Ch 13 Sec 168 Plummer Ave Restricted Parking
- ODNC00120_07_11_2022 Amendment Plummer Ave Drop Off Zone
- ODNC00121_07_11_2022 Amendment Merrimac-Plummer Safety Zone Revision

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. EXECUTIVE SESSION: Executive Session pursuant to G.L. c 30A (a)(3)(6) to discuss litigation and the purchase of property with respect to the property located at 8 Doyle Drive where discuss in an open session will have a detrimental effect on the City's litigation position and/or negotiation position and the chair so declares.

19. ADJOURNMENT

LATE FILE ITEMS

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

August 29, 2022

The City Council of the City of Newburyport hereby designates, pursuant to M.G.L. 268A s. 1 et al, Aileen Graf of Graf Architects with an office located at 2 Liberty Street, Newburyport as a Special Municipal Employee (*Member of the Fruit Street Historic District Commission*) effective October 1, 2022 and so long as she remains a member of said Fruit Street Historic District Commission.

Councillor Edward C. Cameron Jr.

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

March 14, 2022

Ad Hoc Committee on Adaptive Reuse of Brown School Property

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

Purpose & Goal

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

Members:

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

Ex Officio (Non-Voting) Members:

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

Proposed Timeline:

1. **Facility Walkthrough & Review of Prior Reports** (feasibility studies, environmental assessments, etc.) **[March]**
April
2. **Committee Meetings with key stakeholders** (e.g. AHT, NYS, Facilities Manager, Office of Planning & Development, etc.) **[March] May**

3. **Public Meeting(s) with Brown School neighborhood and other interested stakeholders** (e.g. AHT, NYS, Ward Councilors, Facilities Manager, Office of Planning & Development, etc.) [\[April\]](#) [May](#)
4. **Committee Meetings to discuss scope and basic terms for adaptive reuse(s):** [\[April\]](#) [June](#)
 - a. Preservation of the Main Building and Playground Area
 - b. Adaptive Reuse for Housing (type, feasible and appropriate unit/parking count, target population, %/level of affordability/affordability mix)
 - c. Renovation/Reuse vs. Demolition of the Existing Gym Space
 - d. Mitigation of potential neighborhood impacts such as parking, snow parking, traffic.
 - e. Additional terms for any partner (non-profit or developer) to be included in a Request for Proposals (RFP)
5. **Submit Written Report and Recommendations to City Council and Mayor** [\[May\]](#) [July](#)
6. **Draft Request for Proposals (RFP) and any appropriate/required zoning amendments** [\[May\]](#)
 - a. Assistance from Office of Planning & Development, based on parameters outlined by the Committee.
7. **Issue Request for Proposals (RFP) and sponsor any appropriate/required zoning amendments if necessary** [\[June\]](#) [August](#)
8. **Review RFP Responses and Select Highest Ranked Responsive Proposal** [\[July-August\]](#) [September-October](#)
9. **Ad Hoc Disbands with further activities managed by Administration and as needed City Council**
10. **Draft/sponsor Council action for disposition (by sale or lease) (defined portions as applicable)** [\[September\]](#) [November](#)
11. **Disposition Process (e.g. lease/deed execution, closing)** [\[October-November\]](#) [January – February 2023](#)
12. **Permitting (non-profit/developer partner)** [\[December – February 2023\]](#) [February – March 2023](#)
13. **Construction Start** [\[March-April 2023\]](#) [May-June 2023](#)

Council President Heather L. Shand

In City Council March 14, 2022:

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

In City Council April 11, 2022:

Motion to approve by Councillor Shand, seconded by Councillor Cameron. Motion to amend to strike NYS from #2 and #3 by Councillor Zeid, seconded by Councillor Vogel. So voted. 2 no (HS, CP). Motion amend to strike all parenthesized examples in #2 and #3 by Councillor Khan, seconded by Councillor Preston. Roll call vote 7 yes, 4 no (BV, SZ, EC, JD). Motion passes. Motion to amend to add the language *and/or sale* to the end of #4 after “reuse (s)” by Councillor Lane, seconded by Councillor Wallace. So voted. Motion to amend to strike #4a “Preservation of the Main Building and Playground Area”, 4b “appropriate unit/parking count, target population” and “%/level of affordability/affordability mix” by Councillor Zied, seconded by Councillor Donahue. Councillor Donahue withdrew second. Seconded by Councillor Lane. Roll call vote. 5 yes (CW, MW, SZ, AK, JM) 5 no (CP, BV, EC, JD, HS) 1 present (BL). Motion fails. Motion to approve as amended by Councillor Shand, seconded by Councillor Cameron. So voted. 2 no (SZ, BL).

CONSENT AGENDA

CITY COUNCIL “HYBRID”

MEETING MINUTES

August 8, 2022

City Council Meeting 7:00 pm

LOCATION: City Council Chambers, City Hall

60 Pleasant Street, Newburyport

Zoom details for Hearing and Council Meeting:

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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 7:02 pm and asked the City Clerk, Richard B. Jones, to call the roll. The following City Councillors answered present: McCauley, Preston, Vogel, Wallace, Wright, Zeid, Cameron, Donahue, Lane, and Shand. 10 present. 1 absent AK.

- 4. LATE FILE**
- 5. PUBLIC COMMENT**

Denise Marien 53 Warren St.
Anita Zafris 53 Warren St.
Leslie Eckholdt 36 Warren St.
Susan Vesey 53 Warren St.
Andrew Simpson 1 ½ Greenleaf St.
Jean Costello 522 Merrimac St.
Biff Bouse 6 Iona Ave.

- 6. MAYOR'S COMMENT**

CONSENT AGENDA

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

- 7. APPROVAL OF MINUTES**

July 11, 2022

(Approve)

- 8. COMMUNICATIONS**

- APPL00097_08_08_2022 Coast to the Cure Cycle Event Sept. 10th 8am-4pm (PS)
- APPL00098_08_08_2022 Block Party Otis Place 9/10/2022 10am-10pm (PS)
- APPL00099_08_08_2022 Newburyport Gridiron 5K 9/3/2022 10am-12pm (PS)
- COMM00423_08_08_2022 Letter from Ghlee Woodworth re: Lise Reid R&F
- COMM00424_08_08_2022 Ltr. Mary Wilkins Haslinger re: Parks Dept. R&F
- COMM00425_08_08_2022 Ltr. Robert Dodge Morrill re: Lise Reid R&F
- COMM00426_08_08_2022 Ltr. Ken Irwin re: Lise Reid R&F
- COMM00427_08_08_2022 Memo update re: West End Fire Station Project Update (GG)
- COMM00428_08_08_2022 Ltr. Newburyport Affordable Housing Trust re: fund allocation (B&F)

- 9. TRANSFERS**

- TRAN00137_08_08_2022 Transfer Collective Bargaining Agreement Teamsters Union Local 170 (B&F)

10. APPOINTMENTS

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

BUDGET & FINANCE

- ORDR00354_05_09_2022 FY23 CPC Recommendations (COTW) (PARTIAL Project 8) Amended
- TRAN00135_07_11_2022 Parks: Paid Parking Fund \$10,000 to Inn St. Improvements \$10,000
- TRAN00136_07_11_2022 Parks: 40R Zoning Incentive \$17,300 to Enclosed Landscape Trailer \$17,300

NEIGHBORHOOD & CITY SERVICES

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

PLANNING & DEVELOPMENT

- APPT00332_07_11_2022 Biff Bouse 6 Iona Ave. Historical Comm. 8/1/2025
- ODNC00111_05_09_2022 Amendment Net Zero Energy Public Projects

PUBLIC SAFETY

- APPL00091_07_11_2022 10th Annual Car Show 8/11 5-8pm
- APPL00092_07_11_2022 2nd A Frame Charleston + Coco at Pleasant & State
- APPL00093_07_11_2022 Block Party Barton St. 8/27/2022 12pm-8pm
- APPL00095_07_11_2022 Artsville/Artist Shanty Program 8/1-10/2 Waterfront East Park
- APPT00333_07_11_2022 Richard S. "Max" Tilson 1 Boston Way Board of Health 8/31/2025
- ODNC00114_05_31_2022 Amended Liberty St Resident Parking
- ODNC00116_06_13_2022 Atwood St. Parking Restrictions

END OF CONSENT AGENDA

Motion to approve by Councillor Zeid, seconded by Councillor Cameron. So voted.

REGULAR AGENDA

9. MAYOR'S UPDATE

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

10. FIRST READING APPOINTMENTS

11. COMMUNICATIONS

12. TRANSFERS

13. SECOND READING APPOINTMENTS

14. ORDERS

- ORDR00375_08_08_2022 EP EP Early Voting 2022 - Police Details - Poll Workers
- ORDR00375_08_08_2022 Early Voting 2022 - Police Details - Poll Workers

Councillor Lane recused. Motion to approve collectively by Councillor Zeid, seconded by Councillor Donahue. So voted. 9 yes, 1 absent (AK), 1 recused (BL)

- ORDR00376_08_08_2022 Special Municipal Employee - Thomas Hughes
Motion to refer to Planning & Development and COTW by Councillor Cameron, seconded by Councillor Vogel. So voted.
- ORDR00377_08_08_2022 Projected future use of the former GW Brown School Property
Motion to refer to Planning & Development by Councillor McCauley, seconded by Councillor Cameron. So voted.
- ORDR00378_08_08_2022 Crosswalk – Kent & Washington
Motion to refer to Neighborhood & City Services by Councillor McCauley, seconded by Councillor Wallace. So voted.
- ORDR00379_08_08_2022 Acceptance of Public Easement - Colby Farm Lane Playground
Motion to refer to Planning & Development by Councillor McCauley, seconded by Councillor Vogel. So voted.
- ORDR00380_08_08_2022 Parks Department Reorganization (with Mayor’s message)
Motion to refer to Neighborhood & City Service and COTW by Councillor Zeid, seconded by Councillor Preston. So voted.

15. ORDINANCES

16. COMMITTEE ITEMS

Ad Hoc Committee on Economic Development

In Committee:

Ad Hoc Committee on Market Landing Park and COTW

In Committee:

Budget & Finance

In Committee:

- **ORDR00354 05 09 2022 FY23 CPC Recommendations (COTW) (PARTIAL Project 8) Amended**
Motion to approve as amended in Committee by Councillor Zeid, seconded by Councillor Lane. So voted.
- **TRAN00135 07 11 2022 Parks: Paid Parking Fund \$10,000 to Inn St. Improvements \$10,000**
Motion to approve by Councillor Zeid, seconded by Councillor McCauley. So voted.
- **TRAN00136 07 11 2022 Parks: 40R Zoning Incentive \$17,300 to Enclosed Landscape Trailer \$17,300**
Motion to approve by Councillor Zeid, seconded by Councillor McCauley. So voted.
- ORDR00336_03_28_2022 ARPA Amesbury 250K (COTW)
- ORDR00355_05_09_2022 Loan Order \$2,574,000 Bartlet Mall Improvements Project (COTW)
- ODNC00117_06_27_2022 Building Inspector Enforcement
- ORDR00372_07_11_2022 Herman Roy Trust Appropriation to Market Landing Park
- ODNC00118_07_11_2022 Amend Municipal Fees
- ORDR00354_05_09_2022 FY23 CPC Recommendations (COTW) (PARTIAL Project 1)

Education

In Committee:

General Government

In Committee:

- COMM00402_04_11_2022 12 Cushing Ave Paper St. Inquiry
- COMM00405_04_11_2022 Mayor’s Strategic Plan (COTW)
- COMM00417_05_31_2022 Ltr. Jane Snow re: Coffin St.
- COMM00410_05_31_2022 Ltr. Lawrence Cavalieri Coffin St. Ext
- COMM00418_06_13_2022 Ltr. Claire Papanastasiou re: IFS Proposed Settlement
- COMM00419_06_13_2022 Ltr. Peter Mackin re: IFS Proposed Settlement
- COMM00422_07_11_2022 Mayor’s Memo & Community Paradigm Associates Report (COTW)

License & Permits

In Committee:

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

Neighborhoods & City Services

In Committee:

- **APPT00328 06 27 2022 Sara Kelso 1 Robin Glen Rd. Stratham, NH Head Librarian 07/09/2025**
Motion to approve by Councillor Wallace, seconded by Councillor Donahue. Roll call vote. 10 yes, 1 absent (AK). Motion passes.
- **ORDR00368 06 27 2022 Waiver for Asphalt Sidewalk Bourbeau Terrace**
Motion to approve by Councillor Wallace, seconded by Councillor Zeid. So voted.
- 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
- ORDR00373_07_11_2022 Crosswalk Plummer Ave
- ORDR00374_07_11_2022 Plummer Ave Safety Zone Plan

Planning & Development

In Committee:

- **ODNC00111 05 09 2022 Amendment Net Zero Energy Public Projects**
Motion to approve on 1st Reading by Councillor Cameron, seconded by Councillor McCauley. Roll call vote. 10 yes, 1 absent (AK). Motion passes.
- **APPT00332 07 11 2022 Biff Bouse 6 Iona Ave. Historical Comm. 8/1/2025**
Motion to approve by Councillor Cameron, seconded by Councillor Zeid. Roll call vote. 10 yes, 1 absent (AK). Motion passes.
- ODNC046_01_27_2020 Zoning Amendment Short Term Rental Unit (STRU) (COTW)
- ODNC00122_07_11_2022 Proposed-Zoning-Amendment-Fire-Stations

Public Safety

In Committee:

- **APPL00091 07 11 2022 10th Annual Car Show 8/11 5-8pm**
Motion to approve by Councillor McCauley, seconded by Councillor Wright. So voted.
- **APPL00092 07 11 2022 2nd A Frame Charleston + Coco at Pleasant & State**
Motion to approve by Councillor McCauley, seconded by Councillor Zeid. So voted.
- **APPL00093 07 11 2022 Block Party Barton St. 8/27/2022 12pm-8pm**
Motion to approve by Councillor McCauley, seconded by Councillor Zeid. So voted.
- **APPL00095 07 11 2022 Artsville/Artist Shanty Program 8/1-10/2 Waterfront East Park**
Motion to approve by Councillor McCauley, seconded by Councillor Preston. So voted.
- **APPT00333 07 11 2022 Richard S. "Max" Tilson 1 Boston Way Board of Health 8/31/2025**
Motion to approve by Councillor McCauley, seconded by Councillor Preston. Roll call vote. 10 yes, 1 absent (AK). Motion passes.
- **ODNC00114 05 31 2022 Amended Liberty St Resident Parking**
Motion to approve on 1st Reading as amended to strike "Middle Street from Center Street to Federal Street, southerly side." by Councillor Donahue, seconded by Councillor Wright. Roll call vote. 10 yes, 1 absent (AK). Motion passes.
- **ODNC00116 06 13 2022 Atwood St. Parking Restrictions**
Motion to approve on 1st reading by Councillor McCauley, seconded by Councillor Wallace. Roll call vote. 10 yes, 1 absent (AK). Motion passes.
- COMM00412_05_31_2022 Ltr Ann Jaronyk re: Traffic Safety
- COMM00414_05_31_2022 Ltr. Emily Dunn re: Traffic on Merrimac Street

- ODNC00119_07_11_2022 Amend Ch 13 Sec 168 Plummer Ave Restricted Parking
- ODNC00120_07_11_2022 Amendment Plummer Ave Drop Off Zone
- ODNC00121_07_11_2022 Amendment Merrimac-Plummer Safety Zone Revision

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

Motion to adjourn at 8:27pm by Councillor Zeid, seconded by Councillor Preston. So voted.

CITY COUNCIL “HYBRID”
PUBLIC HEARING

August 23, 2022

6:00 pm

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

Zoom Details:

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

Or One tap mobile:

US: +19292056099,81299990548#

Or Telephone US: +1 929 205 6099

Webinar ID: 812 9999 0548

MEETING NOTICE:

In accordance with Newburyport Home Rule
Charter Section 5 - 1,

the City Council of the City of Newburyport will hold a *hybrid* public hearing on an administrative order and Mayor’s message proposing to reorganize the Newburyport Parks Department. The hearing will be held on **Tuesday, August 23, 2022 at 6:00 P.M.** at which time all interested parties may be heard.

1. PLEDGE OF ALLEGIANCE

2. CALL TO ORDER

The City Council President Heather Shand called the meeting to order at 6:00 pm and asked the City Clerk, Richard B. Jones, to call the roll. The following City Councillors answered present: Vogel, Zeid, Cameron, Donahue, Khan, Lane, McCauley, Preston, and Shand. 9 present. 2 absent (CW, MW). 6:07 pm Councillor Wright present (remote).

3. MAYOR'S COMMENT

Mayor Reardon spoke on the reorganizational plan and the process for the hearing.

Council President Shand opened the floor to public comment.

