

# CITY COUNCIL MEETING

## AGENDA

November 1, 2022 at 7:00 pm  
City Council Chambers, City Hall  
60 Pleasant Street, Newburyport

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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
  - ORDR00389\_11\_01\_2022 Naming Rights Market Landing Park
  - COMM00443\_11\_01\_2022 59 Low St. FAQs
  - COMM00444\_11\_01\_2022 Planning & Development Net Zero Memo
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

- October 11, 2022 (Approve)

## 8. COMMUNICATIONS

- APPL00111\_11\_01\_2022 Ladies Night Out (Run, Wine & Chocolate) 12/3 2-5pm Nicholson Hall (PS)
- APPL00112\_11\_01\_2022 DEI Alliance Table at Invitation Night 12/2 & 12/9 6-9pm Market Square (PS)
- APPL00113\_11\_01\_2022 Invitation Nights 12/2, 12/9, 12/16 6-9pm (R&F)
- COMM00438\_11\_01\_2022 Hanukkah Menorah Market Sq. 12/12-12/27 (GG)
- COMM00439\_11\_01\_2022 Owen Smith letter re: Parks Dept (N&CS)
- COMM00440\_11\_01\_2022 IT Director James Pope (GG)
- COMM00441\_11\_01\_2022 Electric Car Charging (PS)
- COMM00442\_11\_01\_2022 A Frame New England Sketch Book 1R Water St. (L&P)

## 9. TRANSFERS

- TRAN00139\_11\_01\_2022 Mayor: General Fund Free Cash \$655,525 to Waterfront Culvert Replacement \$655,525 (B&F)
- TRAN00140\_11\_01\_2022 P&D: Waterfront Park Paid Parking Fund \$40,000 & Harbormaster Retained Earnings \$20,000 to Market Landing Park Expansion Project \$60,000 (B&F)
- TRAN00141\_11\_01\_2022 Mayor: General Fund Free Cash \$500,000 to Stabilization Trust Fund \$500,000 (B&F)
- TRAN00142\_11\_01\_2022 Finance: General Fund Free Cash \$18,647 to Parklet Maintenance Fund \$18,647 (B&F)

## 10. APPOINTMENTS

- APPT00347\_11\_01\_2022 Susan Chase 44 Oak St. Emma Andrews Library Comm. 11/1/2023
- APPT00348\_11\_01\_2022 Elizabeth Valeriani 29 Oak St. Emma Andrews Library Comm. 11/1/2023

- APPT00349\_11\_01\_2022 Virginia R. Champi 84 Purchase St. Emma Andrews Library Comm. 11/1/2023
- APPT00350\_11\_01\_2022 Aine Greaney Ellrot 43 Purchase St. Emma Andrews Library Comm. 11/1/2023

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

**AD HOC COMMITTEE ON MARKET LANDING PARK**

- COMM00437\_10\_11\_2022 MLP Project Update
- ORDR00385\_10\_11\_2022 Sasaki Design Progress

**BUDGET & FINANCE**

- ORDR00384\_09\_27\_2022 FY2023 Supplemental Budget with Memo

**EDUCATION**

- COMM00434\_09\_27\_2022 Whittier Tech Annual Operational Report

**NEIGHBORHOOD & CITY SERVICES**

- APPT00339\_09\_12\_2022 Kevin Hunt 14 10<sup>th</sup> St. Veteran’s Agent 10/1/2023

**PUBLIC SAFETY**

- APPT00341\_10\_11\_2022 Gregory A. Downs 40 Riverview Dr., Newbury Asst Harbormaster/Shellfish Constable/Special Police Officer
- APPT00342\_10\_11\_2022 Mike Merriman 6 Little Pond Rd., Merrimac Asst Harbormaster/Shellfish Constable/Special Police Officer
- APPT00343\_10\_11\_2022 Andrew C. Malatesta 37 Federal St. Asst Harbormaster/Shellfish Constable/Special Police Officer
- APPT00344\_10\_11\_2022 William Jarman 8 Harvard Rd., Groveland Asst Harbormaster/Shellfish Constable/Special Police Officer
- APPT00345\_10\_11\_2022 Ben Molnar 12B Summerwood Dr., Hampton Asst Harbormaster/Shellfish Constable/Special Police Officer
- APPT00346\_10\_11\_2022 Michael Maillette 7 Summit Dr., Atkinson Asst Harbormaster/Shellfish Constable/Special Police Officer
- ODNC00123\_09\_27\_2022 Handicapped Parking Space – Plummer Ave
- ODNC00124\_10\_11\_2022 Amend to Noise Ordinance
- ODNC00126\_10\_11\_2022 Amend to Ch 13-180 Resident Zone
- ODNC00127\_10\_11\_2022 Handicapped Space - Olive St

**END OF CONSENT AGENDA**

**REGULAR AGENDA**

**9. PRESENTATION: 59 Low Street Plan Supporting NYS**

**10. MAYOR'S UPDATE**

**11. FIRST READING APPOINTMENTS**

**12. COMMUNICATIONS**

**13. TRANSFERS**

## 14. SECOND READING APPOINTMENTS

## 15. ORDERS

- ORDR00386\_11\_01\_2022 2-6 Market St. Sidewalk Easement
- ORDR00387\_11\_01\_2022 Signage Jefferson St.
- ORDR00388\_11\_01\_2022 NYS Facility Bond Order

## 16. ORDINANCES

- ODNC00117\_06\_27\_2022 2<sup>nd</sup> Reading Building Inspector Enforcement
- ODNC00118\_07\_11\_2022 2<sup>nd</sup> Reading Amend Municipal Fees
- ODNC00128\_11\_01\_2022 Amending Ch. 2 Committees
- ODNC00129\_11\_01\_2022 Defining Conflict Rule for Dept. Heads
- ODNC00130\_11\_01\_2022 Grants, Gifts, and Fees

## 17. COMMITTEE ITEMS

### Ad Hoc Committee on Adaptive Reuse of Brown School Property

#### *In Committee:*

### Ad Hoc Committee on Market Landing Park and COTW

#### *In Committee:*

- COMM00437 10 11 2022 MLP Project Update
- ORDR00385 10 11 2022 Sasaki Design Progress

### Budget & Finance

#### *In Committee:*

- ORDR00384 09 27 2022 FY2023 Supplemental Budget with Memo
- ORDR00336\_03\_28\_2022 ARPA Amesbury 250K (COTW)
- COMM00436\_10\_11\_2022 Ann Marie Monziona Letter re: park bench

### Education

#### *In Committee:*

- COMM00434 09 27 2022 Whittier Tech Annual Operational Report

### General Government

#### *In Committee:*

### 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:*

- APPT00339 09 12 2022 Kevin Hunt 14 10<sup>th</sup> St. Veteran's Agent 10/1/2023
- COMM299\_02\_08\_2021 Phillips Dr. Neighborhood Committee Ltr
- ODNC00103\_01\_10\_2022 Streets, Sidewalks, and Other Public Places Alterations & Maintenance
- COMM00406\_04\_11\_2022 Pioneer League Letter re: Pickleball

### Planning & Development

#### *In Committee:*

- ODNC00125\_10\_11\_2022 Amend to Ch 5 Buildings

**Public Safety**

*In Committee:*

- APPT00341 10 11 2022 Gregory A. Downs 40 Riverview Dr., Newbury Asst Harbormaster/Shellfish Constable/Special Police Officer
- APPT00342 10 11 2022 Mike Merriman 6 Little Pond Rd., Merrimac Asst Harbormaster/Shellfish Constable/Special Police Officer
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- ODNC00124 10 11 2022 Amend to Noise Ordinance
- ODNC00126 10 11 2022 Amend to Ch 13-180 Resident Zone
- ODNC00127 10 11 2022 Handicapped Space - Olive St
- COMM00412\_05\_31\_2022 Ltr Ann Jaroncyk re: Traffic Safety
- COMM00414\_05\_31\_2022 Ltr. Emily Dunn re: Traffic on Merrimac Street

**Public Utilities**

*In Committee:*

**Rules**

*In Committee:*

- ORDR239\_02\_8\_2021 Council Rule 7 and 10B

**18. GOOD OF THE ORDER**

**19. ADJOURNMENT**

**LATE FILE ITEMS**

# CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

November 1, 2022

**AN ORDER DETAILING THE MANNER IN WHICH INDIVIDUALS, ORGANIZATIONS OR BUSINESSES MAY PROVIDE SUPPORT FOR THE CONSTRUCTION AND MAINTENANCE OF MARKET LANDING PARK**

**WHEREAS**, Order 385 is an order approving the final schematic plans for the expansion of Market Landing Park, et al. and,

**WHEREAS**, as the City of Newburyport moves from design phase into the construction phase, this order will create a mechanism for members of the public (individual, organization or business) to contribute to the financial support of the Market Landing Plan's costs to build and maintain the park while at the same time increasing their image and brand as well as promoting goodwill;

**WHEREAS**, the City Council will consider the issuing of Naming Rights for certain Park Amenities

**NOW THEREFORE**, the City Council will establish the following application process and evaluation criteria:

*Purpose:*

*The intent of this process is to set forth criteria and parameters to guide naming rights opportunities for amenities within the Market Landing Park. This process provides the City Council the authority to consider and approve the naming of park amenities after an individual, an organization, or a business that has provided a financial contribution to support the park construction and its' ongoing maintenance needs.*

*Definitions:*

- **A Park Amenity** in this context is defined as a smaller support structure or park feature within the larger Market Landing Park.
- **Naming Rights** refers to the opportunity to name an amenity, comes with a financial obligation, and expires every 5 years.
- **Naming Rights in Consideration** refer to consideration of significant financial contributions, sponsorships or other commercial transactions
- **Naming Rights in Memoria** in this context are defined as a classification of naming Rights in Consideration
- **Naming Rights in Recognition** refer to recognition of significant contributions to the City, be they financial or of meritorious service; have performed outstanding community service; or be an

*outstanding civic leader on a local, state or national level. Names in Recognition bestowed are intended to be permanent.*

### **Guidelines**

*All Park amenities eligible for naming rights shall be determined by the City Council or its designee. The naming right opportunity application, as listed in Appendix A, must include the names, reason for requesting naming rights, and a detailed proposal of the signage requested, including design, layout, verbiage, and cost in writing for review and approval.*