4. PUBLIC COMMENT

Paula Estey	3 Pine St.
Brian Callahan	29 Warren St.
Mary Krajci	232B High St.
Jane Snow	9 Coffin Ct.
Andy Simpson	1 ½ Greenleaf St.
Susan Carnduff	12 Washington St.
Leslie Eckholdt	36 Warren St.
Chris Janson	6 Moulton St.
Judy Moiradian	5 Beck St.
Diana Kerry	33 Temple St.
Stacey Macmillan	16 Highland Ave.
Shawn Fenn	15 Lucey Dr.
W. Paul Suozzo	7 Hunter
Ghlee Woodworth	51 Prospect St.
Donna Irwin	296 High Street
Dana Rimer	2 Morin
Dave Hochheiser	2 Forrester
Tim DeGraves	12 Moulton St.

Deb Mouseley 126 Merrimac St
Paul Bevilacqua 126 Merrimac St.

Motion to move to a date certain, September 13, 2022 at 6:00 pm, by Councillor Zeid, seconded by Councillor Vogel. Roll call vote. 10 yes, 1 absent (CW). Motion passed.

Motion to adjourn at 7:15 pm by Councillor Zeid, seconded by Councillor Vogel. Roll call vote. 10 yes, 1 absent (CW). Motion passed.

COMMUNICATIONS

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

August 15, 2022

2022 AUG 16 AM 9:21

Dear President Heather Shand and Councilors;

I recommend keeping the Parks Department intact for the following reasons.

Since the termination of Parks Director Lise Reid on July 15, I have been reviewing Mayor Sean Reardon's Parks and Reorganization Plan released after Lise's termination.

The Parks Department was run smoothly with minimal staff, organized, resident and visitor focused, and cost-effective. The following reasons state why the reorganization is an uninformed, poorly researched, top-down administrative decision in violation of the City Charter.

As a member of the Senior Property Tax Work-Off Program for four years, I am one of many colleagues who work in City Hall. Sitting at the lobby desk, we are in the trenches of constituent services. We greet easily 100 people daily, answering questions, transferring calls, and guiding residents to office staff. All park inquiries go to one phone, one office, and one director. Simple and direct.

Streamlined and cost-effective, the Parks Department consisted of one director, one park manager, 2 full-time and 1 part-time groundkeeper and 2.5 seasonal workers. There was only one office assistant, a two-hour/week accountant who was shared by two other departments.

In the Reorganization Plan, Mayor Reardon states: "...provide the high level of services residents expect by efficiently using City resources." The plan listed 34 functions and tasks, 4 different departments, and at least 8 staff and Parks commissioners assigned to complete the responsibilities. Additional workloads are piled on to full-time staff occupying two buildings and a minimum of 5 offices.

Mayor Reardon says: "The greatest benefits in this plan come from the ability to achieve greater outputs with fewer resources and the improvement of processes..." In reality, more staff and additional compensation are required and the process of serving the public has evolved into a confusing, convoluted maze.

While Mayor Reardon has promoted his plan as "a cost-saving measure" and "will eliminate duplication of tasks and responsibilities", he hired a Special Projects Manager (\$44,000 and health insurance), ..."to manage major and complex projects...cross-departmental coordination and collaboration," including supervising the design and construction of the new youth services facility.

Under the former Holaday administration, the highly experienced and skilled team of city staff completed \$150 million of capital projects (rail trail, roundabout, lift station, new school, senior center, wastewater treatment plant, etc.). Mayor Reardon believes these seasoned proven professionals need managing, assistance in collaboration and are incapable of overseeing the construction of the youth services facility. Seriously? This new position has increased taxpayer costs and duplicated staff responsibilities. How about an economic development specialist instead? Now, this staff position makes sense.

Please do not bury or hide the parks in DPS. It is overwhelmingly clear that Mayor Reardon's plan is not efficient, cost-effective or user-friendly for residents.

How many communities would love to have our park and recreation resources? We need to celebrate and be proud of our Parks Department and all that it represents.

Thank you for your time,

Ghlee E. Woodworth
51 Prospect Street



RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2022 AUG -9 PM 1:56



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: 07/27/2022

CONTACT INFORMATION

FIRST AND LAST NAMES: BRIE CAMPBELL

MAILING ADDRESS: 2 OAKLAND STREET

PHONE NUMBER: (207) 751-1213

E-MAIL ADDRESS: CAMPBELLBRIE@HOTMAIL.COM

BLOCK PARTY INFORMATION

BLOCK PARTY DATE: 09/24/2022

DESIRED STREET CLOSING LOCATION: OAKLAND ST (WALNUT, MUNKLE, JACKSON)
Please indicate cross streets when requesting the closing of street sections Collins

STREET TO BE BARRICADED: OAKLAND (TOP + BOTTOM)

DESIRED STREET CLOSING TIME: 3pm to 10pm

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

REGULATIONS

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

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

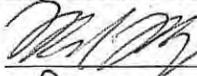
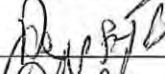

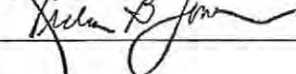
Block parties will be conducted only on low-volume residential streets, dead-end streets, or cul-de-sacs. No thoroughfares or collector streets may be used.

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: 07/27/2022

APPROVAL SIGNATURES REQUIRED FOR STREET CLOSURE

CITY MARSHALL 4 Green Street	<u></u>	<u>7/28/22</u>
FIRE CHIEF 0 Greenleaf Street	<u></u>	<u>8/1/22</u>
DEPUTY DIRECTOR 16A Perry Way	<u></u> FR JT	<u>8/9/22</u>
CITY CLERK 60 Pleasant Street	<u></u>	<u>8/9/22</u>

City use only:
 Approved _____ Denied _____ Date _____



RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2022 AUG 16 AM 9:13

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: _____

~~7/27/22~~ 8/11/2022

CONTACT INFORMATION

FIRST AND LAST NAMES: _____

Ian Hohmeister, Sarah Hohmeister

MAILING ADDRESS: _____

8 Cushing Avenue, Newburyport

PHONE NUMBER: _____

603-728-8080, 508-365-7777

E-MAIL ADDRESS: _____

sarahminh@gmail.com

BLOCK PARTY INFORMATION

BLOCK PARTY DATE: _____

Saturday, Sept 24, 2022

DESIRED STREET CLOSING LOCATION: _____

Cushing Ave/Moulton St to Cushing Ave/Hardy St
Please indicate cross streets when requesting the closing of street sections

STREET TO BE BARRICADED: _____

Cushing Ave / Moulton St

DESIRED STREET CLOSING TIME: _____

2:00 - 8:00 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: *Amphyl Sub Hebruska* Date: ~~7/29/2022~~ 8/11/2022

APPROVAL SIGNATURES REQUIRED FOR STREET CLOSURE

CITY MARSHALL
4 Green Street

FIRE CHIEF
0 Greenleaf Street

DEPUTY DIRECTOR
16A Perry Way

CITY CLERK
60 Pleasant Street

[Handwritten signatures for City Marshal, Fire Chief, Deputy Director, and City Clerk]

City use only:

Approved _____ Denied _____ Date _____



RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2022 AUG -4 PM 12:37

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: September 17, 2022

CONTACT INFORMATION

FIRST AND LAST NAMES: Maria Lachapelle

MAILING ADDRESS: 5 Olive St.

PHONE NUMBER: 774-287-9904 (774-287-9904)

E-MAIL ADDRESS: MariaSimpson17@gmail.com

BLOCK PARTY INFORMATION

BLOCK PARTY DATE: September 17, 2022

DESIRED STREET CLOSING LOCATION: From Russia St. -> Bottom of Olive St.
Please indicate cross streets when requesting the closing of street sections

STREET TO BE BARRICADED: Olive Street

DESIRED STREET CLOSING TIME: 3:00 PM - 8:00 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: Mar J. Lachapelle Date: 8/9/22

APPROVAL SIGNATURES REQUIRED FOR STREET CLOSURE

CITY MARSHALL

4 Green Street

FIRE CHIEF

0 Greenleaf Street

DEPUTY DIRECTOR

16A Perry Way

CITY CLERK

60 Pleasant Street

[Signature] 8/16/2022

[Signature] 8/16/22

[Signature]

City use only:

Approved _____ Denied _____ Date _____

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

NEWBURYPORT SPECIAL EVENT APPLICATION

Tel. _____

Fax. _____

2022 AUG 19 AM 9:31

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

NAME OF EVENT: Newburyport Half Marathon and Relay

Date: 10/23/2022 Time: from 9 am to 2 pm

Rain Date: _____ Time: from _____ to _____

2. Location*: Cashman Park (approved by Parks Dept. 5/19/22)

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

3. Description of Property: Park Public Private _____

4. Name of Organizer: RaceWine / Stack Sports City Sponsored Event: Yes _____ No

Contact Person

Address: 150 Wood Rd Ste 308 Braitree MA 02184 Telephone: _____

E-Mail: marlene.pelletier@stacksports.com Cell Phone: 617-571-0841

Day of Event Contact & Phone: marlene pelletier 617-571-0841

5. Number of Attendees Expected: 2,000

6. MA Tax Number: none - SPlay, Inc. FEIN 47-401165

7. Is the Event Being Advertised? yes Where? online + in NE Runner magazine

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

9. Have You Notified Neighborhood Groups or Abutters? Yes No _____, Who? We will flyer all residences + businesses along the race route after permit approval is granted.

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

A. Vending*: Food _____ Beverages _____ Alcohol Goods _____ Total # of Vendors 1

*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? 220
- 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** 15 yd **Recycling** _____
- ii. Name of disposal company: **Trash** Mack's Disposal **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)

20+ Standard # _____ ADA accessible

depending on # of participants

Name of company providing the portable toilets: United Site Services

Food - ordering pizzas from a local establishment to be delivered five day of the event. No hot holding.

FOR STREET CLOSURE OR ANY USE OF A PUBLIC WAY

PARADE _____

ROAD RACE X

WALKATHON _____

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

RaceWine / Stack Sports (parent company)

2. Name, Address & Daytime Phone Number of Organizer: Martine Pelletier (RaceWine)

150 Wood Rd Ste 308 Braintree, MA 02184

Cell - 617-571-0841

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

4. Date of Event: 10/23/2022 Expected Number of Participants: 2,000

5. Start Time: 9¹⁵ AM (race start) Expected End Time: 1 pm

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

Please see attached course map.

7. Locations of Water Stops (if any): Please see attached map.

8. Will Detours for Motor Vehicles Be Required? yes If so, where? Merrimac St for start of race

9. Formation Location & Time for Participants: Start line at approx. 202 Merrimac St. - 9 AM

10. Dismissal Location & Time for Participants: Cashman Park - out by 2 PM

11. Additional Parade Information:

• Number of Floats: _____

• Locations of Viewing Stations: _____

• Are Weapons Being Carried: Yes _____ No _____

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

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

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

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

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

DEPARTMENT APPROVAL (for Committee Member use only):

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

<i>Approval Required</i>	Date: _____	Signature _____
___	1. Special Events:	_____
___	2. Police:	_____
	Is Police Detail Required:	_____ # of Details Assigned: _____
___	3. Traffic, Parking & Transportation:	_____
___	4. ISD/Health:	_____
___	5. Recycling:	_____
___	6. ISD/Building:	_____
___	7. Electrical:	_____
___	8. Fire:	_____
	Is Fire Detail Required:	_____ # of Details Assigned: _____
___	9. Public Works: 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:	<i>see attached parks permit</i>
___	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: _____

WP

Date: _____

5/26/2022

Newburyport Half Marathon and Relay Event Plan

October 23, 2022 – 9:15 AM START

GENERAL OVERVIEW

We're excited to host the annual Newburyport Half Marathon and Relay once again in 2023!

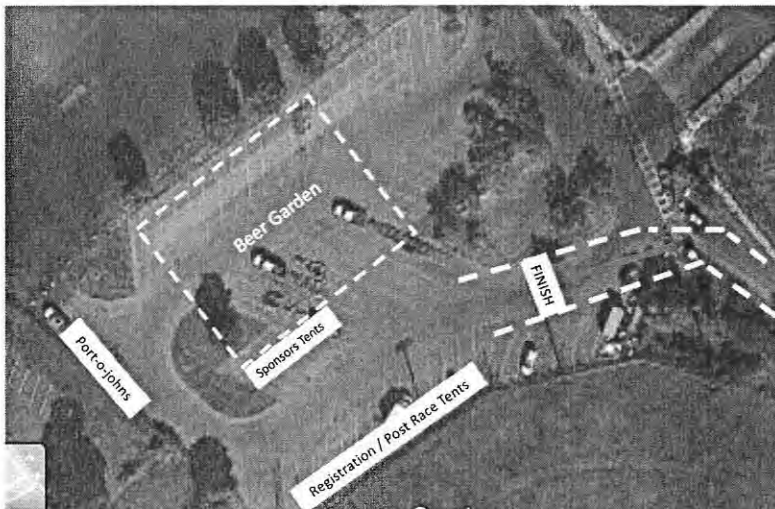
The event has one distance, a half marathon which is 13.1 miles, and two sub-events, a half marathon and relay (teams of 2). The course is the same course we've used for this event in the past, and will be the same course for both sub-events. Based on previous events, we expect around 2,000 runners on race day.

The race will start approximately at 202 Merrimac St at 9:15 AM. Both the half marathon and the relay events will start at the same time.

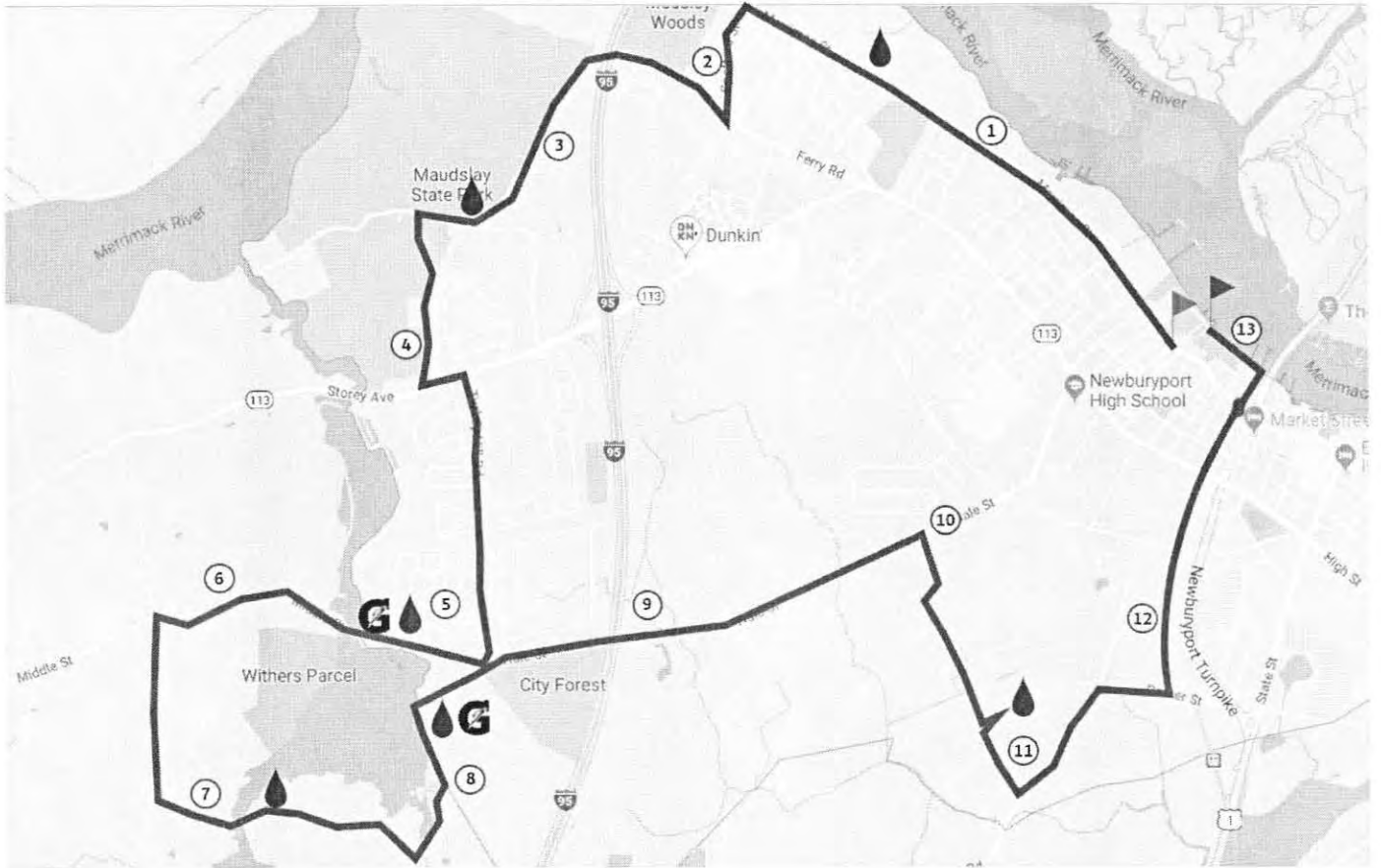
The finish line will also be in Cashman Park (parking lot). The first runner will reach this area around 10:20 AM, and the last runner will reach this area around 1:20 PM.

A post-race celebration will follow the conclusion of the race. The post-race celebration will be planned by RaceWire and be held in Cashman Park.

FINISH AND POST-RACE PARTY MAP



COURSE OVERVIEW



Pre-Race Registration

Upon arrival, runners will be directed to the registration tents to pick up their bib number and race swag.

Relay Event

The relay event will consist of, at most, 100 teams of 2 people.

The relay will start at the same time and place as the half marathon.

Those running the first leg will start the race with the half marathon participants. Transportation will be provided to the halfway point for those running the second leg of the relay.

Transportation will also be provided for the first leg runners back to the post-race area after they complete the first portion of the race.

Post-Race Celebration

The post-race celebration will be held in Cashman Park (same as last year's event). The celebration will be organized by RaceWire. RaceWire will ensure that any and all specialty permits needed will be acquired.

Bag Drop

Participants will be given the option to drop their bags, in a specific barricaded area, near registration. Once they finish, they will collect their bags. This will be done on the honor system.

Parking

Participants and spectators will be instructed to utilize street parking in the area while being courteous and respectful to the neighbors and area. Participants will also be encouraged to carpool.

Participant Flow

Participants will finish in Cashman Park, right next to the post-race party celebration.

Portable Toilets

We will have a number of portable toilets available. They will be provided for participants and located at the registration area as well as out along the course.

MEDICAL PLAN

One medical crew will be positioned near the finish line. There will also be a First-Aid Station along the course (location TBD – at the discretion of the Fire Dept.).

Volunteers will be at water stops about every mile of the course and at designated streets, to act as course marshals. Volunteers will be instructed to dial 911 in case of emergency.

COMMUNICATIONS PLAN

Life Threatening Medical Issue – If a life threatening medical issue arises, volunteers will be instructed to call 911. Other Issues – Volunteers will be instructed to report any police/fire incidents and/or emergencies by dialing 911.

Race concerns/questions about course or water stops – Volunteers will be instructed to contact the race director via cell phone.

COMMUNITY NOTIFICATION PLAN

RaceWire will leaflet all houses on the course notifying them that the roads will be restricted during specific windows, and to expect delays. This notification will be completed by October 10, 2022.



Road Running Technical Council
USA Track & Field
Measurement Certificate



Name of the course Green Stride Newburyport Half Marathon Distance 21.0975 km
 Location (state) Massachusetts (city) Newburyport
 Type of course: road race calibration track Configuration: one loop
 Type of surface: paved 100 % dirt _____ % gravel _____ % grass _____ % track _____ %
 Elevation (meters above sea level) Start 4 Finish 1 Highest 31 Lowest 1
 Straight line distance between start & finish 142 meters Drop 0.07 m/km Separation 0.34 %
 Measured by (name, address, phone & e-mail) Ray Nelson, 23B Aborn St., Cranston, RI 02905
401-270-2835 raynelson223@cox.net
 Race contact (name, address, phone & e-mail) Eli Bailin, 55 Prospect St., Amesbury, MA 01913
978-270-2026 elibailin@hotmail.com
 Measuring Methods: bicycle steel tape electronic distance meter
 Number of measurements of entire course: 2 Date(s) when course measured: September 10, 2015
 Race date: October 25, 2015 Course certification effective date: September 12, 2015
 Certification code: MA15013RN

Notice to Race Director: Use this Certification Code in *all* public announcements relating to your race.

Be It Officially Noted That

Based on examination of data provided by the above named measurer, the course described above and in the map attached is hereby certified as reasonably accurate in measurement according to the standards adopted by the Road Running Technical Council. If *any* changes are made to the course, this certification becomes void, and the course must then be recertified.

Verification of Course — In the event a National Open Record is set on this course, or at the discretion of USA Track & Field, a verification remeasurement may be required to be performed by a member of the Road Running Technical Council. If such a remeasurement shows the course to be short, then all pending records will be rejected and the course certification will be cancelled.

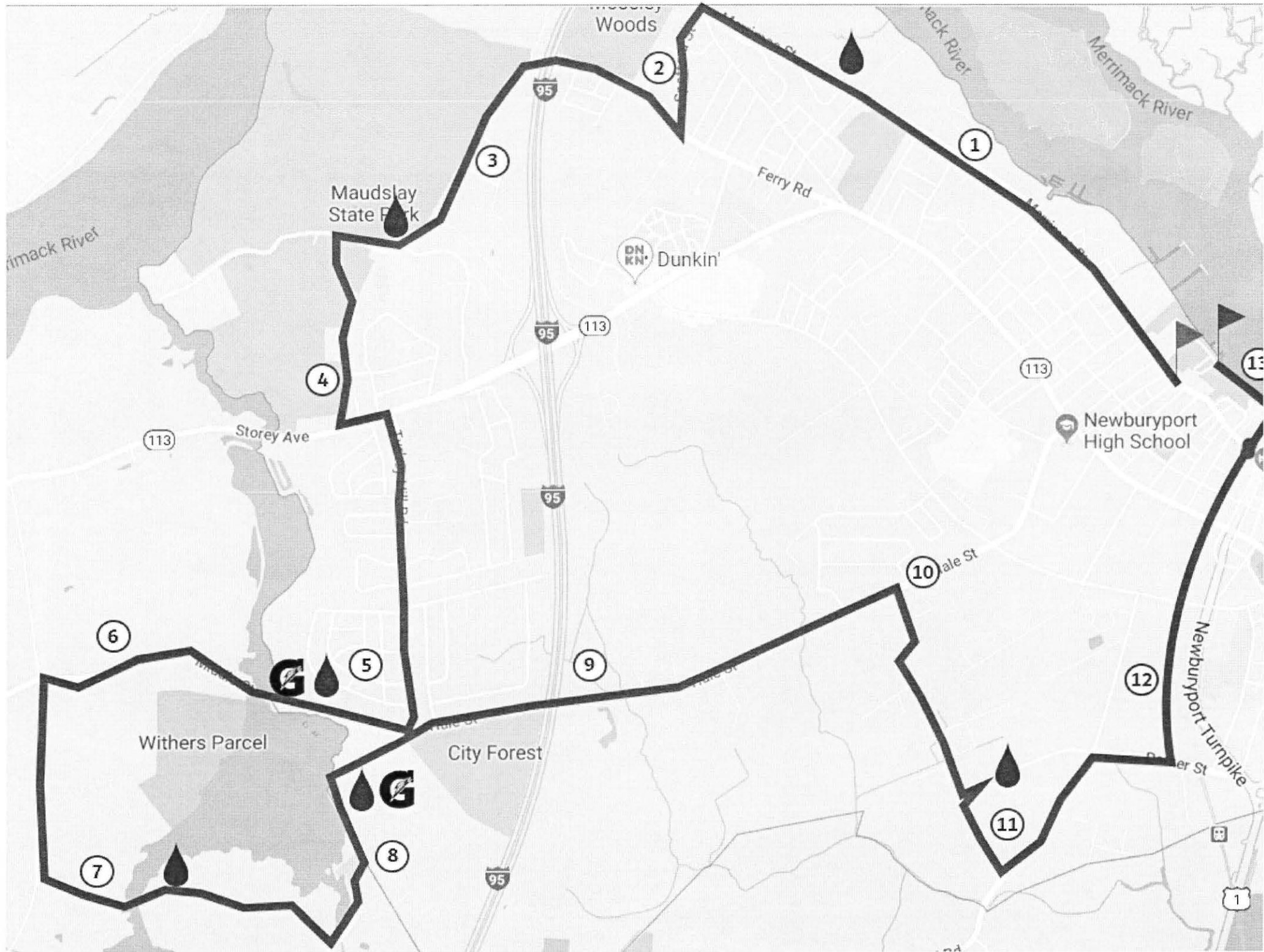
This certification expires on December 31 in the year **2025**

AS NATIONALLY CERTIFIED BY:

Ray Nelson

Date: Sept. 12, 2015

Ray Nelson – USATF/RRTC Certifier
 23B Aborn St., Cranston, RI 02905 • Phone: 401-270-2835 • Email: raynelson223@cox.net





CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
08/22/2022

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).

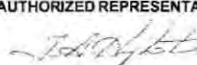
PRODUCER Roach, Howard, Smith and Barton 8750 N. Central Expressway Suite 500 Dallas TX 75231	CONTACT NAME: Paula Walters
	PHONE (A/C, No, Ext): (972) 231-1300 FAX (A/C, No): (972) 231-1368 E-MAIL ADDRESS: pwalters@rhsb.com
INSURER(S) AFFORDING COVERAGE	
INSURER A: Vantapro Specialty Insurance Co	NAIC # 44768
INSURER B: Chubb Indemnity Co	12777
INSURER C:	
INSURER D:	
INSURER E:	
INSURER F:	

COVERAGES **CERTIFICATE NUMBER:** Cert ID 56503 **REVISION NUMBER:**

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

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSD WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:		50755169 02	03/31/2022	03/31/2023	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 300,000 MED EXP (Any one person) \$ Excluded PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 3,000,000 PRODUCTS - COMP/OP AGG \$ 1,000,000 Liquor Liability \$ 1,000,000
A	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS ONLY <input checked="" type="checkbox"/> NON-OWNED AUTOS ONLY		50790034 03	03/31/2022	03/31/2023	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"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$					EACH OCCURRENCE \$ AGGREGATE \$ \$
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N <input checked="" type="checkbox"/> N N/A	71754023	03/31/2022	03/31/2023	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000 \$ \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
The City of Newburyport is an additional insured.

CERTIFICATE HOLDER City of Newburyport 60 Pleasant Street Newburyport MA 01950	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE 
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NEWBURYPORT SPECIAL EVENT APPLICATION

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

Tel. _____

Fax AUG 15 PM 3:59

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

NAME OF EVENT: 8th Annual Harborside Half Marathon & 5k

Date: 11/13/2022 Time: from 9:00 a.m. to 1:00 p.m.

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

2. Location: Start line: Industrial Park (40 Parker Street) Finish Line: Cashman Park

3. Description of Property: As per locations above Public _____ Private

4. Name of Organizer: Loco Races, LLC & Ventures Endurance City Sponsored Event: Yes _____ No

Contact Person

Address: 6 Behrens Rd, New Hartford, CT 06057 Telephone: 860-921-6945

E-Mail: edolecki@venturesendurance.com Cell Phone: 860-921-6945

Day of Event Contact & Phone: Evan Dolecki - 860.921.6945

5. Number of Attendees Expected: 1,200

6. MA Tax Number: N/A

7. Is the Event Being Advertised? Yes Where? Online

8. What Age Group is the Event Targeted to? 18-80

9. Have You Notified Neighborhood Groups or Abutters? Yes No _____, Who? Notice signs posted on route

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

A. Vending: Food Beverages Alcohol Goods _____ Total # of Vendors 3

B. Entertainment: (Subject to City's Noise Ordinance.) Live Music _____ DJ _____ Radio/CD _____
Performers _____ Dancing _____ Amplified Sound ^{On-site} Announcer _____ 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? 12 managed by our staff
- b) How many recycling receptacles will you be providing? 6 managed by our staff
- c) Will you be contracting for disposal of : **Trash** Yes No **Recycling** Yes No
 - i. If yes, size of dumpster(s): **Trash** N/A **Recycling** N/A
 - ii. Name of disposal company: **Trash** Meadows Disposal Co. **Recycling** Meadows Disposal Co.
 - 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 ? Collection area on site, disposal company hauls away post-race

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)

30 at start, 10 at finish Standard # 2 at start, 1 at finish ADA accessible

Name of company providing the portable toilets: United Site Services

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: <i>Fee for Special Events: \$45/hr/DPS employee for trash handling/staging etc. may apply</i>	_____	
	<input type="checkbox"/> Yes: \$_____ due on _____	<input type="checkbox"/> No Fee for Special Events applies	
	Other requirements/instructions per DPS _____	_____	
___	10. Recreation Department:	_____	
___	11. License Commission	_____	

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

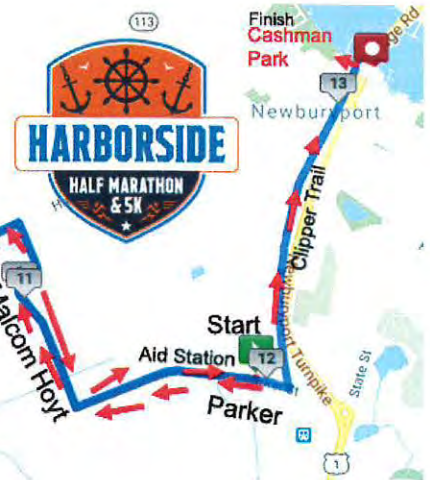
Limitations

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

Harborside 5K

Start:
Mark Richies Woodworking
(Big Windmill)

Parker Street - Mulliken Way
Left Malcom Hoyt
Left: Parker Street (5K - Half splits here)
Right: Perkins Way
Right to nipple- turn around by circle
Back to Parket Street
Right - Parker Street
Left: onto Rail trail
Finish: Michaels Harborside



Start: Parker Street
Right: Malcom Hoyt
Opportunity Way and back
Left: Hale
Left: Turkey Hill
Right: South
Right: Indian Hill
Right: Middle
Left: Middle
Right: Hale
Right: Malcom Hoyt
Left: Muliken
Continue: Parker
Left: Rail Trail
Finish: Cashman Park

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)

Updated April 1, 2022

FOR PARADE, ROAD RACE AND WALKATHON EVENTS ONLY

PARADE _____

ROAD RACE

WALKATHON _____

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

Loco Races, LLC & Ventures Endurance

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

Evan Dolecki

6 Behrens Rd, New Hartford, CT 06057

Daytime Phone Number: 860-921-6945

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

Evan Dolecki

6 Behrens Rd, New Hartford, CT 06057

Daytime Phone Number: 860-921-6945

4. Date of Event: Sunday, November 13th, 2022 Expected Number of Participants: 1,200

5. Start Time: 9:00 a.m. Expected End Time: 1:00 p.m.

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

2 Distances - Half Marathon & 5k. See attached course maps

7. Locations of Water Stops (if any): Yes. 4 Aid Station Stops. Mile 3.3, 6, 9, & 12

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

9. Formation Location & Time for Participants: 7:45 a.m. - 8:55 a.m. at 40 Parker St.

10. Dismissal Location & Time for Participants: 10:00 a.m. - 1:00 p.m. at Cashman Park (Finish Area)

11. Additional Parade Information:

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

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

CITY MARSHAL [Signature] 4 Green St.

FIRE CHIEF [Signature] 0 Greenleaf St.

DEPUTY DIRECTOR [Signature] 16A Perry Way

CITY CLERK [Signature] 60 Pleasant St.

FOR ST.



CERTIFICATE OF LIABILITY INSURANCE

DATE(MM/DD/YYYY)
04/29/2022

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 Aon Risk Services Northeast, Inc. New York NY Office One Liberty Plaza 165 Broadway, Suite 3201 New York NY 10006 USA	CONTACT NAME: PHONE (A/C. No. Ext): (866) 283-7122 FAX (A/C. No.): (800) 363-0105	
	E-MAIL ADDRESS:	
INSURED Ventures Endurance Events, LLC 85 Devonshire St. 9th Floor Boston MA 02109 USA	INSURER(S) AFFORDING COVERAGE	
	INSURER A: Everest National Insurance Co NAIC # 10120	
	INSURER B:	
	INSURER C:	
	INSURER D:	
	INSURER E:	

COVERAGES **CERTIFICATE NUMBER:** 570092893581 **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. Limits shown are as requested

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> Liquor Liability GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC <input type="checkbox"/> OTHER			SI8GL01746221	02/25/2022	02/25/2023	EACH OCCURRENCE \$1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$100,000 MED EXP (Any one person) Excluded PERSONAL & ADV INJURY \$1,000,000 GENERAL AGGREGATE \$10,000,000 PRODUCTS - COM/OP AGG \$2,000,000
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident) BODILY INJURY (Per person) BODILY INJURY (Per accident) PROPERTY DAMAGE (Per accident)
A	<input type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> DED <input type="checkbox"/> RETENTION			SI8EX01516221	02/25/2022	02/25/2023	EACH OCCURRENCE \$1,000,000 AGGREGATE \$1,000,000
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR / PARTNER / EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below		<input type="checkbox"/> Y/N <input checked="" type="checkbox"/> N/A				<input type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH 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)
 RE: Harborside Half Marathon & 5k - November 13th, 2022. City of Newburyport is included as Additional Insured in accordance with the policy provisions of the General Liability policy.