*The City Council will evaluate applications based upon whether they are **in Consideration** or **in Recognition** as defined as following criteria:*

- *In Consideration: A Financial contribution to the construction and ongoing maintenance support.*
- *In Recognition: A distinguished resident and/or community leader who performed extraordinary public service or who made significant civic contributions,*

*The above procedures notwithstanding, no naming rights shall be granted to support commercial activity associated with tobacco, alcohol, illegal drugs, or weapons; which contains vulgar and plainly offensive, obscene, or sexually explicit language; advocates the violation of the law or city policy; advances any religious or political organization; promotes supporting or opposing of a candidate for elected office or a ballot measure; which discriminate on the basis of gender, ethnicity, religion, economic status, national origin, disability, medical condition, sexual orientation or age; which is associated with any company, group or individual whose actions are inconsistent with the City's mission or goals or community values.*

*The City Council will retain the right of early termination of naming rights if situations change, or if the City Council should discover information that would alter the original approval basis. Any prepaid fees will be refunded proportionally.*

### **Limit of Naming Rights**

*The named party after whom an amenity is named shall have no rights to the purpose to which the park amenity is applied unless provided for in a specific contract between the names party and the City. In turn, the named party shall bear no liability in respect of that entity unless provided for in a specific contract between the named entity and the City. Any such limits must be included in any naming right agreement.*

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Councillor James J. McCauley

# Appendix A

## Application

Name of Individual/Organization/Business: \_\_\_\_\_  
(Please include D/B/A)

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

### Contact Persons' Info

Name \_\_\_\_\_

Address (if different) \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_

EMAIL \_\_\_\_\_

Phone \_\_\_\_\_

The Amenity Interested in Naming Rights for \_\_\_\_\_

Please state your reasons:

Please email or mail to Clerk's Office, 60 Pleasant St, Newburyport, MA 01950



Attachment A

List of Potential Amenities - SAMPLE

Amenities List	Rates per year for 5 years
Bicycle Racks	\$500/yr
EV Spots	\$500/yr
Picnic tables	\$500/yr
Benches	\$500/yr
Hammocks	\$500/yr
Swing Trellis - Seat	\$1000/yr
Swing Trellis - Lounge	\$2000/yr
Planting Areas	\$200 per sf/yr or 75% of mtce.
Plants - Trees	\$1200 per tree
Seating Area/amphitheater	\$500 per sf/yr
Sculpture Plaza	\$500 per sf/yr
Visitor Center	\$30k/yr
Plaza	\$500 per sf/yr
In memoria engraved brick or mounted plaque	TBD (1x fee only)

Level of Investment

Timeframe: 5yrs \_\_\_\_\_, 10yrs \_\_\_\_\_, other \_\_\_\_\_

October 31, 2022

**59 Low St Frequently Asked Question**

**1. In Option B, are the modular gym and addition net zero?**

No. Option A shows a fully net zero development of both the existing building and the new gym/addition, utilizing a solar array and battery storage, as well as intensive insulation and heat pumps. The cost of these items totaled between \$750,000-1,000,000. During the value engineering exercise, which resulted in Option B, the net zero component was greatly reduced: the solar array was eliminated, as was battery storage. The building will be well insulated and have an air barrier, but will not be considered net zero. The mechanical system will be entirely electric, but there is currently no means of energy generation included in the estimate. The building can be made solar-ready, should the City decide to include this at a later date. There are likely grant opportunities for solar.

**2. Could the toilets be gender neutral and, if so, would that reduce the cost?**

This is not realistic due to the sheer volume of kids that could be utilizing the building at one time. Each restroom will need to have multiple stalls. However, the single restroom that is currently used as a staff/preschool restroom is gender-neutral.

**3. How much storage is shown in the eaves?**

There is 1,132 sf included for storage on the upper level, which includes the eave on the west side of the building. On the east side, the corridor below is open to the roof so there is no eave storage in that location.

**4. Can the Brown School gym be value engineered to reduce the cost? What would, for example, \$1M do for the Brown School?**

We can discuss further, but there is a million dollars of work just in mechanical and electrical work at the Brown School gym.

**5. How could we mitigate the potential for flooding?**

This location is nowhere near the FEMA floodplain, with the nearest floodplain being at a stream on Parker street. The elevation of that flood is 10, 88NAVD and the elevation of the 59 Low Street lot is typically above 20, so there is no floodplain risk. The only water issues would relate to stormwater and drainage and there is no existing stormwater management on site. We would be adding stormwater management with the overall site design, which should both mitigate any localized stormwater-based flooding which generally would occur behind the fence away from the building. It is not

realistic it is to regrade around building and put in a subsurface storm drainage system due to the existing clay soils and cost/effort vs reward.

**6. What would be the rough cost for traffic calming and/or sidewalks near this site on Low St?**

Crossing lights and a painted crosswalk could be installed in-house by DPS for a cost between \$12,000- 15,000. A raised crosswalk is not recommended due to the fact that Low Street is a main route and not a secondary street. A sidewalk on the 59 Low St side is not feasible because there are currently no connecting sidewalks on that side of the street. Rather, a crosswalk across Low St toward the school, connecting to an existing sidewalk on the school side of Low Street, makes the most sense.

**7. What do we anticipate for 'carrying costs' on this building (heating/cooling and electric)?**

Based on the usage per square foot at the Senior/Community Center (\$1.68/sf per year for 15.5K sf), the proposed NYS Facility (+/-11K sf) would cost approximately \$18K/year for heating, cooling and electricity.

**8. What about plowing and janitorial service? Can these services be folded into current manpower at DPS?**

The building size and parking area of this new project are roughly equivalent to the portions of the Brown School that were utilized for NYS. As such, it is reasonable to assume the current manpower at DPS could handle this new project under their current staffing capacities.

**9. How does the size of the new project, as proposed, match the needs of the Department in terms of enrollment and utilization of the space?**

NYS's capacity in the former Brown School (not including the gym) was about 110-120 young people, depending on age and type of activity. The goal for this project was to design a space that provided, at a minimum, the same amount of programming space. The new designs vary: Option C would allow between 80-90 participants at one time, or a 30% decrease. Option B would allow between 105-110 in classrooms with the biggest difference being more space in the "art room". Option A provides the most capacity at 110-120, with the additional space primarily in the teen hangout. Options A and B also have the most flexibility, by utilizing room dividers, in a variety of ways both for NYS programs but also for community organizations and rentals.



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

**MEMORANDUM**

**TO: Kim Turner, Special Projects Manager**

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

**CC: Sean R. Reardon, Mayor**  
**Andrew Levine, Chief of Staff**  
**Molly Ettenborough, Recycling and Energy Manager**

**RE: Net Zero Energy Goals & Municipal Facility Design**  
**Newburyport Code of Ordinances / Section 5-48 (ODNC00111\_05\_09\_2022)**

**DATE: October 28, 2022**

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This memorandum is in relation to the above referenced Ordinance, originally adopted in late 2021 and subsequently amended for greater clarity and simplicity by Council adoption of a revised version on 8/29/2022 (*final/most recent version attached hereto for your convenience*). As requested, the purpose of this memorandum is to summarize and clarify the minimum Ordinance requirements as distinguished from the broader policy level goals or targets identified therein.

**Explicit Ordinance Requirements**

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At minimum this Ordinance requires the following [*bold font emphasis added*]:

- A. **“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
- B. *“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:”* [**energy efficiency measures; methods/levels of on-site renewable energy generation studied/utilized in the final design; projected annual energy usage of the facility; and the net gap between on-site generation and what is still required from the electric grid**]; and
- C. *“The report hereunder shall be provided forthwith to the Mayor, City Council and Energy Advisory Committee (EAC) for consideration during the design phase”;* and

- D. *“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”*; and
- E. *“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.”*

While the Ordinance does not explicitly require new or renovated facilities to meet an absolute net zero threshold on usage, it does require that any gap in on-site generation be pulled from the electric grid, and it does require the report referenced in items B through D above to be submitted and reviewed early enough in the design and funding of any “Significant City Project” such that the feasibility of achieving net zero goals can be publicly reviewed by the Mayor and Council in relation to funding for, and construction of, these projects.

### **Policy Targets/Goals Identified within the Ordinance**

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Beyond the above explicit requirements, the Ordinance establishes the following broader goals/targets [*bold font emphasis added*]:

1. *“... 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**”*; and
2. *“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**”*; and
3. *“... 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**”*; and
4. With respect to the use of fossil fuels to cover energy needs beyond that which can be generated on-site, *“offset **remaining energy usage through renewable energy sourcing on the applicable electric grid.**”*

Since adoption of the Ordinance (both *original and most recent version*), design for the following municipal facilities, under oversight by the Office of Planning & Development, has been undertaken in accordance therewith:

1. **Market Landing Park Expansion – Visitor Center/Restroom Facility** (*expected to be net-zero on yearly energy usage through the use of solar arrays and energy efficiency upgrades to insulation and mechanical equipment, with net metering to the electric grid in order to offset daily and seasonal fluctuations*); and
2. **Cutter/West End Fire Station** (*expected to be net-zero on yearly energy usage through the use of solar arrays and energy efficiency upgrades to insulation and mechanical equipment, with net metering to the electric grid in order to offset daily and seasonal fluctuations*).

**MAYOR'S UPDATE**  
**October 31, 2022**  
**Mayor Sean R. Reardon**

**Happy Halloween:**

I want to thank everyone who took part in Halloween festivities around the City the past month. We had a great turnout for City Hall Trick-or-Treat and Downtown Trick-or-Treat was as busy as I had ever seen it. These events make Newburyport special and it was so great to see so many families out enjoying the City.

**Plum Island Dredge Project:**

Yesterday, we welcomed Massachusetts Senator Ed Markey, Congressman Seth Moulton, State Senator Bruce Tarr, State Senator Diane DiZoglio and Lieutenant Colonel Michael Carvelli of the Army Corps of Engineers among others to celebrate the start of the Plum Island Dredge Project. The Dredge started a few weeks back and when completed will have replaced over 230,000 cubic yards of sand on the beach. This was a great opportunity to celebrate the hard work that has gone in to getting this dredge project started but also acknowledge that this is just the first action that needs to take place on Plum Island. The second piece is for the Army Corps of Engineers to immediately begin the \$240K study on the jetty. These funds were secured by Senator Markey and Senator Warren earlier this year. We need to fix this jetty immediately following the dredge so all the hard work that went into the dredge is not for nothing.

**Newburyport Youth Services:**

In your packet tonight, you will see a presentation on Newburyport Youth Services at 59 Low Street. The presentation will be done by Kim Turner, Special Projects Manager, a representative from EGA architects, Andi Egmont, our Director of Youth Services, and Finance Director Ethan Manning. This presentation is the result of months of hard work since purchasing the building at 59 Low Street in January. Also accompanying the presentation is a bond order request for \$5.7M. It is not uncommon, nor is it bad practice to move to a bond at this stage in the project. Approving the bond at this time will signal that there is support for this project and allow us to move forward, rather than spend taxpayer money on a full design that may not gain Council approval. Once we have approved the plan and bond order we can proceed to changing the zoning while the further design work moves forward.

While this specific plan may be new to the Council, the idea for a home for Youth Services and using 59 Low Street to do so is a well-established proposal. NYS has been without a home since last October, and the time has come to have this conversation around NYS publicly. We are putting forth a plan that meets the needs of Newburyport Youth Services and gives the City an asset to be used for generations to come. While the cost is higher than it would have been had the project advanced several years ago, we plan to demonstrate that we have the funds and bonding capacity available to move forward with this plan and it will be the decision of the Council how to proceed. The Administration has answered and will continue to answer all questions that the Council has about this plan, and has made a significant effort to address all concerns. While discussions need to continue, there is no reason to delay this process. We believe this is a top-tier priority for the City and its youth, and that the children of Newburyport are worth the investment in NYS. We are committed to working with the Council on this plan and to advance to next steps as soon as possible.

**Health Department:**

Newburyport Health Director Laura Vlasuk was recently elected Region 3 Regional Representative at this year's Massachusetts Health Officers Association meeting. We are happy to congratulate her on this achievement, and look forward to seeing even greater representation for Newburyport in regional discussions on public health.

The Department will hold a flu shot clinic at the Senior Community Center on November 10<sup>th</sup> from 1 to 4pm and a Flu and Covid Vaccine clinic on Tuesday, November 22<sup>nd</sup> at City Hall from 8-11am. This clinic includes the COVID-19 Bivalent Booster Shot for those who have not yet received it.

Newburyport is currently at a 12.1% Covid test positivity rate, significantly higher than the state's average of 6.51%. While test positivity alone gives limited information, this does signal that Covid is still in the community and residents are reminded to get boosted and follow other recommended precautions.

**Recent Hires**

We have a number of new faces in City Hall, with a couple more starting soon. Renée Ward, Financial Purchasing Analyst, joined us on October 11<sup>th</sup>, and our new Outreach Specialist at the Council on Aging, Ann Freeman, started work yesterday. On November 14<sup>th</sup>, we will be joined by our new Accounting Clerk in the Treasurer's office, Doreen Gardner. You will also see an appointment before you this evening for James Pope to be the next Director of Information Technology. He brings public sector experience as the former IT Director in Gloucester and has most recently been in the private sector. We hope you take the opportunity to welcome all these new employees to the City.

**Supplemental Budget**

The FY23 Supplemental Budget is coming to you for a vote this evening. This proposal uses previously made cuts from our previous budget request and additional state aid to fund \$271,400 worth of City spending, including Fire Department overtime, Police Training, and Veterans Services and IT staffing. It also provides \$50,000 for outside counsel for the Waterfront West process, additional funding for Sidewalks through the meals tax, temporary rental space for NYS, and a replenishing of the Parks maintenance budget followed unanticipated necessary spending this summer. We hope to have your support tonight for these important projects and services.

**Joint City Council-School Committee Meeting:**

The annual City of Newburyport FY2024 Joint Budget Meeting with the City Council and School Committee will take place November 15<sup>th</sup> at the Senior Community Center at 6:30pm. This meeting is mandated by our City Charter Section 6-2. The meeting is a chance to review the financial condition of the city and forecast revenues and expenditures to better prepare for the upcoming budget season.

**Sustainability, Recycling and Energy,**

With the recent National Grid electricity price hikes for this winter, my administration is happy to announce that the city has taken the first step to aggregate electricity supply on behalf of all National Grid basic service users in the city. This means that the city, through the state's deregulated electricity market, has triggered its established opt out aggregation program to combine the purchasing power of its residents to achieve savings on electricity costs for all basic service users. We are working closely with our contracted broker, Colonial Power Group, and have gone out to bid for supply and have received pricing that will provide basic service users with an approximate 36% discount off of the National Grid rate from January through April 2023. It is currently under review by the State Department

of Public Utilities and once approved, notification will be sent to all National Grid basic service users on or around November 15<sup>th</sup>. At that time, we will be hosting information sessions to let people know about the program and how they can opt out if they so choose.

At this time, I would also like to acknowledge all of the efforts through the years to establish this program. It took several years to become an aggregated community through the Department of Public Utilities process and I'd like to thank the former administration, the Energy Advisory Committee, Merrimack Valley Planning Commission, the City's Sustainability Office and Colonial Power Group for all of their contributions in developing this program for the city. I'd also like to thank the previous city council for creating the process by which my office could commence this program in an expedient manner. The program meets the state's original intent of a deregulated electricity market to benefit rate payers and has put Newburyport in position to help its residents and businesses. Communication with residents will be critical in the weeks ahead and I will be sure to use all of my administration's expanded communications channels to assist with the launch of this program.

Thank you to all whom have helped along the way and there will be more information coming soon.

**Mayor Sean Reardon**



# **CONSENT AGENDA**

# CITY COUNCIL MEETING

## MINUTES

October 11, 2022 at 7:00 pm  
City Council Chambers, City Hall  
60 Pleasant Street, Newburyport

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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**

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

4. **LATE FILE**

- APPT00344\_10\_11\_2022 William Jarman 8 Harvard Road, Groveland Asst Harbormaster/ (PS)  
Shellfish Constable/Special Police Officer
- APPT00345\_10\_11\_2022 Ben Molnar 12B Summerwood Drive, Hampton Asst Harbormaster/ (PS)  
Shellfish Constable/Special Police Officer
- APPT00346\_10\_11\_2022 Michael Maillette 7 Summit Drive, Atkinson Asst Harbormaster/ (PS)  
Shellfish Constable/Special Police Officer
- COMM00437\_10\_11\_2022 MLP Project Update (Ad Hoc Committee on Market Landing Park Expansion)
- ORDR00385\_10\_11\_2022 Sasaki Design Progress (Ad Hoc Committee on Market Landing Park Expansion)

Motion to accept the late files to their respective referral by Councillor Zeid, seconded by Councillor McCauley. So voted.

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**

- September 27, 2022 (Approve)

8. **COMMUNICATIONS**

- COMM00436\_10\_11\_2022 Ann Marie Monziona Letter re: park bench (N&CS)  
Removed from Consent Agenda as requested by Councillor McCauley.

9. **TRANSFERS**

## 10. APPOINTMENTS

### *Re-Appointments:*

- APPT00341\_10\_11\_2022 Gregory A. Downs 40 Riverview Dr., Newbury Asst Harbormaster/  
Shellfish Constable/Special Police Officer (PS)
- APPT00342\_10\_11\_2022 Mike Merriman 6 Little Pond Rd., Merrimac Asst Harbormaster/  
Shellfish Constable/Special Police Officer (PS)
- APPT00343\_10\_11\_2022 Andrew C. Malatesta 37 Federal St. Asst Harbormaster/  
Shellfish Constable/Special Police Officer (PS)

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

### **BUDGET & FINANCE**

- ODNC00117\_06\_27\_2022 Building Inspector Enforcement
- ODNC00118\_07\_11\_2022 Amend Municipal Fees

### **PLANNING & DEVELOPMENT**

- ORDR00379\_08\_08\_2022 Acceptance of Public Easement - Colby Farm Lane Playground
- ORDR00383\_09\_27\_2022 Easement from 7 Whites Court

### **END OF CONSENT AGENDA**

Motion to accept the Consent Agenda as amended by Councillor Zeid, seconded by Councillor McCauley. So voted.

### **REGULAR AGENDA**

## 9. MAYOR'S UPDATE

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

## 10. FIRST READING APPOINTMENTS

## 11. COMMUNICATIONS

- COMM00436\_10\_11\_2022 Ann Marie Monziona Letter re: park bench  
Motion to refer to Budget & Finance by Councillor McCauley, seconded by Councillor Lane. 10 yes, 1 no (BV). Motion passes.

## 12. TRANSFERS

## 13. SECOND READING APPOINTMENTS

## 14. ORDERS

## 15. ORDINANCES

- ODNC00119\_07\_11\_2022 2<sup>nd</sup> reading Amend Ch 13 Sec 168 Plummer Ave Restricted Parking
- ODNC00120\_07\_11\_2022 2<sup>nd</sup> reading Plummer Ave Drop Off Zone
- ODNC00121\_07\_11\_2022 2<sup>nd</sup> reading Merrimac-Plummer Safety Zone Revision  
Motion to approve ODNC00119, ODNC00120, and ODNC00121 collectively on 2<sup>nd</sup> reading by Councillor Zeid, seconded by Councillor McCauley. Roll call vote. 11 yes. Motion passes.
- ODNC00124\_10\_11\_2022 Amend to Noise Ordinance  
Motion to refer ODNC00124, ODNC00126, and ODNC00127 collectively to Public Safety by Councillor Zeid, seconded by Councillor McCauley. Roll call vote. 11 yes. Motion passes.
- ODNC00125\_10\_11\_2022 Amend to Ch 5 Buildings  
Motion to refer to Planning & Development by Councillor Zeid, seconded by Councillor Cameron. So voted.

- ODNC00126\_10\_11\_2022 Amend to Ch 13-180 Resident Zone  
Motion to refer ODNC00124, ODNC00126, and ODNC00127 collectively to Public Safety by Councillor Zeid, seconded by Councillor McCauley. Roll call vote. 11 yes. Motion passes.
- ODNC00127\_10\_11\_2022 Handicapped Space - Olive St  
Motion to refer ODNC00124, ODNC00126, and ODNC00127 collectively to Public Safety by Councillor Zeid, seconded by Councillor McCauley. Roll call vote. 11 yes. Motion passes.