CERTIFICATE HOLDER**CANCELLATION**

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

Holder Identifier :

Certificate No : 570092893581

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

NEWBURYPORT SPECIAL EVENT APPLICATION

Tel. _____

Fax. 777 AUG 16 PM 12:44

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

NAME OF EVENT: Paws for a Cause: A dog walk supporting The Karen Wellington Foundation for LIVING with Breast Cancer

Date: Oct. 15, 2022 Time: from 10:00 Am to 12:00 PM

Rain Date: Oct. 16, 2022 Time: from 10:00 Am to 12:00 PM

2. Location*: Clipper City Rail Trail from Washington St. to Parker St.
*Please Note: If the location is a public park or the rail trail, please also contact the Parks Department

3. Description of Property: Clipper City Rail Trail Public Private _____

4. Name of Organizer: The Karen Wellington Foundation City Sponsored Event: Yes _____ No

Contact Person Debbie Hart-Klein

Address: 2 Hamilton Way, NBPT Telephone: 617-916-8984

E-Mail: debbie.newengland@karenwellingtonfoundation.org Cell Phone: 617-916-8984

Day of Event Contact & Phone: Debbie Hart-Klein, 617-916-8984

5. Number of Attendees Expected: 75 (this is a rough estimate for our first event)

6. MA Tax Number: Federal Id #26-3768567 (see attached Foreign Corp. Certificate of Registration)

7. Is the Event Being Advertised? Yes Where? Through Anna Jacques, the Chamber of Commerce, social media

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

9. Have You Notified Neighborhood Groups or Abutters? Yes No _____, Who? Residents at: 180, 181 and 182 High St; 28, 34, 36, 38 Winter St; and 33 Washington St. (30-32 and 40 Winter are under construction + unoccupied)

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

See attached description
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? 2
- b) How many recycling receptacles will you be providing? 2 (ClearStream recycle containers from the Health Dept.)
- c) Will you be contracting for disposal of : **Trash** Yes _____ No X **Recycling** Yes _____ No X
- 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 Dog Walk

1. Name of the Group or Person Sponsoring the Road Race, Parade, Walkathon:
The Karen Wellington Foundation for Living with Breast Cancer

2. Name, Address & Daytime Phone Number of Organizer: _____
Debbie Hart-Klein
2 Hamilton Way, Newburyport
617-916-8984

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

4. Date of Event: 10/15/22 Expected Number of Participants: est. 75

5. Start Time: 10:00 AM Expected End Time: 12:00 PM

6. Road Race, Parade or Walkathon Route: (List street names & **attach map of route**): _____
Entire event on Clipper City Rail Trail from Washington Street to
Parker Street
(see attached map)

7. Locations of Water Stops (if any): See attached map for approximate station locations

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

9. Formation Location & Time for Participants: Start on Rail Trail at Washington St. - 10 AM

10. Dismissal Location & Time for Participants: End on Rail Trail at Parker St. - 12 PM

11. Additional Parade Information:

• Number of Floats: N/A

• Locations of Viewing Stations: N/A

• Are Weapons Being Carried: Yes _____ No X

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

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

CITY MARSHAL [Signature] 4 Green St. FIRE CHIEF [Signature] 8/11/22 0 Greenleaf St.

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

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

Newburyport Special Event Application

Attachment to Application for October 15th Paws for a Cause:

A Dog Walk Supporting the Karen Wellington Foundation for LIVING with Breast Cancer

Activities and Map

Our planned event is a dog walk along the Rail Trail from Washington Street to Parker Street in Newburyport with "stations" along the way, including:

1. Registration (at the start and possibly midway for anyone who joins elsewhere)
2. Dog Treats and water (multiple locations)
3. Raffle (*we are submitting a separate permit application*)
4. Photographer
5. Karen Wellington Foundation information and branded items
6. Refreshments (at the end)

The approximate locations of stations along the route are marked on the map below. In addition to the beginning and end, they are:

- bottom of the steps from High St
- end of the ramp from High St.
- entrance from Low St
- near one or two of the benches or sculptures or sculptures between Low St. and Parker St.
- Alchemist Garden

Google Maps

Washington St, Newburyport, MA 01950 to Clipper City Walk 0.8 mile, 16 min
Rail Trail, Newburyport, MA 01950



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: _____

Deborah Hart Klein

Date: _____

8/10/22

Newburyport Special Event Application

Attachment to Application for October 15th Paws for a Cause:

A Dog Walk Supporting the Karen Wellington Foundation for LIVING with Breast Cancer

Activities and Map

Our planned event is a dog walk along the Rail Trail from Washington Street to Parker Street in Newburyport with "stations" along the way, including:

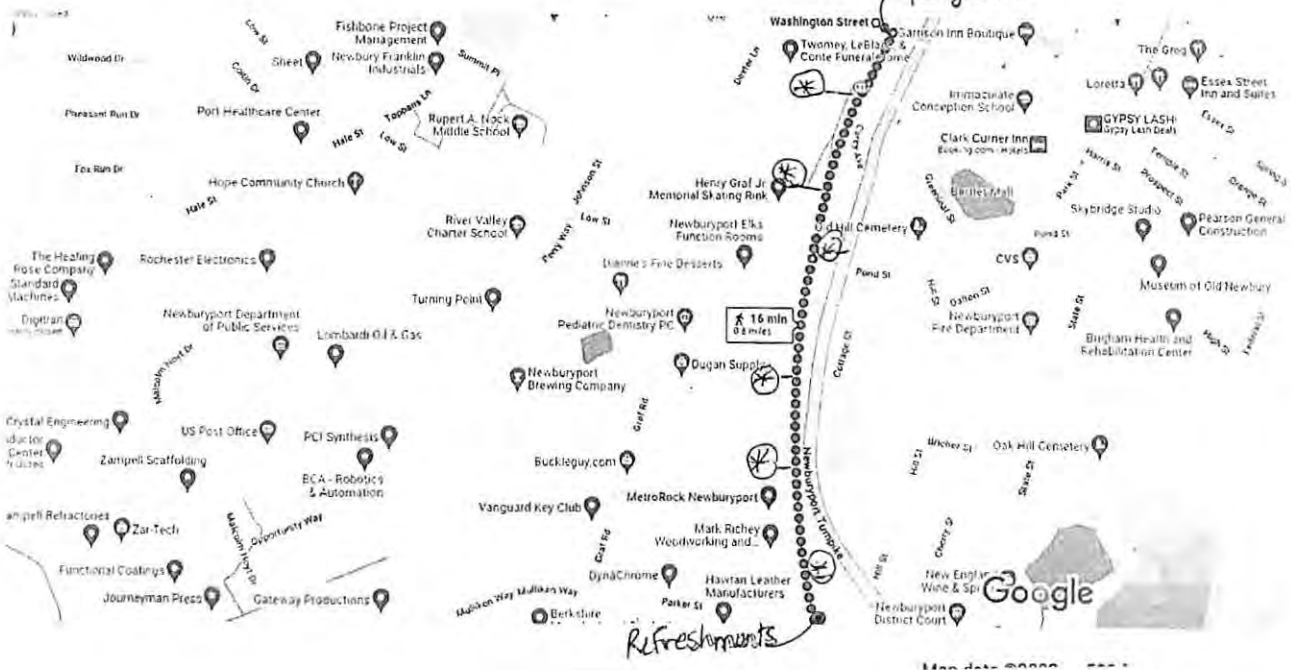
1. Registration (at the start and possibly midway for anyone who joins elsewhere)
2. Dog Treats and water (multiple locations)
3. Raffle (*we are submitting a separate permit application*)
4. Photographer
5. Karen Wellington Foundation information and branded items
6. Refreshments (at the end)

The approximate locations of stations along the route are marked on the map below. In addition to the beginning and end, they are:

- bottom of the steps from High St
- end of the ramp from High St.
- entrance from Low St
- near one or two of the benches or sculptures between Low St. and Parker St.
- Alchemist Garden

Google Maps

Washington St, Newburyport, MA 01950 to Clipper City Walk 0.8 mile, 16 min
Rail Trail, Newburyport, MA 01950



NEWBURYPORT SPECIAL EVENT APPLICATION

RECEIVED
CLERK'S OFFICE
NEWBURYPORT, MA

Tel. _____ Fax. _____

2022 AUG 18 PM 5:05

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

NAME OF EVENT: Newburyport Youth Hockey League Tag Day

Date: November 19, 2022 Time: from 7:30 am to 2:00 pm

Rain Date: _____ Time: from _____ to _____

2. Location*: Downtown (in front of stores/shops with permission)

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

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

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

Contact Person Ellen Benson

Address: 7 Dpland Road Telephone: _____

E-Mail: evbenson@yahoo.com Cell Phone: 207 831 7875

Day of Event Contact & Phone: same

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

6. MA Tax Number: _____

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

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

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

* we will obtain advance permission from store/shop owners

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 (no trash)

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? _____


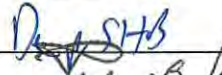
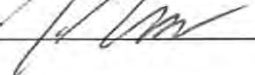
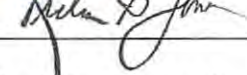
9. Formation Location & Time for Participants: _____

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.

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

**APPOINTMENTS
FIRST READING**



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

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2022 AUG 10 AM 9:47

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: August 29, 2022
Subject: Appointment

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

William J. Mullen
7 Broad Street
Newburyport, MA 01950

Ms. Christine Jackson, Executive Assistant to the Mayor

June 24, 2022

60 Pleasant Street

Newburyport, MA 01950

Dear Ms. Jackson,

The purpose of this letter is to express my interest in serving on Newburyport's Conservation Commission. Please note my qualifications as described on the enclosed resume. I am a civil engineer with 45 years of technical and project management experience. The Conservation Commission may find a couple of my experiences of particular relevance: I worked in the U.S. Army Corps of Engineers (New England District) Regulatory Division from 2005 to 2010 where we processed applications for fill placement in wetlands and Waters of the United States and granted permits accordingly (I was assigned to the section handling permits within the state of Connecticut); and I served on Newburyport's Resilience Committee from its formation in 2015 until the final report was published in 2020.

I am available anytime to discuss my interest or qualifications further. Both Joe Teixeira (Chair) and Julia Godtfredsen (Conservation Administrator) are aware of my interest. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "William J. Mullen". The signature is written in a cursive style with some loops and flourishes.

William J. Mullen, P.E.

7R Broad Street

Newburyport, MA 01950

Tel 978-235-0875

Encl

William J. Mullen, P.E.

Newburyport, Massachusetts; cell phone 978-235-0875

billmullen18@gmail.com

Civil Engineer

Registered Professional Engineer with 45 years of experience. Specialty: river hydrology and hydraulics.

WORK EXPERIENCE

Hydraulic Engineer, self-employed, Fitchburg and Newburyport, MA, 2011-2019

- Set up a HEC-RAS hydraulic model of Baker Brook in Fitchburg, MA and identified potential solutions to flooding in the vicinity of John Fitch Highway.
- Evaluated the hydraulic impacts of removal of Wheelwright Dam on the North Nashua River in Leominster, MA.
- Performed statistical analyses of North Nashua River streamflow data to assess the current accuracy of the 100-year flows published in Fitchburg's rather old Flood Insurance Study.

Hydraulic Engineer, Reservoir Control Center, U.S. Army Corps of Engineers, Concord, MA, 2010-2011

- Conducted flood control operations of the Army Corps flood control reservoirs in the Lower Connecticut River watershed based on weather forecasts and a network of real-time remote-reporting streamflow and precipitation gages.

Project Manager, Permits & Enforcements Branch (CT), U.S. Army Corps of Engineers, Concord, MA, 2005-2010

- Performed alternatives analyses needed to minimize impacts to Federal wetlands/waterways and issued Section 404 and Section 10 permits.

RELATED EXPERIENCE

Member of Newburyport's Resilience Committee, 2015-2020, provided technical input

EDUCATION

B.S. Civil Engineering, Worcester Polytechnic Institute, Worcester, Massachusetts, 1972-1976

LICENSES

Professional Engineer, Massachusetts, No. 34125, September 1988



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: August 8, 2022
Subject: Re-Appointment

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA
2022 AUG 16 AM 8:05

I hereby re-appoint, subject to your approval, the following
named individual as Assistant Wiring Inspector. This term
will expire on September 15, 2024.

Barry J. McBride
5 Pine Street
Salisbury, MA 01952



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

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA
2022 AUG 25 PM 4:08

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: August 24, 2022
Subject: Re-Appointment

I hereby re-appoint, subject to your approval, the following named individual as Treasurer/Collector. This term will expire on September 1, 2025.

Julie Languirand
13 Cushing Street
Salisbury, MA 01952

END OF CONSENT AGENDA

BEGINNING OF REGULAR AGENDA

ORDINANCES

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.

In City Council August 8, 2022:

Motion to approve on 1st Reading by Councillor Cameron, seconded by Councillor McCauley. Roll call vote. 10 yes, 1 absent (AK). Motion passes.

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

May 31, 2022

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

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

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

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

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

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

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

Councillor Jeannie Donahue

In City Council May 31, 2022:

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

In City Council August 8, 2022:

Motion to approve on 1st Reading as amended to strike “Middle Street from Center Street to Federal Street, southerly side.” by Councillor Donahue, seconded by Councillor Wright. Roll call vote. 10 yes, 1 absent (AK). Motion passes.

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

June 13, 2022

AN ORDINANCE TO RESTRICT PARKING ON ATWOOD STREET

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

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

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

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

<i>Street</i>	<i>Zones</i>
<u><i>Atwood</i></u>	No parking on the southerly side for a distance of sixty (60) feet from the intersection of Federal Street and Atwood Street

Councillor Jennie Donahue

In City Council June 13, 2022:

Motion to refer to Public Safety by Councillor McCauley, seconded by Councillor Donahue. So voted.

In City Council August 8, 2022:

Motion to approve on 1st reading by Councillor McCauley, seconded by Councillor Wallace. Roll call vote. 10 yes, 1 absent (AK). Motion passes.

COMMITTEE ITEMS

Committee Items – August 29, 2022

Budget & Finance

In Committee:

- ORDR00354_05_09_2022 FY23 CPC Recommendations (COTW) (PARTIAL Projects) AMENDED
- COMM00428_08_08_2022 Ltr. Newburyport Affordable Housing Trust re: fund allocation
- ORDR00372_07_11_2022 Herman Roy Trust Appropriation to Market Landing Park
- TRAN00137_08_08_2022 Transfer Collective Bargaining Agreement Teamsters Union Local 170

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.

In City Council July 11, 2022:

Motion to approve Project 9 by Councillor Zeid, seconded by Councillor Khan. Roll call vote. 9 yes, 2 no (BL, SZ). Motion passes.

In City Council August 8, 2022:

Motion to approve as amended in Committee by Councillor Zeid, seconded by Councillor Lane. So voted.

Approve: _____
Sean R. Reardon, Mayor

Attest: _____
Richard B. Jones, City Clerk

Date: _____

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

The Newburyport Community Preservation Committee recommends that the City Council appropriate or reserve, as indicated **\$1,422,370** from Community Preservation Fund Revenues for the projects and bond payments, in the amounts, in the categories, and subject to the conditions hereinafter described.

The following CONDITIONS are common to recommended current appropriations and exclude recommended reservations and bonded amounts:

- A. Each recipient of funds is required to submit to the CPC a written report on the status of the project by each October 15, January 15, April 15 and July 15 following appropriation and until final completion of the project.
- B. If a project is not completed within twenty-four (24) months of appropriation, the grantee must submit a written request to the CPC for an extension of the grant. Otherwise, funds may be subject to rescission and returned to Community Preservation Fund Reserves (applicable to appropriations, not to reservations).
- C. Full funding is conditioned upon the receipt of state matching funds, estimated to be 32.3% of local revenue, expected in November 2022.

Attached are:

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

Estimated Community Preservation Fund Revenues available for appropriation or reservation in FY 2023 total **\$1,512,418**. This figure includes estimated receipts of the local CPA surcharge through fiscal year end 2022, accumulated interest, the anticipated 32.3% state matching funds expected to be received in November 2022, current uncommitted and unreserved funds, and the returned funds from completed and closed-out projects.

Applications for all projects are available for review on the City website at the following URL:

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

Respectfully submitted by:

Community Preservation Committee Members

Michael Dissette, Chair
Mark Rosen
Tom O'Brien
Don Little
Charles Griffin

Jane Healey, Vice Chair
Paul Healy
Don Walters
Joe Morgan

PROJECT NO. 1

Priority Housing Needs and Update to Housing Production Plan

AMENDED from \$230,000 to \$180,000

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 AMENDED

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.

* The scope of this project shall be defined as of the demolition of the existing playground/associated equipment and construction of new playground per the pictures/plans presented. At the conclusion of these tasks, any additional funds (including unused contingency funds) shall close back to the Community Preservation Act.

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

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

The CPA category for this appropriation is Recreation.

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

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

PROJECT NO. 10 Newburyport Black History Initiative

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

The CPA category for this appropriation is Historic Preservation.

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

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

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

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

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

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

CPA category is Recreation.

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

PROJECT NO. 12
CHERRY HILL PARCEL B SOCCER FIELD IMPROVEMENT PROJECT BOND DEBT PAYMENT

The CPC recommends the appropriation of \$11,740 from the FY 2023 Estimated Revenues to the City of Newburyport for the seventh annual payment of interest and principal on the Cherry Hill Parcel B Soccer Field Improvement Project Bond.

The CPA category is Recreation.

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

PROJECT NO. 13
FULLER FIELD TRACK RENOVATION, PHASE TWO BOND DEBT PAYMENT

The CPC recommends the appropriation of \$50,250 from the FY 2023 Estimated Revenues to the City of Newburyport for the second annual payment of interest and principal on the Fuller Field Track Renovation, Phase Two Project Bond.

The CPA category is Recreation.