## 16. COMMITTEE ITEMS

### Ad Hoc Committee on Adaptive Reuse of Brown School Property *In Committee:*

### Ad Hoc Committee on Economic Development *In Committee:*

### Ad Hoc Committee on Market Landing Park and COTW *In Committee:*

### Budget & Finance *In Committee:*

- **ODNC00117 06 27 2022 Building Inspector Enforcement**  
Motion to approve on 1<sup>st</sup> reading by Councillor Zeid, seconded by Councillor McCauley. Roll call vote. 10 yes., 1 no (SZ). Motion passes.
- **ODNC00118 07 11 2022 Amend Municipal Fees**  
Motion to approve on 1<sup>st</sup> reading by Councillor Zeid, seconded by Councillor McCauley. Roll call vote. 10 yes., 1 no (SZ). Motion passes.
- ORDR00336\_03\_28\_2022 ARPA Amesbury 250K (COTW)
- ORDR00384\_09\_27\_2022 FY2023 Supplemental Budget with Memo

### Education

#### *In Committee:*

- COMM00434\_09\_27\_2022 Whittier Tech Annual Operational Report

### General Government *In Committee:*

### 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
- APPT00339\_09\_12\_2022 Kevin Hunt 14 10<sup>th</sup> St. Veteran's Agent 10/1/2023

### Planning & Development *In Committee:*

- **ORDR00379 08 08 2022 Acceptance of Public Easement - Colby Farm Lane Playground**  
Motion to approve by Councillor Cameron, seconded by Councillor McCauley. Roll call vote. 11 yes. Motion passes.

- **ORDR00383 09 27 2022 Easement from 7 Whites Court**

Motion to approve as amended in Committee to strike by Councillor Cameron, seconded by Councillor Preston. Roll call vote. 11 yes. Motion passes.

**Public Safety**

*In Committee:*

- COMM00412\_05\_31\_2022 Ltr Ann Jaronyk re: Traffic Safety
- COMM00414\_05\_31\_2022 Ltr. Emily Dunn re: Traffic on Merrimac Street
- ODNC00123\_09\_27\_2022 Handicapped Parking Space – Plummer Ave

**Public Utilities**

*In Committee:*

**Rules**

*In Committee:*

- ORDR239\_02\_8\_2021 Council Rule 7 and 10B

**17. GOOD OF THE ORDER**

**18. ADJOURNMENT**

Motion to adjourn at 8:04 pm by Councillor Zeid, seconded by Councillor Vogel. So voted.

# COMMUNICATIONS

# NEWBURYPORT SPECIAL EVENT APPLICATION

Tel. \_\_\_\_\_ Fax. \_\_\_\_\_

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

NAME OF EVENT: Ladies Night out Run, wine + Charobale

Date: 12/3/22 Time: from 2pm to 5pm

Rain Date: NA Time: from NA to NA

2. Location: Nicholson Hall, 9 Harris St.

3. Description of Property: Greek orthodox Church Public \_\_\_\_\_ Private

4. Name of Organizer: Ashly Steeves City Sponsored Event: Yes \_\_\_\_\_ No

Contact Person

Address: Tina Papadopoulos Telephone: 978 465 5757

E-Mail: tpapadopevents@gmail.com Cell Phone: \_\_\_\_\_

Day of Event Contact & Phone: Ashly Steeves

5. Number of Attendees Expected: 400

6. MA Tax Number: 47-3215798

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

8. What Age Group is the Event Targeted to? 21+ Females

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 8-10

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? All Inside Hall
- b) How many recycling receptacles will you be providing? All Inside Hall
- 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 NA
- 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 # NA ADA accessible

Name of company providing the portable toilets: \_\_\_\_\_

Ashly Steeves  
978 594 7050  
info@high5em.com

02



**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: HignSEM / Ashley Steeves, Funder/owner

2. Name, Address & Daytime Phone Number of Organizer: Ashley Steeves, 9785947050, 3 Pond Hill Rd. Amesbury MA 01913

3. Name, Address & 24/7 Telephone Number of Person Responsible for Clean Up Ashley Steeves, 9785947050, 3 Pond Hill Rd, Amesbury MA 01913

4. Date of Event: 12/3/22 Expected Number of Participants: 400

5. <sup>Race</sup> Start Time: 3pm <sup>Race</sup> Expected End Time: 430pm

6. Road Race, Parade or Walkathon Route: (List street names & **attach map of route**): see map attached with turn by turn details.

7. Locations of Water Stops (if any): 1 water stop (parking lot at end of rail trail)

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

9. Formation Location & Time for Participants: Nicholson Hall | 9 Harris St | e 3pm

10. Dismissal Location & Time for Participants: " " | " " | " "

11. Additional Parade Information:  
 • Number of Floats: NA

• Locations of Viewing Stations: NA

• Are Weapons Being Carried: Yes \_\_\_\_\_ No X

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

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

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

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

Jamie Tuccolo

Health Director: [Signature]



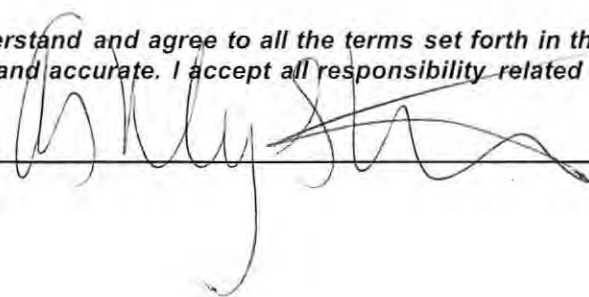
- (e) "Road Closure" No ways, public or private, boat ramps or parking lots controlled or patrolled by the city shall be closed without authorization. Authorization shall be considered granted only if said closure(s) are contained in the approved permit. It is the sole responsibility of the race organizers 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: \_\_\_\_\_

8/30/22



# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)  
09/22/2022

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).


<b>PRODUCER</b> Allan Insurance Agency Inc 63 1/2 Jefferson Avenue 2nd F P.O. BOX 511 SALEM MA 01970-0511		<b>CONTACT NAME:</b> David Kameron <b>PHONE (A/C, No, Ext):</b> (978) 745-5905 <b>FAX (A/C, No):</b> (978) 745-5483 <b>E-MAIL ADDRESS:</b> david@allaninsurance.com	
<b>INSURED</b> Rising Reg LLC 3 Pond Hill Road Amesbury MA 01913		<b>INSURER(S) AFFORDING COVERAGE</b> INSURER A: Nautilus Insurance Company INSURER B: INSURER C: INSURER D: INSURER E: INSURER F:	

COVERAGES CERTIFICATE NUMBER: CL2051402323 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	ADDITIONAL INSURED	SUBROGATION	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 POLICY: <input type="checkbox"/> PROJECT <input type="checkbox"/> LOC <input type="checkbox"/> OTHER	Y		NN1176327	04/05/2022	04/05/2023	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 Non-owned \$
	<b>AUTOMOBILE LIABILITY</b> <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
	<input type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> DED <input type="checkbox"/> RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$
	<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If YES, describe below DESCRIPTION OF OPERATIONS below	Y/N	N/A				<input type="checkbox"/> PER STATUTE <input type="checkbox"/> OTHER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)  
City of Newburyport is named as additional insured.  
Ladies Night Out Run, Wine & Chocolate 5K on 12/3/2022  
Nicholson Hall, 9 Harris Street, Newburyport, MA 01950

<b>CERTIFICATE HOLDER</b> City of Newburyport 60 Pleasant Street Newburyport, MA 01950	<b>CANCELLATION</b> 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 
-------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------



August 30, 2022

Attn: City of Newburyport BOS

My name is Ashley Steeves, Founder and Owner of High5EM a race management company headquartered in Amesbury, MA. This is a request for permission to utilize the streets of Newburyport on Saturday, Dec 3rd to host the **10<sup>th</sup> Ladies Night Out Run, Wine and Chocolate Event** to benefit the Gene Geiger Crisis Center and Girls Inc. of the Seacoast Area.

This all female 3-mile run/walk will set stage at Nicholson Hall starting at 3PM sharp. The first runners will be back in just about 20 minutes, with our walkers coming in just before 4:30PM.

You will find the pre-approved established route attached with a turn-by-turn description. We are not requesting any road closures and will work with Lt. Siemasko for required police details.

All pre/post festivities will be held inside of Nicholson Hall.

A copy of our COI naming Nicholson Hall and the City of Newburyport as an additional insured is attached.

We look forward to bringing this wildly popular event back to Newburyport where it originated after a few year hiatus due to the pandemic.

Any questions please call 978 594 7050 or email [info@high5em.com](mailto:info@high5em.com)

I look forward to hearing from you.

Best,

Ashley Steeves

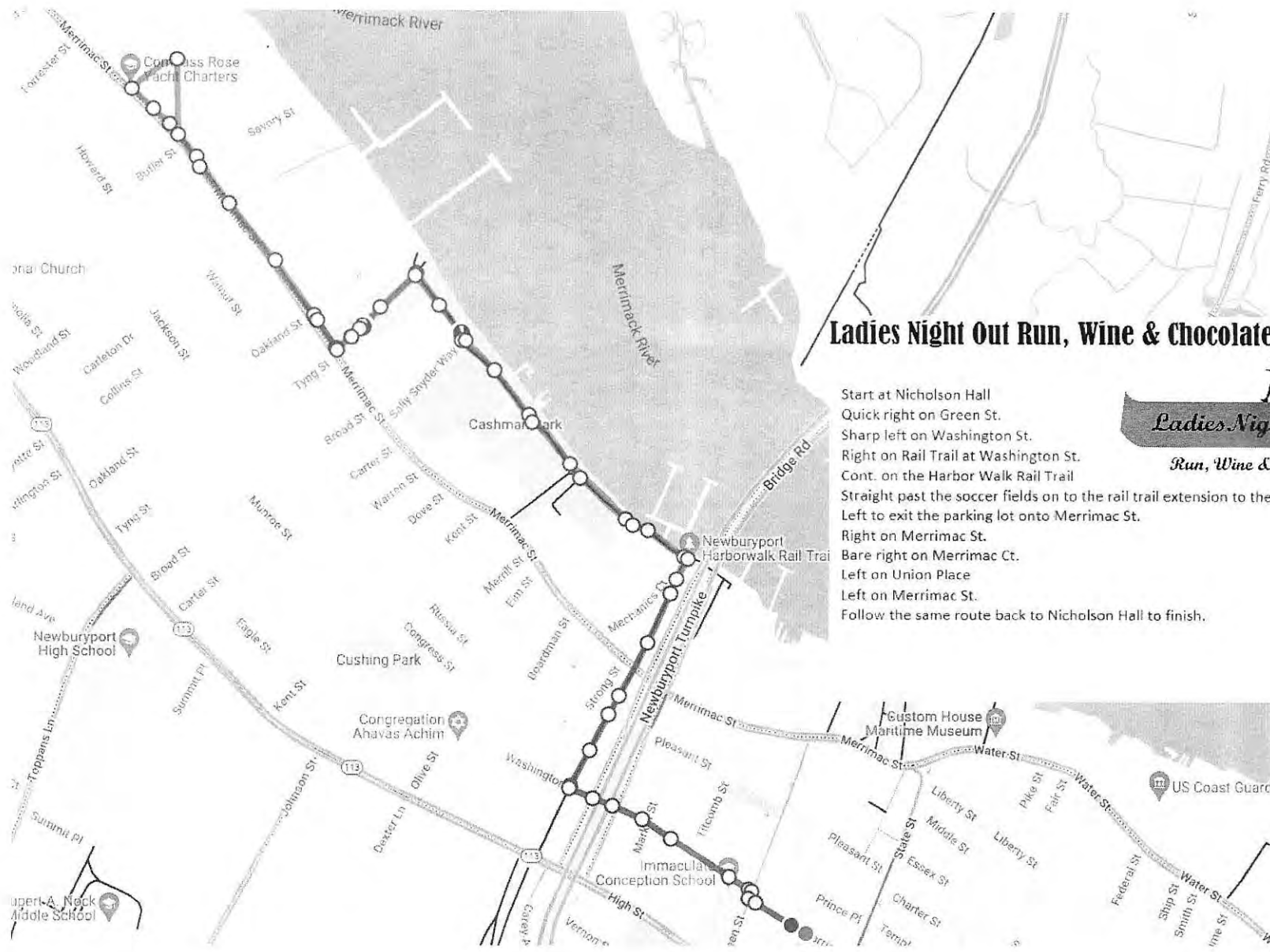
**Co-Founder/Co-Owner**

**High5EM**

978-594-7050

3 Pond Hill RD, Amesbury, MA 01913

[www.High5EM.com](http://www.High5EM.com)



## Ladies Night Out Run, Wine & Chocolate



Start at Nicholson Hall  
 Quick right on Green St.  
 Sharp left on Washington St.  
 Right on Rail Trail at Washington St.  
 Cont. on the Harbor Walk Rail Trail  
 Straight past the soccer fields on to the rail trail extension to the end.  
 Left to exit the parking lot onto Merrimac St.  
 Right on Merrimac St.  
 Bare right on Merrimac Ct.  
 Left on Union Place  
 Left on Merrimac St.  
 Follow the same route back to Nicholson Hall to finish.

**NEWBURYPORT SPECIAL EVENT APPLICATION**

RECEIVED  
CITY CLERK'S OFFICE  
NEWBURYPORT, MA

Tel. \_\_\_\_\_ Fax. \_\_\_\_\_

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

NAME OF EVENT: DEL Alliance Table @ Invitation Night

Date: Dec 2 and Dec 9 2022 Time: from 6 PM to 9 PM

Rain Date: — Time: from — to —

2. Location\*: Market Square

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

3. Description of Property: \_\_\_\_\_ Public  Private \_\_\_\_\_

4. Name of Organizer: DEL Alliance City Sponsored Event: Yes  No \_\_\_\_\_

Contact Person Tina Los

Address: 60 Pleasant St. Telephone: 978 465 4434

E-Mail: Hos@cityofnewburyport.com Cell Phone: 201-213-8849

Day of Event Contact & Phone: Tina - 201-213-8849

5. Number of Attendees Expected: 100

6. MA Tax Number: 046-001-403

7. Is the Event Being Advertised?  Where? Facebook, Chamber Newsletter

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

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

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

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

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

**If no:**

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

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

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

# \_\_\_\_\_ Standard # \_\_\_\_\_ ADA accessible

Name of company providing the portable toilets: \_\_\_\_\_

# FOR STREET CLOSURE OR ANY USE OF A PUBLIC WAY

PARADE \_\_\_\_\_

ROAD RACE \_\_\_\_\_

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 *AC Brady* \_\_\_\_\_ 0 Greenleaf St.

DEPUTY DIRECTOR \_\_\_\_\_ 16A Perry Way CITY CLERK *Melanie D. Jones* \_\_\_\_\_ 60 Pleasant St.

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

Updated April 1, 2022



# DEPARTMENT APPROVAL (for Committee Member use only):

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

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

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

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

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

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

(c) *Definitions.*

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

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

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

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

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

(d) *Limitations.*

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(e) *Enforcement.*

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

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

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

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

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

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

Signed:  Date: 10/25/22

# NEWBURYPORT SPECIAL EVENT APPLICATION

RECEIVED  
NEWBURYPORT, MA

Tel. \_\_\_\_\_

Fax. \_\_\_\_\_

2022 OCT 26 AM 9:39

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

NAME OF EVENT: Invitation Nights: Sip & Shop

Date: 12/2, 12/9, 12/16 Time: from 6 pm to 9 pm

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

2. Location\*: Throughout Downtown Shops & Businesses

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

3. Description of Property: Throughout Downtown Public  Private \_\_\_\_\_

4. Name of Organizer: Newburyport Chamber City Sponsored Event: Yes \_\_\_\_\_ No

Contact Person Nate Allard

Address: \_\_\_\_\_ Telephone: 978-270-5219

E-Mail: nallard@newburyportchamber.org Cell Phone: same as above

Day of Event Contact & Phone: Erin Duggan / 415-577-4112

5. Number of Attendees Expected: \_\_\_\_\_

6. MA Tax Number: \_\_\_\_\_

7. Is the Event Being Advertised? Yes Where? Chamber Marketing

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

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

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

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

\*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 N/A Kiddie Rides N/A Games \_\_\_\_\_ Raffle \_\_\_\_\_

Other \_\_\_\_\_ Total # \_\_\_\_\_

Name of Carnival Operator: N/A

Address: N/A

Telephone: N/A

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

Will you be conducting the clean-up for this event? Yes \_\_\_\_\_ No  Not necessary

Downtown shops might serve food inside their shop.  
Patrons walk from shop to shop.

**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: \_\_\_\_\_

N/A

# 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:

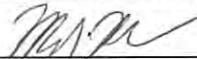

• Number of Floats: \_\_\_\_\_

• Locations of Viewing Stations: \_\_\_\_\_

• Are Weapons Being Carried: Yes \_\_\_\_\_ No \_\_\_\_\_

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

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___	4. ISD/Health: <u>N/A</u>	_____
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***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: \_\_\_\_\_

10/26/2022

RECEIVED  
CITY CLERK'S OFFICE  
NEWBURYPORT, MA

October 11, 2022

2022 OCT 13 AM 9:47

President and Members of the City Council

City Hall

60 Pleasant Street, Newburyport, MA

Dear City Council,

As in years past, Congregation Ahavas Achim requests a permit to install a Hanukkah menorah in Market Square, adjacent to the Christmas tree. This year Hanukkah begins at nightfall on Sunday December 18<sup>th</sup> and ends Monday December 26<sup>th</sup> at nightfall. We would like to set up the menorah during the week of December 12<sup>th</sup> and will be able to take it down as early as December 27<sup>th</sup>, however we would be glad to leave it in place through New Year's if it is felt that it adds to the city's holiday display. We will need access to an electrical outlet, but will handle all of the setup directly. Thank you very much for your consideration.

Warm wishes,

Alex Matthews

Congregational Leader

Congregation Ahavas Achim, Newburyport

[cleader@caa-newburport.org](mailto:cleader@caa-newburport.org)

347-443-1970 (cell)

Owen Smith  
175 Storey Avenue  
Newburyport, MA 01950  
[osmith87@gmail.com](mailto:osmith87@gmail.com)

RECEIVED  
CITY CLERK'S OFFICE  
NEWBURYPORT, MA  
2022 OCT 24 PM 1:05

October 21, 2022

Richard Jones  
City Clerk  
PO Box 550  
Newburyport, MA 01950

Dear Clerk Jones:

It has been more than three weeks since the Mayor withdrew their Parks Reorganization Proposal that was submitted to the City Council. The reasoning of the Mayor's withdrawal was stated in the first sentence of the Mayor's September 27, 2022 press release: "In order to give all stakeholders more time to review details and prepare for next steps".

I am not aware of any request for comments or proposals from the community. As a resident with young children, I would consider myself a stakeholder. I think in order for Mayor to make effective change in the delivery of city services, the Mayor should actively engage stakeholders.

I am providing the following comments for the public record. I believe it is imperative that the Mayor review the concerns with the withdrawn plan and create a plan that addresses the long-term needs of our community.

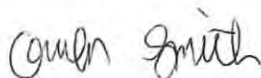
- 1) The Parks Department still exists as a separate entity in the city government. The Parks Director has been vacant since July. I would expect the Parks Director be accountable to the city for the oversight of the city parks. I have raised concerns about playground maintenance and inspections. I learned that after the elimination of the Parks Director, there was no one on staff that was certified to perform playground inspections. Not having certified people on staff to oversee this safety function during peak park use is concerning. Not having a proactive inspection program brings unnecessary liability to the city.
- 2) If the new reorganization plan will merge the Parks Department into the Department of Public Services (DPS), an assessment of the operational and planning structure needs to be completed. DPS's primary mission is the maintenance of our city's critical infrastructure. The new organization needs to be designed to allow for effective planning and maintenance of our city's assets.
- 3) The previous proposal stated that a Parks Division will be created within the DPS. This would create a 4th division. Currently the Water and Sewer

enterprise funds (which are raised with user rates and fees) fund 2/3 of the administration. Will the added scope of work be considered when allocating funds? The added workload will be a burden because the plan specifically states that DPS personnel will be the primary point of contact. Is it fair to have the water and sewer users fund the additional administrative burden?