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

PROJECT NO. 14
ADMINISTRATIVE COSTS

The CPC recommends the appropriation of \$12,000 from the FY 2023 Estimated Revenues to fund the Community Preservation Committee's anticipated administrative costs. These costs include a stipend for the CPC administration liaison position in the Office of Planning & Community Development, annual membership dues in the statewide community preservation coalition, and other recurring expenses including note taking at meetings, legal advertising, and city solicitor review of legal documents when necessary. Excess funds remaining in this account at the end of the fiscal year revert to the general Community Preservation Fund.

The CPA category for this appropriation is Administration.

COMMUNITY PRESERVATION COMMITTEE – EVALUATION CRITERIA

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

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

CATEGORY SPECIFIC CRITERIA

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

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

- Protect drinking water quantity and quality.
 - Provide flood control/storage.
 - Preserve and protect important surface water bodies, including streams, wetlands, vernal pools or riparian zones.
 - Buffer for protected open space, or historic resources.
- 2. Historic Preservation** proposals which address as many of the following criteria as possible will receive preference for funding:
- Protect, preserve, enhance, restore and/or rehabilitate historic, cultural, architectural or archaeological resources of significance, especially those that are threatened.
 - Protect, preserve, enhance, restore and/or rehabilitate city-owned properties, features or resources of historical significance.
 - Protect, preserve, enhance, restore and/or rehabilitate the historical function of a property or site.
 - Demonstrates a public benefit.
 - Ability to provide permanent protection for the historic resource.
- 3. Affordable Housing** proposals which address as many of the following criteria as possible will receive preference for funding:
- Contribute to the goal of 10% affordability as defined by chapter 40B of Mass. General Laws.
 - Promote a socioeconomic environment that encourages a diversity of income.
 - Provide housing that is harmonious in design and scale with the surrounding community.
 - Intermingle affordable and market rate housing at levels that exceed state requirements for percentage of affordable units pursuant to chapter 40B.
 - Ensure long-term affordability.
 - Address the needs of range of qualified household, including very low, low and low-to moderate income families and individuals.
 - Provide affordable rental and affordable ownership opportunities.
 - Promote use of existing buildings or construction on previously-developed or city-owned sites.
 - Convert market rate to affordable units.
- 4. Recreation** proposals which address as many of the following criteria as possible will receive preference for funding:
- Support multiple recreation uses.
 - Serve a significant number of residents.
 - Expand the range of recreational opportunities available to city residents of all ages.

- Jointly benefit Conservation Commission and Parks Commission initiatives by promoting recreation, such as hiking, biking, and cross-country skiing.
- Maximize the utility of land already owned by city (e.g. school property).
- Promote the creative use of railway and other corridors to create safe and healthful non-motorized transportation opportunities.



CITY OF NEWBURYPORT
AFFORDABLE HOUSING TRUST

60 PLEASANT STREET • P.O. BOX 550
NEWBURYPORT, MA 01950
(978) 465-4400 • (978) 465-4452 (FAX)

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2022 AUG -2 PM 3:41

August 2, 2022

To members of the Newburyport City Council and members of the Budget and Finance Committee:

The Newburyport Affordable Housing Trust (NAHT) was created to support, preserve, and create housing that is affordable to low- and moderate-income households in the City of Newburyport. The Trust defines affordable as housing costs of no more than 30% of gross income for a household that earns 80% of the Area Median Income, as determined by HUD. As of this date, 80% of the Area Median Income for Newburyport is \$111,850 for a family of four. For many local families, this household income is much lower and housing expenses are much, much higher.

The city is interested in increasing and maintaining affordable housing opportunities for those who would like to live in Newburyport.

Newburyport is fortunate to have a housing trust with combined expertise in affordable housing of over 100 years. We have made housing individuals and families a career and we collectively approach the work of the NAHT seriously. Our funds are limited and so we weigh each decision with clarity and as good stewards of public tax dollars.

We are experiencing unprecedented times in housing in Newburyport. According to the 2018 Housing Production Plan there are two glaring observations: Our population is aging, and affordable rental housing is scarce. This has been exacerbated by the uptick in Airbnb rentals, which eliminates year-round moderately priced rental housing in the city.

We are also experiencing increased housing production and preservation expenses related to materials and labor. The median purchase price for a home in Newburyport is now approximately \$850,000. Rents for a two-bedroom range anywhere from \$2500 up to approximately \$5,000 per month.

For these reasons, in addition to unexpected economic events, such as a pandemic, the NAHT must remain ready to step in. For example, when families were in jeopardy of falling behind on rent due to job loss and illness during COVID, the NAHT was able to quickly develop and implement an emergency rental assistance program. This program alone kept 40 Newburyport families housed. This was no small task, and with the expertise of both the Planning Department and the Pettengill House, we got it done.

Housing production is of utmost importance in the city and we must be ready to respond to housing development opportunities. Some opportunities may involve state housing funds and Newburyport will need to be ready to commit local funds to be competitive. We need to maintain a funding pool that can be responsive to unforeseen opportunities. These funds take years to accumulate and now more than ever, we need to increase this reserve due to the increasing costs of building in Newburyport. The NAHT has the unique ability to be nimble and responsive, without months of requests and approvals.

The NAHT is comprised of housing experts, residents who have dedicated their lives to this work. Much has changed over the last 5 years. We have new issues and policies that need to be addressed regularly. Our hope is that the City Council recognizes this asset and will rely on the NAHT to provide guidance and expertise to the affordable housing landscape in Newburyport and to maintain an economically diverse community.

We ask that you approve the allocation of funds for housing production and to update the housing production plan.

Susanne Cameron, Affordable Housing Trust Co-Chair

Madeline Nash, Affordable Housing Trust Co-Chair

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

In City Council July 11, 2022:

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



CITY OF NEWBURYPORT FY 2023

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

TRANSFER/APPROPRIATION REQUEST

AUG 2 PM 3:27

Department: Mayor's Office

Submitted by: Mayor Sean R. Reardon

Date Submitted: 8/8/2022

Transfer From:

Account Name:	Multiple - See attached	Balance:	\$ -
Account Number:	Multiple - See attached	Category:	\$ -
Amount:	\$78,067.35	Trans I/O:	\$ -

Why Funds Are Available:

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

Transfer To:

Account Name:	Multiple - See attached	Balance:	\$ -
Account Number:	Multiple - See attached	Category:	\$ -
Amount:	\$78,067.35	Trans I/O:	\$ -

Why Funds Are Needed:

Funds first year cost items in the the newly settled collective bargaining agreement between the City of Newburyport and the Teamster's Union Local 170 Professionals/Administrative/Technical effective July 1, 2022. See attached tentative agreement.

Sean R. Reardon, Mayor:

Date:

8/2/2022

Ethan R. Manning, Auditor:

Date:

8/2/2022

City Council Action:

Teamster's Union Local 170 Prof/Admin/Tech - FY2023 Funding
Transfer Submitted August 8, 2022

Transfer From:

Transfer To:

<u>Account Name</u>	<u>Org</u>	<u>Object</u>	<u>Amount</u>	<u>Account Name</u>	<u>Org</u>	<u>Object</u>	<u>Amount</u>
BUC BUDGET CONTINGENCY (Budget: \$54,500.00)	01132007	57805	\$52,827.18	CCN SAL CLK COMMITTEE	01111001	51162	\$19.53
				AUD SAL ADMIN ASSISTANT	01135001	51103	\$1,287.63
				ASR SAL ASST ASSESSOR	01141001	51102	\$4,540.51
				ASR SAL ADMIN ASSISTANT	01141001	51103	\$3,450.42
				ASR TRAVEL ALLOWANCE	01141001	51404	\$300.00
				TRS SAL ASST TREASURER	01145001	51102	\$3,161.34
				CLK SAL ASST CITY CLERK	01161001	51102	\$2,179.92
				CLK SAL OFFICE MGR	01161001	51103	\$3,446.94
				CLK SAL PT ADMIN ASST	01161001	51166	\$6,614.83
				OPD SAL PLANNER	01182001	51102	\$1,821.06
				OPD SAL SR PROJECT PLANNER	01182001	51103	\$2,081.21
				OPD SAL ADMIN ASSISTANT	01182001	51104	\$3,290.68
				OPD SAL PT CONSERVATION ADMIN	01182001	51105	\$2,656.04
				BLD SAL OFFICE MANAGER	01241001	51103	\$4,245.49
				ANC SAL ANIMAL CONTROL OFFCR	01292001	51101	\$1,938.44
				ANC CLOTHING ALLOWANCE	01292001	51405	\$50.00
				HWY SAL GENERAL FOREMAN	01421001	51121	\$1,710.63
				HWY SAL FAC MAINT SUPERVISOR	01421001	51120	\$5,340.46
				HWY TRAVEL ALLOWANCE	01421001	51404	\$300.00
				HWY CLOTHING ALLOWANCE	01421001	51405	\$100.00
				HLH SAL ASST HLH DIR/OFC MGR	01510001	51103	\$2,766.39
				SUS SAL ASST HLH DIR/OFC MGR	01519001	51103	\$461.15
				COA SAL OFFICE MANAGER	01541001	51164	\$1,064.51
RRFA PAID PARKING FUND (Balance: \$894,226.24)	2739	59610	\$5,240.17	PKG SAL PARKING SUPERVISOR	01293001	51134	\$5,190.17
				PKG CLOTHING ALLOWANCE	01293001	51405	\$50.00
WAT BUDGET CONTINGENCY (Budget: \$10,000.00)	60450007	57805	\$10,000.00	WAT SAL ASST SUPT WATER	60450001	51120	\$7,599.91
				DPS SAL ADMIN ASSISTANT	60450001	51131	\$870.41
				DPS SAL ADMIN OFFICE MGR	60450001	51132	\$1,529.68
SEW BUDGET CONTINGENCY (Budget: \$10,000.00)	61440007	57805	\$10,000.00	SEW SAL ASST CHIEF OPERATOR	61440001	51120	\$7,377.82
				DPS SAL ADMIN ASSISTANT	61440001	51131	\$950.45
				DPS SAL ADMIN OFFICE MGR	61440001	51132	\$1,671.73
Total			<u>\$78,067.35</u>	Total			<u>\$78,067.35</u>

Memorandum of Agreement between
Teamsters Union Local 170 (Prof/Admin/Tech) and the City of Newburyport

June 16, 2022

Article I – Recognition and Bargaining Group:

Add: Building Department Office Manager, Planning Department Office Manager
Remove: Water Distribution Systems Manager, Sewer Collection Systems Manager
"Assist Superintendent Waste Water" from . We will also remove the full time Health Nurse.

Article VIII – Compensation:

Delete: The City has the right to negotiate with prospective replacements for a starting annual salary based on the hiring range, not to exceed Step 4 of the pay grade. Thereafter, the newly hired replacement shall receive the same negotiated across the board increases as other unit employees. Exceptions may be made for current members of the bargaining unit based on qualifications and length of service.

The administration in consultation with the Union, would be able to hire a new employee into a Teamsters AA position at a salary higher than Step 4. This option reduces the potential of losing a skilled candidate due to salary restrictions; the administration will utilize this option only in unique situations. Thereafter, the newly hired replacement shall receive the same negotiated across-the-board increases as other unit members of the bargaining unit based on qualifications and length of service.

Add: A member's step shall be determine based on their consecutive full-time service with the City. All new hires shall start at the entry level step appearing in Appendix A. The City, in consultation with the Union, may make adjustments to the grade for a position when hiring a new employee, not to exceed one grade above or below the existing grade. This allows all members to follow the same step progression as they earn years of service.

Article IX – Hours of Work: Adjust to reflect Thursday hours from 8am-7pm.

Article XI – Health and Welfare Insurance Benefits:

Replace as follows:

All health insurance benefits are as negotiated with the City's public employee committee (PEC) in the PEC agreement. In the event that the PEC and the City negotiate any changes to this agreement, such changes will be automatically incorporated into the contract.

Article XIII – Holidays: Add Juneteenth to list of holidays.

Article XIV – Longevity:

Replace as follows:

The existing Assistant Superintendent, Water Treatment shall continue to receive an annual longevity payment in the first payroll of December with COLA increases applied. No new hires into this position nor any other members shall be eligible to receive longevity.

Article XV – Professional Development: Delete section B and section C

Article XVI – Wages:

Step/grade adjustments effective July 1, 2022:

Position	Current	New
Animal Control	A-3	A-3
Admin Asst I/Passport Agt.	A-2	C-2
Parking Enfor. Officer	B-4	C-4
Admin Asst. II, Assessor	D-4	E-4
Admin Asst. II, W/S	D-4	E-3
Admin Asst. II (PT) Clk	D-5	E-5
Admin Asst II (PT) Auditor	D-4	F-2
Transp Coord/Office COA	F-4	F-4
Admin Asst/Office Mgr. Health	F-1	G-1
Admin/Asst/Office Mgr. Bldg	F-4	H-2
Admin Asst/Office Mgr. W/S	F-4	G-4
Conserv. Admin (PT)	G-6	H-6
Office Manager, Planning	N/A	H-7
Maint. Supervisor	H-7	I-7
General/Foreman Highway	I-4	I-4
Admin Asst/Office Mgr, Clk	See side letter	J-4
Asst. Chief Operator	I-7	K-7
Asst. Super Water	I-7	K-7
Asst. Treasurer/Collector	J-4	K-4
Asst. Assessor	K-4	L-4
Planner	N-4	N-4
Sr. Project Mgr.	N-4	N-4
Asst. City Clerk	See side letter	N-7

July 1, 2022: See Appendix A

July 1, 2023: 2.50%

July 1, 2024: 2.75%

Article XVII – Funding:

Vehicle Allowance: Increase \$425 to \$450/month for duration of contract; Add language that if the City assigns a vehicle to an employee, their vehicle allowance shall end in the month following the vehicle assignment.

Clothing Allowance: Increase from \$725 to \$775(FY23)/\$800(FY24)/\$825(FY25)

Remove side letter for Mike Bartlett regarding overtime. There will be no overtime for the facilities supervisor position as the position is being upgraded from H to I.

Section 4: Credit Union Language

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

Section 5: Personal Protective Equipment (PPE)

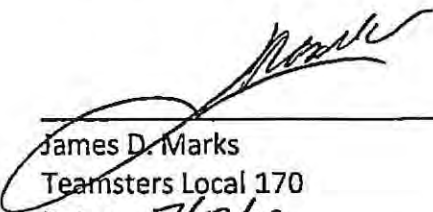
As a result of the COVID-19 pandemic, The City of Newburyport agrees to continue to provide, at no cost to all bargaining unit employees, all personal protective equipment (PPE), personal sanitizing agents, and any other materials to safeguard the health and well-being of the bargaining unit members,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

Article XXVI - Duration: 7/1/2022 – 6/30/2025


Local 170 Drive Fund – New Article

For the Union:

For the City:



James D. Marks
Teamsters Local 170
Date: 7/13/22



Mayor Sean R. Reardon
City of Newburyport
Date: 7/13/2022

Appendix A:

FY2023

Increase Starting Salary

Steps 2-4: 2.0%; Steps 5-7: 5.0%

3.25% \$46,320.32

Grade B-5.0%; All Other Grades: 4.0%

2.00% 2.00% 2.00% 5.00% 5.00% 5.00%

(7/1/2021-6/30/2022) Hourly, 35hr/wk Annual Salary, 40hr/wk Annual Salary

Step	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7
Grade	Entry	1 yr	2 yr	3 yr	7 yr	10 yr	15 yr
	\$25.45	\$25.96	\$26.48	\$27.01	\$28.36	\$29.78	\$31.27
A	\$46,320.32	\$47,246.73	\$48,191.67	\$49,155.50	\$51,613.27	\$54,193.94	\$56,903.63
	<u>\$52,937.51</u>	<u>\$53,996.26</u>	<u>\$55,076.19</u>	<u>\$56,177.71</u>	<u>\$58,986.60</u>	<u>\$61,935.93</u>	<u>\$65,032.73</u>
5.0%	\$26.47	\$27.00	\$27.54	\$28.09	\$29.49	\$30.97	\$32.52
<u>4.0%</u> B	\$48,173.14	\$49,136.60	\$50,119.33	\$51,121.72	\$53,677.81	\$56,361.70	\$59,179.78
	<u>\$55,055.01</u>	<u>\$56,156.11</u>	<u>\$57,279.24</u>	<u>\$58,424.82</u>	<u>\$61,346.06</u>	<u>\$64,413.37</u>	<u>\$67,634.03</u>
	\$27.53	\$28.08	\$28.64	\$29.21	\$30.67	\$32.21	\$33.82
4.0% C	\$50,100.06	\$51,102.06	\$52,124.11	\$53,166.59	\$55,824.92	\$58,616.16	\$61,546.97
	<u>\$57,257.22</u>	<u>\$58,402.36</u>	<u>\$59,570.41</u>	<u>\$60,761.81</u>	<u>\$63,799.91</u>	<u>\$66,989.90</u>	<u>\$70,339.40</u>
	\$28.63	\$29.20	\$29.79	\$30.38	\$31.90	\$33.49	\$35.17
4.0% D	\$52,104.07	\$53,146.15	\$54,209.07	\$55,293.25	\$58,057.91	\$60,960.81	\$64,008.85
	<u>\$59,547.50</u>	<u>\$60,738.45</u>	<u>\$61,953.22</u>	<u>\$63,192.29</u>	<u>\$66,351.90</u>	<u>\$69,669.50</u>	<u>\$73,152.97</u>
	\$29.77	\$30.37	\$30.98	\$31.60	\$33.18	\$34.83	\$36.58
4.0% E	\$54,188.23	\$55,271.99	\$56,377.43	\$57,504.98	\$60,380.23	\$63,399.24	\$66,569.20
	<u>\$61,929.40</u>	<u>\$63,167.99</u>	<u>\$64,431.35</u>	<u>\$65,719.98</u>	<u>\$69,005.98</u>	<u>\$72,456.28</u>	<u>\$76,079.09</u>
	\$30.96	\$31.58	\$32.22	\$32.86	\$34.50	\$36.23	\$38.04
4.0% F	\$56,355.76	\$57,482.87	\$58,632.53	\$59,805.18	\$62,795.44	\$65,935.21	\$69,231.97
	<u>\$64,406.58</u>	<u>\$65,694.71</u>	<u>\$67,008.61</u>	<u>\$68,348.78</u>	<u>\$71,766.22</u>	<u>\$75,354.53</u>	<u>\$79,122.25</u>
	\$32.20	\$32.85	\$33.50	\$34.17	\$35.88	\$37.68	\$39.56
4.0% G	\$58,609.99	\$59,782.19	\$60,977.83	\$62,197.39	\$65,307.26	\$68,572.62	\$72,001.25
	<u>\$66,982.84</u>	<u>\$68,322.50</u>	<u>\$69,688.95</u>	<u>\$71,082.73</u>	<u>\$74,636.87</u>	<u>\$78,368.71</u>	<u>\$82,287.14</u>
	\$33.49	\$34.16	\$34.84	\$35.54	\$37.32	\$39.18	\$41.14
4.0% H	\$60,954.39	\$62,173.48	\$63,416.94	\$64,685.28	\$67,919.55	\$71,315.53	\$74,881.30
	<u>\$69,662.16</u>	<u>\$71,055.40</u>	<u>\$72,476.51</u>	<u>\$73,926.04</u>	<u>\$77,622.34</u>	<u>\$81,503.46</u>	<u>\$85,578.63</u>
	\$34.83	\$35.53	\$36.24	\$36.96	\$38.81	\$40.75	\$42.79
4.0% I	\$63,392.56	\$64,660.41	\$65,953.62	\$67,272.69	\$70,636.33	\$74,168.15	\$77,876.55
	<u>\$72,448.64</u>	<u>\$73,897.62</u>	<u>\$75,375.57</u>	<u>\$76,883.08</u>	<u>\$80,727.23</u>	<u>\$84,763.60</u>	<u>\$89,001.78</u>
	\$36.22	\$36.95	\$37.69	\$38.44	\$40.36	\$42.38	\$44.50
4.0% J	\$65,928.27	\$67,246.83	\$68,591.77	\$69,963.60	\$73,461.78	\$77,134.87	\$80,991.62
	<u>\$75,346.59</u>	<u>\$76,853.52</u>	<u>\$78,390.59</u>	<u>\$79,958.40</u>	<u>\$83,956.32</u>	<u>\$88,154.14</u>	<u>\$92,561.85</u>
	\$37.67	\$38.43	\$39.20	\$39.98	\$41.98	\$44.08	\$46.28
4.0% K	\$68,565.40	\$69,936.70	\$71,335.44	\$72,762.15	\$76,400.25	\$80,220.27	\$84,231.28
	<u>\$78,360.45</u>	<u>\$79,927.66</u>	<u>\$81,526.21</u>	<u>\$83,156.74</u>	<u>\$87,314.58</u>	<u>\$91,680.30</u>	<u>\$96,264.32</u>
	\$39.18	\$39.96	\$40.76	\$41.58	\$43.66	\$45.84	\$48.13
4.0% L	\$71,308.01	\$72,734.17	\$74,188.86	\$75,672.63	\$79,456.26	\$83,429.08	\$87,600.53
	<u>\$81,494.87</u>	<u>\$83,124.77</u>	<u>\$84,787.26</u>	<u>\$86,483.01</u>	<u>\$90,807.16</u>	<u>\$95,347.52</u>	<u>\$100,114.89</u>
	\$40.75	\$41.56	\$42.39	\$43.24	\$45.40	\$47.67	\$50.06
4.0% M	\$74,160.33	\$75,643.54	\$77,156.41	\$78,699.54	\$82,634.51	\$86,766.24	\$91,104.55
	<u>\$84,754.67</u>	<u>\$86,449.76</u>	<u>\$88,178.75</u>	<u>\$89,942.33</u>	<u>\$94,439.45</u>	<u>\$99,161.42</u>	<u>\$104,119.49</u>
	\$42.38	\$43.22	\$44.09	\$44.97	\$47.22	\$49.58	\$52.06
4.0% N	\$77,126.75	\$78,669.28	\$80,242.67	\$81,847.52	\$85,939.90	\$90,236.89	\$94,748.73
	<u>\$88,144.85</u>	<u>\$89,907.75</u>	<u>\$91,705.90</u>	<u>\$93,540.02</u>	<u>\$98,217.02</u>	<u>\$103,127.87</u>	<u>\$108,284.27</u>
	\$44.07	\$44.95	\$45.85	\$46.77	\$49.11	\$51.56	\$54.14
4.0% O	\$80,211.82	\$81,816.05	\$83,452.37	\$85,121.42	\$89,377.49	\$93,846.37	\$98,538.68
	<u>\$91,670.65</u>	<u>\$93,504.06</u>	<u>\$95,374.14</u>	<u>\$97,281.62</u>	<u>\$102,145.70</u>	<u>\$107,252.99</u>	<u>\$112,615.64</u>

Committee Items – August 29, 2022

General Government

In Committee:

- COMM00405_04_11_2022 Mayor's Strategic Plan (COTW)
- COMM00422_07_11_2022 Mayor's Memo & Community Paradigm Associates Report (COTW)
- COMM00418_06_13_2022 Ltr. Claire Papanastasiou re: IFS Proposed Settlement
- COMM00419_06_13_2022 Ltr. Peter Mackin re: IFS Proposed Settlement
- COMM00427_08_08_2022 Memo update re: West End Fire Station Project Update



City of Newburyport: Strategic Plan

4/5/2022

Mission and Key Objectives

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

Secure and Invest in
City's Infrastructure

Provide High Quality
Public Services

Guide Future
Development of the
City

Lead in Building a
Collaborative and
Engaged City

Secure and Invest in City's Infrastructure

Improve quality and maintenance of roadways and sidewalks across the City

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

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

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

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

Respond to immediate needs for critical City infrastructure

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

Identify funding for and begin repair of Central Bulkhead.

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

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

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

Create a Capital Facilities Plan that catalogues all City needs.

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

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

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

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

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

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

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

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

Provide High Quality Public Services

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

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

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

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

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

Maintain the City's financial position

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

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

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

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

Maintain excellence in Public Safety and security services

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

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

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

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

Look for ways to serve more vulnerable populations

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

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

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

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

Guide Future Development of the City

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

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

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

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

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

Promote Affordable Housing and respond to demand for housing locally

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

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

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

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

Achieve an effective economic development strategy in the city

Create an economic development master plan.

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

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

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

Protect open space and promote sustainability efforts

Preserve open space and conservation areas in priority sites.

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

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

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

Lead in Building a Collaborative and Engaged City

Provide transparent communication on City functions to residents

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

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

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

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

Engage more residents in local government

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

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

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

Increase the number of residents voting in municipal elections.

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

Hold Office Hours every month to engage with residents.

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

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

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

Make City Hall more accessible

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

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

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

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

Five Strategic Priorities: Year 1

Streets and
Sidewalks

Waterfront
West

Capital
Facilities
Planning

Affordable
Housing

Resiliency and
Sustainability

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

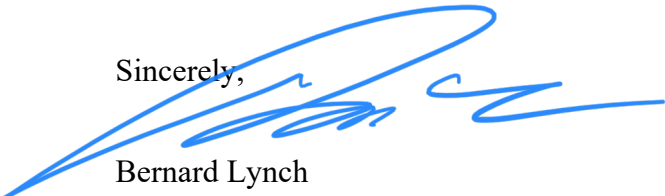
In addition to the work that was outlined within the scope of services that was contained within the Letter of Engagement Agreement with the City, we were asked to review the utilization of various boards and commissions as part of the overall governance of the City. We were asked to review the number 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

From: Contact form at newburyportma <cmsmailer@civicplus.com>
Sent: Thursday, June 9, 2022 12:21 PM
To: Richard Jones <RJones@CityofNewburyport.com>
Subject: [newburyportma] Corrected letter for Council packet (Sent by Claire Papanastasiou, claire.p.claire@gmail.com)

Hello rjones,

Claire Papanastasiou (claire.p.claire@gmail.com) has sent you a message via your contact form (<https://www.cityofnewburyport.com/users/rjones/contact>) at newburyportma.

If you don't want to receive such e-mails, you can change your settings at <https://www.cityofnewburyport.com/user/96/edit>.

Message:

Apologies for the duplication though I realized after sending the previous email, I sent an older version. Please use the below. Thank you!

Claire Papanastasiou
3 Orange St., Newburyport

Dear Councilors,

I attended the June 1 Planning Board meeting on the proposed settlement concerning the Institution for Savings' expansion plan to its State Street headquarters. Councilor Bruce Vogel attended, and I much appreciated his attendance and comments opposing the proposed settlement. I would like to take this opportunity to share information from the public hearing in the event that you have not reviewed the recording.

During his opening remarks, the bank's attorney noted that as a pre-settlement concession, the City's negotiation team agreed to not discuss the square footage in mediation talks with bank officials, essentially taking any prospect of reducing the size of the 16,000-square-foot, 2-story addition off the table. The expansion's size has been and still is the main reason why the IFS was denied its special permit under the Downtown Overlay District, yet our City's negotiation team agreed to keep the size the same before mediation talks began -- even though the previous Council voted against it in November, supporting the Planning Board March 2021 rejection. I am still trying to absorb this, though I'm not writing to you today to speculate as to why the City conceded to the main issue before entering into negotiations. Instead, I am here to relay that during the June 1 public hearing it was apparent that there was significant confusion among Planning Board members regarding why the Council sent the proposed settlement back. Specifically, certain Planning Board members mistakenly believed that the Council sent the proposed settlement back because it supported it and wanted the Board to approve it, even though the City Council order had been rewritten. There was also confusion about the process in terms of what would happen if the Board rejected the proposed settlement. I was profoundly disappointed when the City's outside counsel from KP Law remained silent and neglected to take the opportunity to explain to the Board that if the proposed settlement is rejected it would continue onto the Massachusetts Appeal Court to be heard by a new judicial panel.

This matter has been debated since January 2020 with more than 14 months of deliberations by City volunteer boards, specifically the Historical Commission and the Planning Board. As you know, like this Council, there are new members on the Planning Board, and they have had limited time to review this

matter, though it is my hope that they will trust the wisdom of the legacy Planning Board's decision (and that of the November 2021 City Council's) and not succumb to political pressure.

Unless you as our City Councilors support the current IFS expansion and proposed settlement, I am asking you all today to contact the Planning Board members and underscore to them when this City Council remanded the proposed settlement back to the Planning Board, it did so without endorsing the settlement but rather asking the Board to apply its expertise fairly.

Thank you.

Claire

From: Contact form at newburyportma <cmsmailer@civicplus.com>
Sent: Thursday, June 9, 2022 3:14 PM
To: Richard Jones <RJones@CityofNewburyport.com>
Subject: [newburyportma] IFS Proposed Settlement -Pre-mediation Concessions (Sent by Peter Mackin, petemackin@gmail.com)

Hello rjones,

Peter Mackin (petemackin@gmail.com) has sent you a message via your contact form (<https://www.cityofnewburyport.com/users/rjones/contact>) at newburyportma.

If you don't want to receive such e-mails, you can change your settings at <https://www.cityofnewburyport.com/user/96/edit>.

Message:

Mr Richard Jones,
Please include this letter in the Monday, June 13th City Council packet.

TO ALL CITY COUNCIL MEMBERS:

During the June 1st Planning Board meeting, the lawyer for the Institution for Savings stated that the City of Newburyport's negotiating team agreed to two pre-settlement concessions prior to mediation discussions regarding the bank's request for a special permit. As we understand, the pre-concessions to proceed to settlement negotiations were:

1. The IFS did not have to reduce the square footage of the proposed building.
2. The Planning Board was not mandated to include the Historic Commission in the approval process of the proposed settlement agreement.

This was the first time these concessions were made public, abutters and concerned citizens were shocked that the City negotiation team agreed to these concessions prior to negotiations.

After 14 months of due diligence by both the Planning Board and the Historic Commission, the March 2021 decision to deny the IFS special permit was based these same two facts: 1. The building size was too big for the area, and 2. The building did not meet the requirements of the DOD and was not subordinate to the 1890's building. Why would the City agree to these concessions prior to settlement discussions? Why didn't the City Council share this information with Newburyport residents sooner?

In November 2021 the Newburyport City Council sent this one-sided and unfair proposed settlement back to the Land Court to have it play out there.

In April 2022, the City Council, based on the court's request, voted to send it back to the Planning Board on remand for it to decide on the merits of the proposed settlement.

Unfortunately, at the June 1 Planning Board meeting there was significant confusion among Planning Board members. Specifically, some members wrongly thought that by remanding the settlement decision back to the Planning Board, the City Council had approved or endorsed the proposed settlement, which was not the case. The City Council remanded it without endorsement.

The proposed settlement's fate now rests with the Planning Board, which will vote on June 22 to accept or reject the settlement. I ask City Council Members to please attend this in-person only Planning Board meeting or write a letter to the Planning Board to clarify the City Council's intent and to correct this misconception.

Thank you,
Peter Mackin
13 Prospect Street

▪



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

SEAN REARDON
 MAYOR

MEMORANDUM

TO: NEWBURYPORT CITY COUNCIL

FROM: GEORDIE VINING, SENIOR PROJECT MANAGER

CC: MAYOR SEAN REARDON; ANDREW LEVINE; KIM TURNER; ANDY PORT; CHRIS LECLAIRE; STEVE BRADBURY; BARRY SALT; DENNIS MOREL; MOLLY ETTENBOROUGH; MICHAEL BARTLETT

SUBJECT: NEWBURYPORT WEST END FIRE STATION PROJECT - UPDATE

DATE: 8/2/22

We are writing to provide an update on the design phase for the West End Fire Station project. Certain elements of the initial design are requiring more time than originally anticipated, but these items have not had a significant impact on the overall construction phase schedule which is anticipated to begin in the spring of 2023.

- After a Fire Station Project Working Group kick-off meeting on 4/13/22, the project team has been meeting weekly with the design consultants since the beginning of May 2022.
 - The City's project team includes the Fire Department's Steve Bradbury and Barry Salt as well as Chris LeClaire, Geordie Vining and Andy Port from the Planning Office, Dennis Morel from the Building Department, Molly Ettenborough from Recycling/Energy/Sustainability, and Facilities Manager Mike Bartlett from the DPS.
 - The City has contracted directly with Winter Street Architects (WSA) and has contracted for geotechnical services from McPhail and hazardous material services from TRC. The architect is subcontracting civil engineers, structural engineers, mechanical engineers, plumbing engineers, and electrical engineers.
- A perc test was conducted on the site's soils to test drainage for the Civil Engineer, and a subcontractor drilled three borings (11-27 feet deep) to test the soils for the Geotechnical Engineer. The Geotechnical Engineer generated a Foundation Engineering Report recommending a conventional slab on grade foundation, with removal of all of the existing topsoil and inadequate existing fill. The Civil Engineer determined that drainage is poor in the existing soils, and is recommending drainage structures underneath the new parking area plus an area for some water infiltration. The Civil Plans for the site have been drafted, and will go to the Planning Board for Site Plan Review after the City Council and Planning Board address the adjustments to the zoning setbacks.