- 4) Workflows regarding the city's parks would move from one organization into multiple organizations. In my experience, the infrastructure operator, planner, and maintainer should be one organization. The proposed plan takes various functions of this enterprise and moves it to unrelated entities. DPS would perform maintenance and field customer service requests. The people at DPS would not make decisions pertaining to parks use, but would refer them to the Parks Commission. The Parks Commission would not have oversight on DPS operations. The Mayor's Office will work on planning and interfacing with endowments. Recreation activities will be managed by the Council of Aging and Youth Services. Community groups will have to know their way around to coordinate parks maintenance, use, and scheduling. This sounds like a lot of overlapping tasks, which would be managed by different people. How will there be accountability in the city's government to ensure the continued stewardship of our parks if multiple people are in charge?
- 5) The reason I became active in municipal politics is because there is a need for stewardship of our critical infrastructure. DPS's primary mission should be the management of our critical infrastructure. Adding the additional workload of parks will distract the DPS from its primary mission. There are millions of dollars of upcoming needs (dam repairs, water resiliency, climate resiliency, the backlog of highway projects for pedestrian access, just to name a few). The DPS should be prioritizing these needs. Recent news in Jackson, MS and Cambridge, MA highlights the need to keep this a priority.

It is my hope that the city council holds the Mayor accountable to submitting an inclusive plan that addresses the needs of our parks and the needs for our critical infrastructure. This plan should seek stakeholder input in a public forum, with a public docket so the community has confidence that the proposed reorganization is in the public interest.

Sincerely,



Owen Smith



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

RECEIVED  
CLERK'S OFFICE  
NEWBURYPORT, MA

2022 OCT 25 PM 2:20

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: November 1, 2022  
Subject: James Pope, Information Technology Director

I hereby present to City Council, subject to your approval, the following named individual as Information Technology Director for the City of Newburyport.

James Pope  
6 Chestnut Street  
Unit 3  
Gloucester, MA 01930

## EDUCATION

**NORTHEASTERN UNIVERSITY, Boston, MA**  
Bachelor of Arts in Business Administration

June 2008

## PROFESSIONAL EXPERIENCE

**READY, New Orleans, LA**

March 2020 to present

**Vice President, Information Technology**

Mobile urgent care startup, operating in 4 states

- Rapidly scaled IT team and infrastructure to support accelerated growth during pandemic from 200 to 800 employees and multiple market launches in 3 months.
- Took a hybrid leadership and hands-on role to align support functions to company needs/demands in a fast paced environment.
- Ground up (re)build of IT infrastructure and Support Desk function.
- Supported a majority remote workforce, and cloud-first strategy in challenging health care security environment.
- Operated as Security Officer, partnering with legal, maintaining HIPAA compliance, managing external security assessments.
- Owned vendor relationships, and responsible for overall IT budgeting and spending.

**CITY OF GLOUCESTER, Gloucester, MA**

2013 to 2020

**Director of Information Services**

Assess, modify, and execute on strategic IT vision for the city for all areas of IT applications, operations, and infrastructure. Managed support desk with three FTEs, and a \$1.1M operational budget

- Hired by the Mayor to resolve a three-year IT project backlog
- Implemented best in class customer facing applications, including new Citizen Self Service, Electronic Permitting, Public Record Request, and Public Service Request.
- Migrated 150 disparate data sources into modern applications
- Led ERP replacement, implementing new single system for GL, Purchasing, HR, Payroll, Utility Billing and Property Tax, which streamlined workflows and processes across the city
- Rebuilt Support Team, including the addition of the City's first Business Analyst.
- Modernized infrastructure at all levels, providing improved speed, accessibility, and resiliency. Bottom up rebuild from local networks, wide-area network, phone systems, and datacenter.
- Enabled workforce to work remotely within two weeks of COVID-19 related shutdown. Including the move to remote Public Meetings, allowing the City to resume operations faster than most of our municipal peers.

# James Pope

Massachusetts

(978) 884-5847

pope.jam@gmail.com

---

## **DANE STREET, Jamaica Plain, MA**

2012 to 2013

### **Information Technology Manager**

Recruited by CTO to overhaul and direct information technology for this growing organization. Led strategic planning and budgeting of IT infrastructure and internal technologies. Sourced, implemented, customized, and maintained systems and applications. Mac-based office, with cloud first strategy for selection.

- Resolved systems issues that had been causing total breakdowns every other month, to zero outages, saving thousands of dollars in emergency response expense and lost revenue
- Led set up of offices in Texas and California and relocated existing offices in Boston and Florida; completed in a seven-month period. Oversaw IT, telephones, applications, professional services, furniture and supplies, and utilities
- Took on additional responsibility to support the custom-developed software platform that employees and their health insurer customers would use to collaborate on patient records. Onboarded clients to ensure security of confidential data
- Created a structured employee training process and help desk function to improve responsiveness
- Worked with business development and sales to provide enhanced delivery to clients' needs

## **INFORMED MEDICAL DECISIONS FOUNDATION, Boston, MA**

2010 to 2012

### **Information Technology Manager**

Oversaw the architecture, implementation, and ongoing support of the network and telecommunications infrastructure to ensure high availability and appropriate security. Coordinated selection and upgrade of enterprise software applications and services. Teamed with company leadership to implement tools to increase efficiencies and effectiveness. Managed user support for a 35-person environment.

- Replaced voice, data, and file sharing infrastructure with 0% downtime
- Improved accessibility by remote users and reduced subscription and hardware costs by migrating collaboration from Microsoft Exchange to Google Apps (G Suite)
- Supported improved management decision making by converting from Excel to the more dynamic AdaptiveInsights forecasting and budgeting application
- Implemented Project Management tools to improve planning and tracking of projects involving third-party consultants

## **TIDAL CONSULTING, Gloucester, MA**

2001 to 2010

### **IT Consultant and Owner**

While in school, served up to 60 clients on a contingency basis. Hired, trained, and managed three employees. Provided technology support for Mac-based offices and home users, networks, and servers. Reengineered clients' business processes to create efficiencies by better leveraging technology.

## **TECHNICAL SKILLS**

Windows OS and Server, Apple macOS, Chrome OS, Google Workspace, Office365, Microsoft Exchange, VMware, unified communications platforms, network technologies (SAN, LAN, WAN, VLAN, wireless, MPLS, VPN), mobile device management, ERP

**From:** Andrew Levine <[ALevine@cityofnewburyport.com](mailto:ALevine@cityofnewburyport.com)>  
**Date:** October 17, 2022 at 9:27:18 AM EDT  
**To:** Jim McCauley <[mccauleyward5@gmail.com](mailto:mccauleyward5@gmail.com)>  
**Subject:** Electric Car Charging

Hello Councillor McCauley,

Thanks for the conversation on electric vehicle charging at TSAC last week and your willingness to take up this issue. I have attached the sample picture that was sent last week. I am also attaching a real example found in Newburyport by our DPS. We are discussing now how to enforce. This is at 62 Prospect Street. If this is used at all in your conversations, I think it may make sense to blur the license plate.

Thanks,

Andrew

Andrew Levine  
Chief of Staff  
City of Newburyport  
60 Pleasant St.  
PO Box 550  
Newburyport, MA 01950  
Office: 978-465-4411  
Cell: 978-572-6590

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











RECEIVED  
CITY CLERK'S OFFICE  
NEWBURYPORT, MA

Permit Issued: # \_\_\_\_\_

**APPLICATION FOR MOVABLE SIGNAGE ON PUBLIC PROPERTY**

Application Fee \$100.00  
Date: 10/26/2022

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

To the City Council of the City of Newburyport:

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

Name of applicant NEW ENGLAND SKETCHBOOK LLC / COREY PRINCE

Home address of applicant 11 GENESEE CIRCLE

City, State, Zip of applicant MILFORD, MA. 01757

Telephone of applicant 508-243-9986

Name of business NEW ENGLAND SKETCHBOOK

Address of business 1 WATER ST REAR

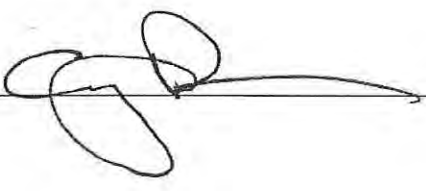
Telephone of business 978-992-1345

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

ON LEFT SIDE OF "ALLEY" ON/AT 1 WATER ST. (GRAVEL AREA)

**RELEASE AND INDEMNITY AGREEMENT TO ENCUMBER A PUBLIC WAY**

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

Signature of Applicant or Duly Authorized Agent  Date 10/26/22

October 26<sup>th</sup>

Re: A-Frame sign application – 1 Water Street Rear

Business Name: New England Sketch Book

Property and Business Owner : Corey Prince

Email: [corey@nesketchbook.com](mailto:corey@nesketchbook.com)

Phone: 508.243.9986

For Committee Review.