- Based on the City’s policy and ordinance regarding pursuing a “Net Zero” energy use target, the consultant Andelman-Lelek Engineering (ALE) is doing energy modelling for the facility, and a draft is expected around 8/12/22. The MEP Engineer has provided energy consumption projections to ALE, as well as the Electrical Engineer, and National Grid, for the new facility. Based on some real-world comparative data received demonstrating that geothermal heating/cooling systems are much more efficient (25%-50%) than air-based heat pumps than previously thought, McPhail Associates is conducting a site-specific geothermal feasibility study for us which should be done later in August. It appears that a geothermal system would provide a significantly reduced energy demand and associated cost savings in exchange for some additional capital cost up-front. (A geothermal system also apparently provides hot water much more effectively than an air-based heat pump alternative.) A benefit/cost analysis will be provided by the consultants and the payoff schedule and rate of return on investment will be calculated. We are continuing to anticipate the installation of conventional solar panels to generate power on the roof.
- A Request for Qualifications is being advertised this month for an Owner’s Project Manager (OPM) for the project, as required for all public building projects over \$1.5M. The focus of the City’s scope for the OPM will be:
 - independent peer review of the Construction Documents (after we have worked through the preliminary Design Development documents) for thoroughness, constructability, and coordination of all the trades and disciplines;
 - assistance in the bid phase; and
 - monitoring, overseeing, and managing construction on a part-time basis (vs. full-time, for cost savings).
- Architectural plans are progressing based on the conceptual plan approved by the City Council. Currently, the schedule anticipates that the cost estimator will have a full set of Design Development preliminary plans to review and then provide an updated cost estimate by mid-September. After review by the City, the consultant team will develop the full set of Construction Documents by the end of the calendar year, and then a final cost estimate will be conducted for our review in January/February. We would like to advertise the project for construction in February and receive bids in March/April 2023, executing a contract in the early spring.
- The City’s consultant TRC is conducting a hazardous materials inspection of the existing fire station building in early August in order to prepare for its demolition.
- Once the City bids the construction project out, awards a contract, and the contractor starts construction in the spring of 2023, the construction phase is anticipated to take 12-13 months with completion around May 2024.
- Please see the attached updated rendering of the facility from the architect.

Thank you for your consideration.

**Newburyport West End Fire Station
Rendering (8/2/22)**



Committee Items – August 29, 2022

Planning & Development

In Committee:

- ORDR00376_08_08_2022 Special Municipal Employee - Thomas Hughes (COTW)
- ODNC046_01_27_2020 Zoning Amendment Short Term Rental Unit (STRU) (COTW)

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

August 8, 2022

The City Council of the City of Newburyport hereby designates, pursuant to M.G.L. 268A s. 1 et al, Thomas Hughes of Hughes Environmental Consulting with an office located at 44 Merrimac Street, Newburyport as a Special Municipal Employee – Consultant to the City effective September 1, 2022 through August 31, 2023.

Councillor Edward C. Cameron Jr.

In City Council August 8, 2022:

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

Amendment of the Whole 8-30-2021

Amended from Joint Planning Board & Planning and Development Committee on October 20, 2021 and
P&D committee on November 3, 2021

P&D committee on November 17, 2021

Reconciliation with general law ordinance December 2, 2021

Amended Version Distributed on 2/11/2022

Amended Version Reviewed in Committee on 2/16/2022

Amended Version Distributed on 4/25/2022

[Amended Version Reviewed in Committee on 5/2/2022](#)

CITY OF NEWBURYPORT



IN CITY COUNCIL

January 27, 2022

ORDERED:

A ZONING AMENDMENT TO ALLOW SHORT-TERM RENTAL UNITS IN SPECIFIED DISTRICTS

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

THAT the Zoning Ordinance of the City of Newburyport, Massachusetts (the “Zoning Ordinance”) be amended to insert a new row within Section V-D (Table of use regulations), as follows, with deletions ~~double stricken through~~, and additions double-underlined:

<u>USE</u>	<u>NUM</u>	<u>CON</u>	<u>HSR-A,</u> <u>HSR-B</u>	<u>R-1</u>	<u>R-2</u>	<u>R-3</u>	<u>B-1</u>	<u>B-2</u>	<u>B-3</u>	<u>I-1</u>	<u>I-1B</u>	<u>I-2</u>	<u>M</u>	<u>WMD</u>	<u>WMU</u>
<u>Short Term Rental</u> <u>Unit (STRU)</u>	<u>111</u>	<u>NP^(#)</u>	<u>SP^(k)</u>	<u>P^(l)</u>	<u>P^(l)</u>	<u>P^(l)</u>	<u>P^(l)</u>	<u>P^(l)</u>	<u>P^(l)</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>	<u>NP^(#)</u>	<u>NP^(#)</u> [AP1]

(k) The Zoning Board of Appeals shall be the Special Permit Granting Authority (SPGA) for this use in accordance with Section V-G. All STRU special permits shall lapse automatically after a period of three (3) years, shall be personal to the applicant, shall not be transferable, and shall not run with the land. In this context, “personal to the applicant” means that the special permit shall lapse sooner than the normal three-year duration if the applicant ceases to have a substantial ownership and use interest, direct or beneficial, in the STRU.

(l) “P” for this use does not equate simply to Permitted “by-right.” Applicants for a Permit to operate a STRU shall submit an online application for a Request for Zoning Review by the Zoning Administrator. Only upon the approval and issuance of a positive written Zoning Determination by the Zoning Administrator is this use valid at a given location. This approval shall lapse annually. An applicant, or abutter within three hundred (300) feet consistent with MGL Chapter 40A Section 11, [AP2] may appeal the Zoning Administrator’s Determination to the Zoning Board of Appeals via the Appeals process contained within Section X-H.5 of this Ordinance. Additionally, as further noted in Section V-G, this use requires the issuance of a valid License from the Licensing Commission pursuant to a related General Ordinance (Chapter 9, Article XI of the Newburyport Code of Ordinances).

(m) Notwithstanding any conflicting provisions elsewhere in this Zoning Ordinance, including Section XXI (Plum Island Overlay District), a STRU shall be permitted within the Plum Island Overlay District, provided such STRU is consistent with the terms of Section V-G.

THAT the Zoning Ordinance further be amended to insert a new Section V-G, as follows, with deletions ~~double stricken through~~, and additions double-underlined:

V-G – ~~RESERVED~~ SHORT-TERM RENTAL UNITS.

1. Purposes. The purposes of this Section V-G include:

- a. To define short-term rental use and regulate the use of short-terms rentals in the City;

b. To incorporate responsibly the growth of the so-called home-share industry into Newburyport's existing neighborhoods by striking a fair balance between the preservation of permanent housing, including affordable and moderately priced housing (with or without deed restrictions), and the flexibility required for residents to benefit from this new industry; and

c. To ensure that potential negative impacts from the use of residential properties as STRUs, including, but not limited to, impacts upon public health and fire safety, and due to increased trash, noise, traffic, and parking, do not create additional adverse impacts on neighborhood character or property values.

2. Definitions. Except as otherwise specified herein, all terms used in this Section V-G shall be as defined in 830 CMR 64G.00 (Room Occupancy Excise).

Booking Agent: Any natural person who, or entity that, facilitates reservations or collects payments for an STRU on behalf of or for an Operator.

Emergency Contact: A natural person who, in addition to the Operator, will be responsible to receive and act on complaints, problems or emergencies at an STRU.

Enforcement Agent: The person duly appointed by the City of Newburyport to investigate complaints and issue violation notices pursuant to the provisions of this Section V-G.

Home-Share Rental Unit: An STRU that is the Operator's Primary Residence and is rented as an STRU while the Operator is not personally and physically present overnight. The allowable occupancy of a Home-Share Rental Unit for use as an STRU shall be limited to a maximum of four (4) bedrooms and a maximum of eight (8) people.

Licensing Board: The Licensing Board of the City of Newburyport.

Limited-Share Rental Unit: An STRU that is the Operator's Primary Residence, and is rented as an STRU while the Operator is personally and physically present overnight. Occupancy of a Limited-Share Rental Unit shall be limited to a maximum of three (3) bedrooms for guests and a maximum of six (6) guests, and at least one (1) additional bedroom shall be exclusively used and occupied by the Operator while the STRU is in use by any guests. The operator and guests shall both have access to the same cooking facilities to be eligible.

Operator: A natural person who is an owner of record of the Residential Unit, or is legally authorized to act in relation to the STRU as the owner of record. Such owner may be, without limitation, an individual owner, alone or together with others, a trustee of a trust, a manager of an LLC, or an officer of a corporation. A natural person legally authorized to

act for the record owner shall be duly designated by the licensing authority as the responsible party for an STRU. Only one natural person may be an Operator.

Operator’s Agent: Any natural person who or entity that manages an STRU on behalf of an Operator, including a property manager, property management company, or real estate agency. Using an agent does not relieve the Operator of any of their duties to comply with every provision of this Section V-G.

Owner-Adjacent Rental Unit: An STRU that is not the Operator’s Primary Residence but is located on the same Lot as the Primary Residence of, and is owned by said Operator, and is rented as an STRU while the Operator is personally and physically present overnight. The use of an Owner-Adjacent Rental Unit as an STRU shall be allowed in two-family or multi-family dwellings solely where all dwelling units making up such use are owned by the same, owner-occupant who also serves as the Operator of the Owner-Adjacent Rental Unit. For owner-occupied multifamily residential dwellings with three (3) or more dwelling units, in addition to the Residential Unit in which the Operator resides and uses as a Home Share and/or Limited-Share Rental Unit, the Operator shall offer only one Owner Adjacent Rental Unit as an STRU.

Primary Residence: The Residential Unit in which the Operator resides for no fewer than 183 days of every year and at which such residence the Operator holds a valid Massachusetts Driver’s License or state-issued identification card, registers automobiles and is registered to vote.

Registration Number: A unique identification number generated by the Licensing Board for each registered STRU.

Residential Unit: A Residential Unit is a lawful dwelling unit that makes up all or part of the three (3) following principal residential uses as identified in this Zoning Ordinance: One-family (Use 101), Two-family (Use 102), Multifamily (Use 103), or such uses if contained within a mixed-Use structure (Use 405) in which the occupants must all have shared access to the same primary kitchen facility. For purposes of this Section V-G, the term “Residential Unit” shall not include any other use under this Zoning Ordinance, including, without limitation, Hotel, Lodging House, or Bed and Breakfast use.

Short-Term Rental Registry: The database of STRUs located within Newburyport and maintained by the Licensing Board in coordination with registration or other regulation of such use by the Commonwealth of Massachusetts. The location of STRUs within the City

shall be made public, as may additional information in the Short-Term Rental Registry as required by law, or otherwise at the reasonable discretion of the Licensing Board.

Short Term Rental Unit (“STRU”): A Residential Unit used for residential occupancy for a period of fewer than thirty-two (32) consecutive days by a person or persons who do(es) not reside in the Residential Unit as their primary residence, in exchange for payment or other consideration. An STRU may or may not be offered or leased through a Booking Agent, and falls within one of three (3) exclusive categories: Home-Share Rental Unit, Limited-Share Rental Unit, or Owner-Adjacent Rental Unit. For purposes of this Zoning Ordinance, STRU use is an accessory use distinct from all other uses, including, without limitation, Hotel, Lodging House, and Bed and Breakfast use, and no portion of an STRU may also be classified as Hotel, Lodging House, or Bed and Breakfast use.

Zoning Administrator (ZA). The Zoning Enforcement Officer of the City of Newburyport has the authority to review a Request for Zoning Review and to issue a Zoning Determination in accordance with this Section.

3. Specific districts where permitted. STRU use meeting the definition of either Home-Share Rental Unit, Limited-Share Rental Unit, or Owner-Adjacent Rental Unit may be permitted by the ZA with the issuance of a positive Zoning determination, solely within those zoning districts so noted in the Section V-D “Table of use regulations” and may be permitted by special permit from the Zoning Board of Appeal solely within those zoning districts so noted within said Section V-D, all in accordance with this Section V-G. All STRU special permits shall lapse automatically after a period of three (3) years, shall be personal to the applicant, shall not be transferable, and shall not run with the land. In this context, “personal to the applicant” means that the special permit shall lapse sooner than the normal three-year duration if the applicant ceases to have a substantial ownership and use interest, direct or beneficial, in the STRU.

4. Requirements and restrictions. Each STRU shall comply with the following requirements:

a. **Application for either a Request for Zoning Review or a Special Permit.** Each application for an STRU Zoning Review and/or special permit shall include all of the following information, as applicable:

- i. Name, address, primary phone number and secondary phone number of both the Operator and the Emergency Contact, if different;
- ii. Evidence that the Operator is the record owner of the STRU (e.g. an Assessors Card) AP31, or is legally authorized to act in relation to the STRU as the record owner;
- iii. Address of the STRU;
- iv. The zoning district(s) of the STRU;

- v. STRU category: Limited-Share Rental Unit; Home-Share Rental Unit; or Owner-Adjacent Unit;
- vi. Massachusetts Department of Revenue identification number, if already obtained;
- vii. Survey and/or plotPublic record site plan (e.g. an export from the online municipal Geographic Information System or “GIS”) [AP4]that indicates:
 - 1. Existing structure(s) at the property;
 - 2. Location of any proposed STRU; and
 - 3. Off-street (on or off-site) parking area(s) to accommodate all uses of the property, including the proposed STRU, with documentation of adequate control over any parking spaces proposed off-site (e.g. lease agreement, easement, etc.);
- viii. Interior layout plan(s) (e.g. a marked up Assessors Card with schematic floor plan), [AP5]showing:
 - 1. The bedroom(s) proposed for use by STRU guests, the Operator, and any other person occupying the proposed STRU; and
 - 2. The location of kitchen facilities and/or bathrooms for use by occupants; and

b. Approval Criteria for either a Request for Zoning review or a Special permit. Following the review procedures listed in section X-H, the Zoning Board of Appeal may approve an STRU special permit if it determines that the project meets the following criteria specific to STRUs, and also the special permit criteria of Section X-H.7:

- i. The Operator has certified, on and as part of the applicable application form, under penalty of perjury, that all of the following are true:
 - 1. Except within the Plum Island Overlay District (PIOD), in the case of a Home Share Rental Unit or Limited Share Rental Unit, the Residential Unit is the Operator’s Primary Residence, and in the case of the Owner Adjacent Rental Unit, the STRU is located on the same Lot as the Operator’s Primary Residence;
 - A. The Operator has established Primary Residence by submitting to the Zoning Board of Appeal a certification signed under penalty of perjury that the Operator either (I) has resided in the Residential Unit for no fewer than 183 days of the previous year, or (II) intends to reside in the Residential Unit for no fewer than 183 days of the year-long period of registration;

- B. Such certification has been accompanied by at least two (2) of the following documents: evidence of valid voter registration, evidence of valid motor vehicle registration, a valid driver's license, or a valid state-issued identification card;
2. The Operator is the record owner of the Residential Unit offered as an STRU, or is legally authorized to act in relation to the STRU as the record owner; and
 3. Offering the Residential Unit as an STRU complies with all applicable deed restrictions, mortgage covenants, condominium bylaws, or other governing legal documents;
- ii. The Operator has provided their name and contact information (including a telephone number), and, in the event the Operator is unable to respond in person to any problems or emergencies that may arise regarding the STRU when it is being occupied by guests, the name and contact information (including a telephone number) of the Emergency Contact.
 - iii. No STRU subject to the application is subject to any outstanding building, sanitary, zoning, or fire code notices of violation, orders of abatement, stop work orders, or other any requirements, laws or regulations that concerns the STRU or may in any manner impede or prohibit the Operator from offering the Residential Unit as a Short-Term Rental in compliance with this Section V-G, Article XI of Chapter 9 of the Newburyport Code, and all permits and approvals issued thereunder;
 - iv. The Operator will make those specific physical improvements within the structure, or otherwise on the premises, as identified in the drawings submitted with the special permit application, and as required by the Building Commissioner, Fire Prevention Officer, Board of Health and/or Zoning Administrator to achieve compliance with applicable law
 - v. In the B-2 and B-3 zoning districts, the STRU subject to the application will be located solely above the first floor of the structure.
 - vi. There will be no external, physical evidence of the STRU to differentiate it in appearance from the single-family, two-family, or multi-family residential premises in which it is located , nor from other residential properties similarly situated.
 - vii. The STRU will not create excessive noise, fumes, odor, dust, vibration, heat, glare, or electrical interference.
 - viii. The parking requirements for a Short Term Rental Unit shall be in accordance with the following:

1. Where the existing Residential Use is legally nonconforming as to the off-street parking requirements of this ordinance, such nonconformity may be maintained and only the additional parking spaces required for the STRU guest bedroom(s) need be provided. In such instances no Special Permit for nonconformities shall be required for the alteration of said parking count in conjunction with a valid STRU.
 2. Within the Plum Island Overlay District (PIOD) no additional off-street parking shall be required to operate a STRU use.
 3. All required parking for STRU use shall be located off-street and on-site, except that off-site, off-street parking may be allowed in the Downtown Overlay District as provided under Section VI-A of this ordinance.
 4. An "Owner-Adjacent Rental Unit" shall have one additional parking space for the STRU use, regardless of the number of guest bedrooms, in addition to any parking required for the underlying use (including any legally preexisting parking nonconformity pursuant to subsection V-G(4)(b)viii(1) above).
 5. For a "Home-Share Rental Unit" no additional parking shall be required beyond the underlying single-family use (including any legally preexisting parking nonconformity pursuant to subsection V-G(4)(b)viii(1) above).
 6. A "Limited-Share Rental Unit" shall have one additional parking space per guest bedroom, in addition to any parking required for the underlying use (including any legally preexisting parking nonconformity pursuant to subsection V-G(4)(b)viii(1) above).
- ix. The Operator has demonstrated their ability to comply with all requirements of this Section V-G.
- c. **No visible advertising.** All forms of display and/or advertising of the STRU use open to view from outside the lot shall be prohibited
 - d. **Operator mandatory.** Only an Operator may offer an STRU for rent.
 - e. **No more than one STRU at once.** Except in the PIOD, and as is otherwise provided for Owner-Adjacent Rental Units, no Operator may offer more than one STRU at a time. Multiple bedrooms within the same dwelling unit may not be listed as separate STRU listings.
 - f. **No parking variances.** Notwithstanding anything in this Zoning Ordinance to the contrary, variances regarding parking for STRU use are forbidden.