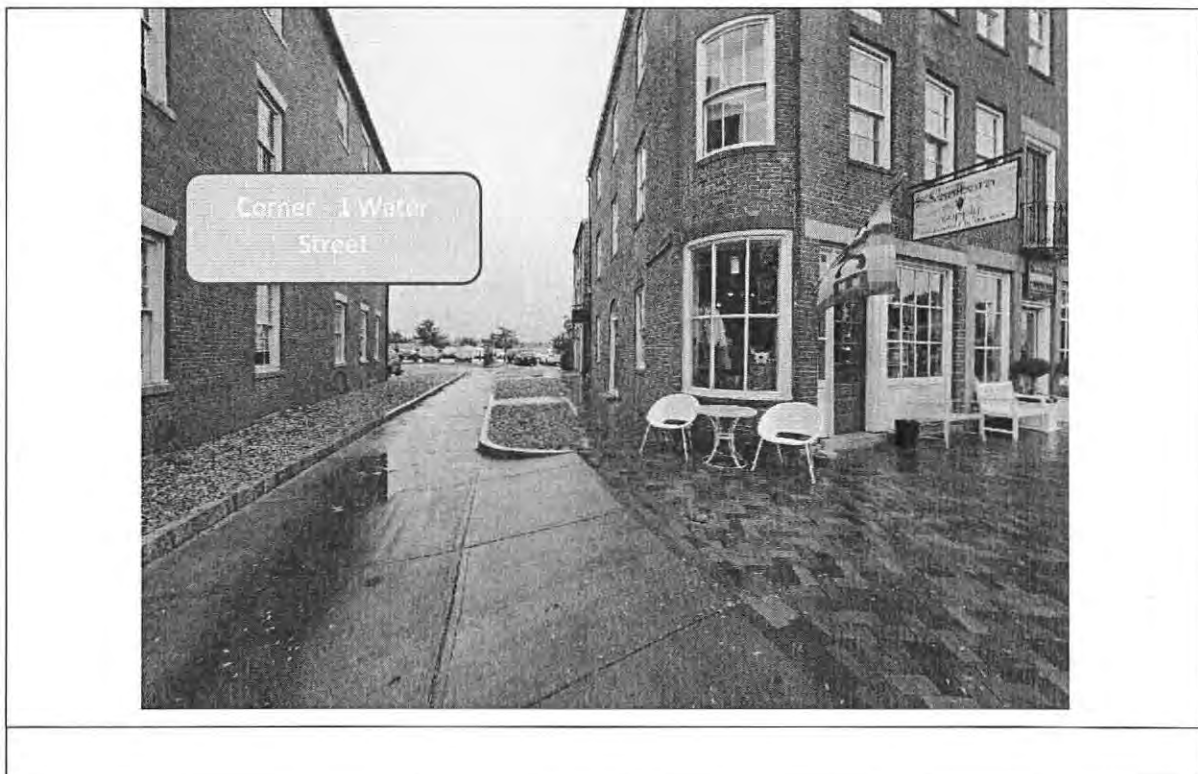
I recently purchased the commercial space located at 1 Water Street Rear to house my new retail endeavor, New England Sketch Book, with its focus on New England history, home decor and local reclaim/reuse artisans.

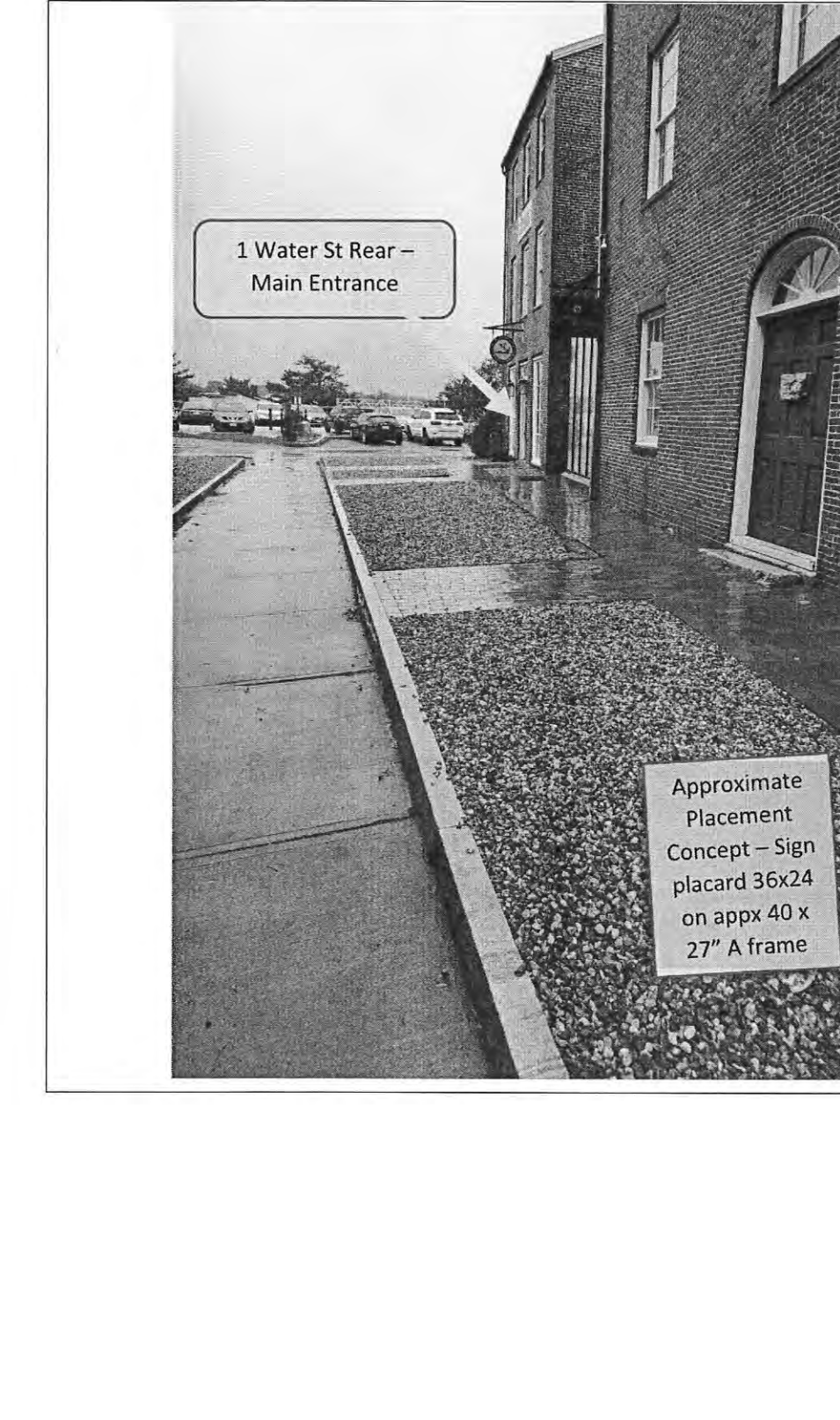
Despite its incredibly proximity to Market Square and adjacent public parking – the alley leading to this space has proven to be a challenge in drawing foot traffic off the main thoroughfare for previous occupants.

As I move forward to launch this business, I believe a well-placed sandwich board will be of significant value in building awareness and visibility for the shop and help improve interest and foot traffic without negative impact.. Given the frequent utilization of the cross walk at the front of 1 Water – an a-frame style sign adjacent to, but not on, the core brick pathways would serve this initial need.

I have included some images below to illustrate initial placement concept.

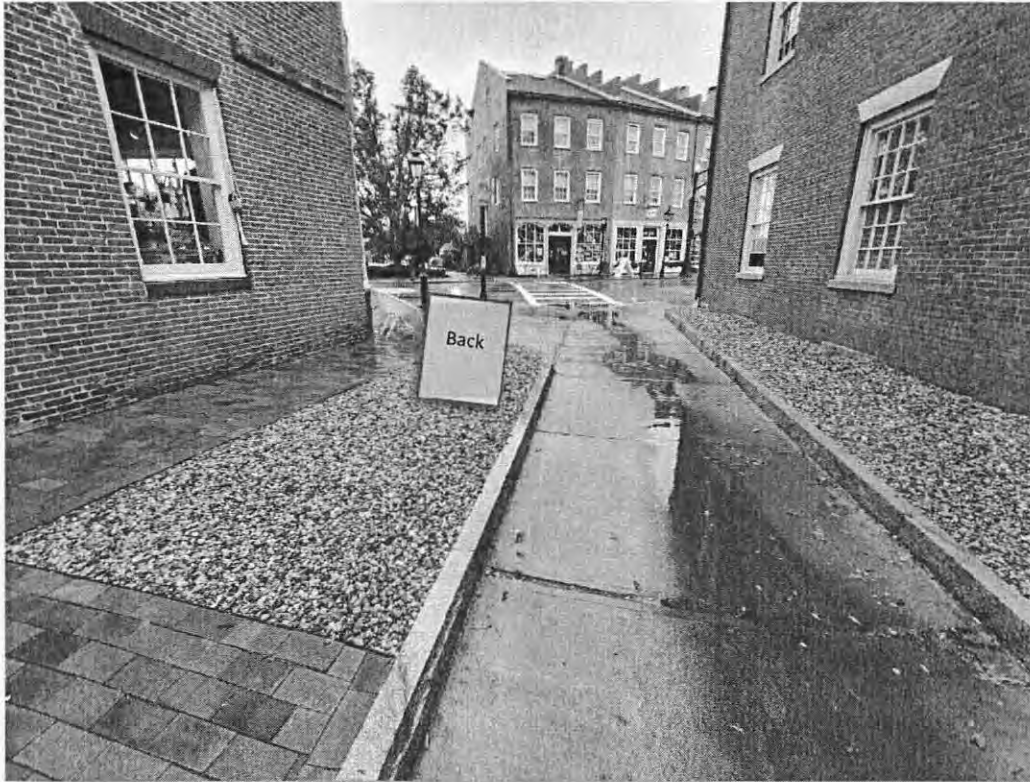
### Exterior Images





1 Water St Rear –  
Main Entrance

Approximate  
Placement  
Concept – Sign  
placard 36x24  
on appx 40 x  
27" A frame




I hope this is helpful context and support information for this application and request.

I am committed to be a good steward of this historic space – as well as build a unique retail entity that strongly contributes to the downtown experience and to the community as a whole – and hope this application has an opportunity to move forward to approval.

Sincerely,

Corey Prince

A handwritten signature in black ink, appearing to read 'C. Prince', with a long horizontal flourish extending to the right.