g. **Compliance with all applicable laws.** The Operator shall comply with all applicable federal, state and local laws and regulations, including, but not limited to: the Fair Housing Act, M.G.L .c. 151B and local equivalents and regulations related thereto; fire codes; health codes; the Commonwealth’s lodging house licensing statutes; Article XI of Chapter 9 of the Newburyport Code; and all other regulations applicable to residential dwellings and the provision of lodging.

h. **No discrimination.** The Operator shall not discriminate between or against guests on the basis of race, color, religious creed, national origin, immigration status, sex, age, ancestry, sexual orientation, gender identity and expression, marital, family or military status, or source of income or disability with respect to housing, employment, education, public accommodations, City services, insurance, banking, credit, and healthcare;

i. **Registration number.** The Operator shall include the registration number issued by the Licensing Board on any listings offering the Residential Unit as an STRU, including by Booking Agents when their policies so permit, and shall, in all cases, post a sign inside such Residential Unit providing information on the location of all fire extinguishers, fire exits, and pull fire alarms in such Residential Unit

j. **Occupancy and use limitations.**

i. **Limited-Share Rental Units:**

1. A Limited-Share Rental Unit shall be the Operator’s Primary Residence.
2. There is no limitation on the number of days per year that an Operator may make a Limited-Share Rental Unit available for occupancy.
3. Occupancy of a Limited-Share Rental Unit shall be limited to a maximum of three (3) bedrooms for guests and a maximum of six (6) guests, and at least one (1) additional bedroom shall be exclusively used and occupied by the Operator during the pendency of the use by STRU guests.

ii. **Home-Share Rental Units:**

1. A Home-Share Rental Unit shall be the Operator’s Primary Residence.
2. Except within the PIOD, the total number of days the Home-Share Rental Unit is occupied when the Operator is not physically present overnight shall not exceed a total of ninety (90|120|AP61) days per each calendar year.
3. Occupancy of a Home-Share Rental Unit shall be limited to a maximum of four (4) bedrooms and a maximum of eight (8) people.

iii. **Owner-Adjacent Rental Units:**

1. The STRU shall be located on the same lot as the Operator’s Primary Residence.

2. There is no limitation on the number of days per calendar year that an Operator may make an Owner-Adjacent Rental Unit available for occupancy.
3. The use of an Owner-Adjacent Rental Unit as an STRU shall be allowed in two-family or three-family dwellings solely where all dwelling units making up such use are owned by the same owner-occupant who also serves as the Operator of the Owner-Adjacent Rental Unit.
4. Except within the PIOD, for owner-occupied multifamily residential dwellings with three (3) or more dwelling units, in addition to the Residential Unit in which the Operator resides and uses as a Home Share and/or Limited-Share Rental Unit, the Operator shall offer no more than one (1) Owner-Adjacent Rental Unit as an STRU.
5. Except within the PIOD, the Operator of an Owner-Adjacent Rental Unit shall be personally and physically present overnight at all times that such STRU is occupied.

5. **Ineligible residential units.** Notwithstanding anything in this Zoning Ordinance to the contrary, the following dwelling units shall be ineligible for STRU accessory use.

- a. A dwelling unit that makes up all or part of a residential use as defined under the Newburyport Zoning Ordinance other than One-family (Use 101), Two-family (Use 102), or Multifamily (Use 103);
- b. A dwelling unit that has been designated as below-market or income-restricted subject to affordability covenants, or that is otherwise subject to housing or rental assistance under local, state or federal law, including, without limitation, so-called Section 8 housing;
- c. A dwelling unit subject to any requirement of local, state or federal law that prohibits the leasing or sub-leasing of the unit or use of the unit as an STRU;
- d. “In-law apartments” as that term is defined in the Newburyport Zoning Ordinance, or successor or similar uses, such as so-called accessory dwelling units or secondary dwelling units; and
- e. Campers, trailers, recreational vehicles, mobile homes, tents, lean-tos, or any other similar space, or structure, whether temporary or permanent.

- f. A Residential Unit located within the Smart Growth District.
- g. Any portion of a Hotel, Lodging House, or Bed and Breakfast use.

6. Exemptions. The following uses of a Residential Unit shall be exempt from this Section V-G, to the extent specified:

a. **Up to 14 days per calendar year.** A resident who rents out all or any portion of their Primary Residence for a total of no more than fourteen (14) days during a calendar year is exempted from the Special Permit process set forth herein, but must still comply with any state law or regulation relative to Short Term Rentals and also submit a certification letter as required under Section 9-306(f) of the Newburyport Code and obtain a Zoning Determination indicating that the unit being rented is eligible for such use as a STRU.

b. **Residential units contracted for hospital or convalescent stays.** The use of a dwelling unit or portion thereof (1) under a written contract between the owner of such dwelling unit and a health-care facility, government entity, non-profit organization registered as a charitable organization with the Secretary of the Commonwealth of Massachusetts or classified by the United States Internal Revenue Services as a public charity or private foundation, or (2) for the temporary housing in such unit of natural persons who are being treated for trauma, injury, or disease, or of their family members; and

c. **Residential units used for furnished institutional or business stays:** The use of a dwelling unit or portion thereof under a written contract between the owner of such dwelling unit and an institution or business, for the temporary housing of employees or other individuals affiliated with such institutions or business, provided, however, that the minimum duration of such stay shall be ten (10) days.

7. Exception for Plum Island. STRUs located within the Plum Island Overlay District (PIOD) shall be subject to this Section V-G, provided, however, that:

a. Such STRUs may be used for any number of days (consecutive or non-consecutive);

b. Such STRUs need not provide off-street parking in addition to that required for the Residential Use to which the STRU is an accessory use;

c. An Operator of such STRUs within the PIOD need not meet any Primary Residence requirement under this Section V-G, and is not limited in the number of STRU's said Operator may make available within the PIOD at the same time;

d. The Operator of a Home Share Rental Unit and/or Limited Share Rental Unit within an owner-occupied multifamily residential dwelling with three (3) or more dwelling units, shall not be limited in the number of Owner-Adjacent Rental Units they may offer as an STRU; and

e. The Operator of an Owner-Adjacent Rental Unit need not be personally and physically present overnight at all times that such STRU is occupied.

8. Effective Date & Enforcement. The provisions of this Section V-G shall take effect on July 1, 2022, with all provisions fully enforceable beginning January 1, 2023.

8.9. Severability. The provisions of this section are severable and, in the event that any provision of this section is determined to be invalid for any reason, the remaining provisions shall remain in full force and effect.[AP7]

THAT the Zoning Ordinance be further amended to insert a new row within Section VII-B (parking requirements), as follows, with deletions ~~double-stricken-through~~, and additions double-underlined:

1. RESIDENTIAL		
USE	NUM	PARKING REQUIREMENT
<u>Short Term Rental Unit</u>	<u>111</u>	<u>See Section V-G(4)(b)(viii) for parking requirements.</u>

Councillor James J. McCauley

Councillor Heather L. Shand

In City Council January 27, 2020:

Motion to refer to License & Permits by Councillor Devlin, seconded by Councillor Zeid. So voted.

In City Council December 13, 2021:

Motion to invoke Rule 7H to move to the next City Council Session by Councillor Shand, seconded by Councillor Zeid. So Voted.

In City Council January 31, 2022:

Motion to waive the rules, remove from Committee, and refer back to Planning & Development, and COTW by Councillor Zeid, seconded by Councillor Cameron. Roll call vote. 11 yes. Motion passes.

In City Council May 9, 2022:

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

Committee Items – August 29, 2022

Public Safety

In Committee:

- APPL00097_08_08_2022 Coast to the Cure Cycle Event Sept. 10th 8am-4pm
- APPL00098_08_08_2022 Block Party Otis Place 9/10/2022 10am-10pm
- APPL00099_08_08_2022 Newburyport Gridiron 5K 9/3/2022 10am-12pm

RECEIVED
CITY CLERK'S OFFICE NEWBURYPORT SPECIAL EVENT APPLICATION
NEWBURYPORT, MA

Tel. _____ Fax. _____

2022 JUL 20 AM 11:24
(For Street Closure or Any Use of a Public Way - Please complete page 3 of this application)

NAME OF EVENT: Loast to the cure cycle Event

Date: September 10, 2022 Time: from 8:00am to 4:00pm

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

2. Location*: Stage Fort Park, Gloucester MA

*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: Neurofibromatosis Northeast City Sponsored Event: Yes _____ No

Contact Person Kim Trainer

Address: 2 Bedford Street, Burlington MA 01803 Telephone: 617 797-5575

E-Mail: KTrainer@ptneurofibromatosis.org Cell Phone: _____

Day of Event Contact & Phone: Kim Trainer 617 797-5575

5. Number of Attendees Expected: 200

6. MA Tax Number: 04-03013709

7. Is the Event Being Advertised? yes Where? online, print, media partner northshore magazine

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

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

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

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

*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: N/A

Telephone: _____

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

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

NA
Kim
Gloucester,
MA

If yes:

N/A

- 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: Cycle event
Neurofibromatosis Northeast

2. Name, Address & Daytime Phone Number of Organizer: 9 Bedford Street Burlington MA 01803
781 272-9936

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

4. Date of Event: 9/10/22 Expected Number of Participants: 200

5. Start Time: 7:00 am Expected End Time: 4:30 pm

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

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

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

9. Formation Location & Time for Participants: _____

10. Dismissal Location & Time for Participants: _____

11. Additional Parade Information:

• Number of Floats: _____

• Locations of Viewing Stations: _____

• Are Weapons Being Carried: Yes _____ No _____

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

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

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

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

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: _____


Kimberley Trainor

Date: _____

7/20/22



RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

02 AUG -2 AM 10:19

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: SAT. SEPT. 10, 2022 ^{OOPS} Aug. 2, 2022

CONTACT INFORMATION

FIRST AND LAST NAMES: Paula A. Renda

MAILING ADDRESS: 16 OTIS PL, Newburyport

PHONE NUMBER: 603-702-0283

E-MAIL ADDRESS: paularendad24@comcast.net

BLOCK PARTY INFORMATION

BLOCK PARTY DATE: SAT. SEPT. 10, 2022

DESIRED STREET CLOSING LOCATION: Close from intersect of Garden + Otis
Please indicate cross streets when requesting the closing of street sections

STREET TO BE BARRICADED: Otis from Garden St.

DESIRED STREET CLOSING TIME: ~~NOVAM~~ 10AM - 10PM
Block Parties should run no later than 10:00 p.m.

REGULATIONS

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

I understand that applications for block party permits may take up to four (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: Paula A. Smith Date: 8/2/22

APPROVAL SIGNATURES REQUIRED FOR STREET CLOSURE

CITY MARSHALL

4 Green Street

[Signature] 8/2/22

FIRE CHIEF

0 Greenleaf Street

[Signature] 8/2/22

DEPUTY DIRECTOR

16A Perry Way

[Signature] 8/2/22

CITY CLERK

60 Pleasant Street

[Signature] 8/2/22

City use only:

Approved _____ Denied _____ Date _____

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

NEWBURYPORT SPECIAL EVENT APPLICATION

Tel. _____

Fax 2022 JUL 21 AM 11:09

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

NAME OF EVENT: Newburyport Gridiron 5k

Date: 9/3/22 Time: from 10:00 AM to noon

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

2. Location: 40 Parker St, Newburyport Ma, (Riverwalk Brewery)

3. Description of Property: Riverwalk Brewery Public _____ Private X

4. Name of Organizer: Newburyport Gridiron Booster Club & Joppa Flats Running Club

City Sponsored Event: Yes _____ No X

Contact Person Eric Grelle or Bob Manning

Address: 1 Lorum St, NBPT Telephone: _____

E-Mail: egcatch22@yahoo.com Cell Phone: 978 758 3274 or 978 270 7455

Day of Event Contact & Phone: Robert.F.Manning@comcast.net

5. Number of Attendees Expected: 200

6. MA Tax Number: 21938749

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

8. What Age Group is the Event Targeted to? 4-75

9. Have You Notified Neighborhood Groups or Abutters? Yes _____ No X /ho? Will do prior to event

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

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

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

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

Name of Carnival Operator: _____

Address: _____

Telephone: _____

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

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

If yes:

- a) How many trash receptacles will you be providing? 3
- b) How many recycling receptacles will you be providing? 3
- 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)

0 Standard # ADA accessible

Name of company providing the portable toilets:

FOR PARADE, ROAD RACE AND WALKATHON EVENTS ONLY

PARADE _____ ROAD RACE X WALKATHON _____

1. Name of the Group or Person Sponsoring the Road Race, Parade, Walkathon:
 Riverwalk Brewery & Joppa Flats Running Club

2. Name, Address & Daytime Phone Number of Organizer:
 Eric Grelle 14 Hoyt's lane NBPT 978 758 3274
 Bob Manning, 1 Lorum St, NBPT , 978 270 7455

3. Name, Address & 24/7 Telephone Number of Person Responsible for Clean Up
 Eric Grelle 14 Hoyt's lane NBPT 978 758 3274

4. Date of Event: 9/3/22 Expected Number of Participants: 200

5. Start Time: 10:00 AM Expected End Time: noon

6. Road Race, Parade or Walkathon Route: (List street names & attach map of route):
 Course is the Rail Trail from Parker St to Cashman park and
 returning back to the Riverwalk Tap Room on Parker St

7. Locations of Water Stops (if any): Yes, Cashman Park

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

9. Formation Location & Time for Participants: Rail Trail, Parker St

10. Dismissal Location & Time for Participants: Riverwalk Brewery, Parker St

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

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

* CITY MARSHAL [Signature] # Green St. FIRE CHIEF [Signature] @ Greenleaf St.
 DEPUTY DIRECTOR [Signature] #A Perry Way CITY CLERK [Signature] 60 Pleasant St.
 7-20-22

* 1 Detail for Washington St.

DEPARTMENT APPROVAL (for Committee Member use only):

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

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

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

Limitations

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

- (e) "Road Closure" No ways, public or private, boat ramps or parking lots controlled or patrolled by the city shall be closed without authorization. Authorization shall be considered granted only if said closure(s) are contained in the approved permit. It is the sole responsibility of the race organizers to notify residents ten (10) days in advance that neighborhood roads will be closed if no alternate route is available to those residents.
- (f) "Insurance" All events shall have an insurance policy or rider in effect for the event naming the "City of Newburyport" as an insured. The policy shall be no less than two million dollars (\$2,000,000.00).
- (g) "Event termination" If in the judgment of the City Marshal, Fire Chief or Department of Public Services (DPS) Director or designees thereof determine that an event is unsafe due to existing conditions, that event may be stopped, terminated or suspended. In the case of a multidiscipline event such as a triathlon, the Harbormaster or his/her designee may likewise stop, terminate or suspend the swimming portion for cause.
- (h) "Event and traffic Security" The City Marshal, Fire Chief, DPS Director or in the case of a triathlon, the Harbormaster can require special duty personnel to oversee the safety and security of the event. All special duty assignments will be paid by the event organizers.
- (i) "Clean-up" The event organizers shall be responsible for post event trash collection, removal of signage, directional arrows, advertisements or other promotional material associated with the event.

13-101 Enforcement

- (a) "Regulations" Consistent with this ordinance, the city shall promulgate regulations to enforce and otherwise implement the provisions of this ordinance upon passage by the City Council. Any event previously approved by City Council shall be deemed permitted.
- (b) "Warning" In the circumstance that this ordinance is violated, the enforcement may consist of a warning. Any warnings issued for violation(s) will be reported to the City Clerk and City Council and may be used as a factor in future application approvals and denials.
- (c) "Noncriminal Disposition" If the city determines that a violation has occurred in which a noncriminal violation is issued, the named event organizer shall be penalized by a non-criminal disposition as provided in Massachusetts General Law as adopted by the City of Newburyport as a general ordinance in Subsection 1-17 of Chapter 1 of the Code or Ordinances of the City of Newburyport in the amounts set herein in 13-101(d)
- (d) "Violation" The non-criminal violation shall be \$100.00 for the first offense and \$250.00 for second and subsequent offenses. Any non-criminal citations issued for violation(s) will be reported to the City Clerk and City Council and shall be used as a factor in future application approvals and denials.

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

Signed: _____ Date: _____

Frigid Fiver 5K Course Map

- Course starts in Riverwalk Parking Lot (close to Parker St)
- Run on Parker St to rail trail via Parker St
- Left / North on rail trail to the Merrimac River
- Turn Left at the River Junction towards Cashman Park
- Turn around point is in Cashman Park (1.5 mile point)
- Return to the Riverwalk Brewery returning via the Rail Trail
- Turn Right on Parker St
- Turn right into Riverwalk parking lot
- Finish-line is at Tap Room ramp

Note: The only street crossing is Washington St which will be manned with crossing guards

Note: Mile markers 1 & 2 are at the same location