Owner | Curator

New England Sketch Book

508.243.9986





# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)  
10/24/2022

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 Gould Insurance 41 Sparhawk St Amesbury, MA 019132403	CONTACT NAME: Christine Amenta		
	PHONE (A/C, No, Ext): 978-388-2354	FAX (A/C, No): 978-388-5578	
	E-MAIL ADDRESS: christinea@gouldinsurance.com		
INSURED New England Sketch Book, LLC 11 Geneseo Circle Milford, MA 01757	INSURER(S) AFFORDING COVERAGE		NAIC #
	INSURER A : OHIO SECURITY INSURANCE CO		24082
	INSURER B :		
	INSURER C :		
	INSURER D :		
	INSURER E :		
INSURER F :			

**COVERAGES**

CERTIFICATE NUMBER:

REVISION NUMBER:

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

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR  GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:	Y		BKS64762066	07/18/2022	07/18/2023	EACH OCCURRENCE	\$ 1,000,000
							DAMAGE TO RENTED PREMISES (Ea occurrence)	\$ 300,000
							MED EXP (Any one person)	\$ 15,000
							PERSONAL & ADV INJURY	\$ 1,000,000
							GENERAL AGGREGATE	\$ 2,000,000
							PRODUCTS - COMP/OP AGG	\$ 2,000,000
								\$
	<b>AUTOMOBILE LIABILITY</b> <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident)	\$
							BODILY INJURY (Per person)	\$
							BODILY INJURY (Per accident)	\$
							PROPERTY DAMAGE (Per accident)	\$
								\$
	<b>UMBRELLA LIAB</b> <input type="checkbox"/> OCCUR <b>EXCESS LIAB</b> <input type="checkbox"/> CLAIMS-MADE DED: RETENTION \$						EACH OCCURRENCE	\$
							AGGREGATE	\$
								\$
	<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y / N	N / A				PER STATUTE	OTH-ER
							E.L. EACH ACCIDENT	\$
							E.L. DISEASE - EA EMPLOYEE	\$
							E.L. DISEASE - POLICY LIMIT	\$

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

City of Newburyport is an additional insured

**CERTIFICATE HOLDER****CANCELLATION**

City of Newburyport City Hall 60 Pleasant St Newburyport, MA 01950	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE 

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# TRANSFERS



# CITY OF NEWBURYPORT FY 2023

RECEIVED  
CITY CLERK'S OFFICE  
NEWBURYPORT, MA

2022 OCT 25 PM 3:10

## TRANSFER/APPROPRIATION REQUEST

**Department:** Mayor

**Submitted by:** Mayor Sean R. Reardon

**Date Submitted:** 11/1/2022

**Transfer From:**

Account Name:	<u>General Fund - Free Cash</u>	Balance:	<u>\$ 4,316,637.00</u>
Account Number:	<u>01-35910</u>	Category:	<u>n/a</u>
Amount:	<u>\$655,525.00</u>	Trans I/O:	<u>\$ -</u>

**Why Funds Are Available:**

The Massachusetts Department of Revenue certified Free Cash for FY2023 at \$4,316,637. These funds are available for any legal expenditure with the approval of the Mayor and a vote of the City Council.

**Transfer To:**

Account Name:	<u>Waterfront Culvert Replacement</u>	Balance:	<u>\$ -</u>
Account Number:	<u>New Account</u>	Category:	<u>\$ -</u>
Amount:	<u>\$655,525.00</u>	Trans I/O:	<u>\$ -</u>

**Why Funds Are Needed:**

Funds are needed to replace the drainage culvert that runs beneath the proposed Market Landing Park Expansion Project. See attached explanatory memorandum and cost estimate.

Sean R. Reardon, Mayor:

Date: 10/25/2022.

Ethan R. Manning, Auditor:

Date: 10/25/2022

City Council Action:



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

**MEMORANDUM**

**TO: Honorable Members of the Newburyport City Council**

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

**CC: Sean R. Reardon, Mayor**  
**Heather L. Shand, City Council President/Chair, Ad Hoc Committee on Market Landing Park Expansion**  
**Ethan Manning, Director of Finance**  
**Jamie Tuccolo, Acting Director, Department of Public Services**  
**Jon-Eric White, City Engineer**

**RE: Market Square Drainage Culvert & Market Landing Park Expansion Project**

**DATE: October 24, 2022**

---

As you know, this Department has been overseeing design, funding and other aspects of the long-awaited Market Landing Park Expansion project. Plans and funding sources are now in place for the construction of Phase I park improvements beginning in Spring 2023, with contractor bidding to be done over the winter season during the next few months.

As many of you also know, Market Square has flooded on more than one occasion over the years. City Engineer Jon-Eric White, and our consultants at Sasaki and VHB have studied the subject drainage catchment area, along with existing infrastructure, and recommend the installation of a large 60" diameter HDPE pipe running from Market Square to an existing stormwater outlet in the central waterfront bulkhead wall. This will allow flood waters to leave Market Square and discharge to the Merrimack River much faster than is the case with the current undersized infrastructure. This project also includes removal of the old granite block culvert sections as well as additional contaminated soils associated with the new pipe diameter as it traverses the "NRA East" parking lot. Please note that every effort is being made to dispose of soils on site within the existing Activity and Use Limitation (AUL) area (*for example within the abandoned culvert trench*) in consultation with our designated Licensed Site Professional (LSP).

While this distinct drainage infrastructure project is not necessary for the completion of Market Landing Park Expansion, it is important that any such work be completed prior to the at-grade park improvements, in this case the new "Ferry Wharf Way" brick pedestrian walkway connection to Market Square at locus. Additionally, we anticipate greater efficiency, potential cost savings and reduced construction timeframes (*e.g. impacts to pedestrians and abutting businesses*) if the new culvert is installed by the same construction team selected to complete the larger Market Landing Park Expansion project.

The attached Free Cash transfer request is for the purpose of funding this timely infrastructure upgrade so that it can be bid and constructed on a timeframe consistent with that required for the Market Landing Park Expansion project. We respectfully request your approval of the requisite funding so that the Office of Planning & Development and Department of Public Services can move forward with coordinated bidding and construction oversight. We will make ourselves available for Committee review of this transfer, and the scope of work required.

Thank you in advance for your consideration.

**Drainage Infrastructure Upgrades  
City of Newburyport  
Newburyport, Massachusetts**

Engineer's Opinion of Probable Construction Cost  
Project Number: 08314.00

July 15, 2022

Item	Quantity	Unit	Unit Cost	Subtotal	Total
<b>A. Site Preparation &amp; Demolition</b>					
Sawcutting Asphalt Pavement	707	LF	\$ 10.00	\$ 7,070.00	
Drainage Structure Removed	3	EA	\$ 750.00	\$ 2,250.00	
Drainage Structure Abandoned	3	EA	\$ 800.00	\$ 2,400.00	
Controlled Density Fill for Pipe Abandonment	47	CY	\$ 185.00	\$ 8,695.00	
					<b>\$ 20,415.00</b>
<b>B. Earthwork</b>					
Gravel Borrow for Backfilling Structures and Pipes	403	CY	\$ 55.00	\$ 22,165.00	
Ordinary Borrow	435	CY	\$ 30.00	\$ 13,050.00	
					<b>\$ 35,215.00</b>
<b>C. Utilities &amp; Infrastructure</b>					
60" HDPE Pipe	420	LF	\$ 320.00	\$ 134,400.00	
Drainage Structure (less than 8ft deep)	2	EA	\$ 5,800.00	\$ 11,600.00	
Drainage Structure (9 to 14ft deep)	2	EA	\$ 8,000.00	\$ 16,000.00	
Frame and Cover	3	EA	\$ 800.00	\$ 2,400.00	
Frame and Grate (MassDOT Cascade Type)	1	EA	\$ 950.00	\$ 950.00	
					<b>\$ 165,350.00</b>
<b>D. Hardscape and Surface Finishings</b>					
Surface Restoration	2000	SF	\$ 20.00	\$ 40,000.00	
Restoration of ADA Ramp	6	SY	\$ 100.00	\$ 600.00	
Temporary Asphalt Patching	46.55	TON	\$ 210.00	\$ 9,775.50	
Concrete Sidewalk Repair	81	SY	\$ 75.00	\$ 6,075.00	
					<b>\$ 56,451.00</b>
				<b>Subtotal</b>	<b>\$ 277,431</b>
				Allowance for Regulated Soil Disposal	\$ 112,705
				Allowance for Dewatering Treatment	\$ 100,000
				Allowance for Utilities	\$ 20,000
				<b>Base Bid Total</b>	<b>\$ 510,136</b>
				General Conditions/Gen Req's (8%)	\$ 40,811
				Insurance + Bond (2%)	\$ 10,203
				Design + Pricing Contingency (5%)	\$ 25,507
				Construction Contingency (7.5%)	\$ 38,260
				Escalation Contingency (4%)	\$ 20,405
				Construction Administration (2%)	\$ 10,203
				<b>Markup Total</b>	<b>\$ 145,389</b>
				<b>TOTAL Mark-Up Costs + BASE BID</b>	<b>\$ 655,525</b>



MERRIMACK RIVER

OF 33

MH-P2  
CM-4

EAST LOT  
AREA = 137,221 SQ. FT.  
(3.150 ACRES)

NEWBURYPORT REDEVELOPMENT AUTHORITY  
PARCEL 3-C-1 AS SHOWN ON  
PLAN BOOK 239 PLAN 62

NEWBURYPORT REDEVELOPMENT AUTHORITY  
PARCEL 3-C-2 AS SHOWN ON  
ON PLAN BOOK 239 PLAN 62

CB-P1  
CM

FERRY WHARF WAY ADDITIONAL  
PARCEL 'A' 993+5F  
(SEE NRA VOTE)

NF  
FERRY WHARF CONDOMINIUM  
MASTER DEED  
BOOK 19533 PAGE 395  
ASSESSORS MAP 11 PARCEL 26/B-H  
S WATER STREET

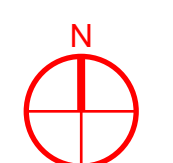
CHAPTER 91 LINE (MASS.G.S.)  
NF  
GUNNISON'S WHARF CONDOMINIUM  
MASTER DEED  
BOOK 8698 PAGE 456  
ASSESSORS MAP 11 PARCEL 4/A-J  
19-35 WATER STREET  
3 STORY BRICK

LEASE 2001-2100  
REDEVELOPMENT AUTHORITY  
TO NEWBURYPORT MARITIME  
SOCIETY  
L.C. 415393  
3 STORY STONE

MH-P1  
CM-1

WATER STREET  
(PUBLIC - VARIABLE WIDTH)

Market Landing Park  
Drainage Sketch  
Sasaki  
3/17/22  
1" = 20'





# CITY OF NEWBURYPORT FY 2023

RECEIVED  
CITY CLERK'S OFFICE  
NEWBURYPORT, MA

## TRANSFER/APPROPRIATION REQUEST

OCT 25 PM 3:10

**Department:** Office of Planning & Development

**Submitted by:** Andrew R. Port, Director

**Date Submitted:** 11/1/2022

**Transfer From:**

Account Name:	<u>Waterfront Park Paid Parking Fund</u>	Balance:	<u>\$ 467,223.97</u>
Account Number:	<u>2738-59630</u>	Category:	<u>n/a</u>
Amount:	<u>\$40,000.00</u>	Trans I/O:	<u>\$ -</u>

**Why Funds Are Available:**

The Waterfront Park Paid Parking Fund was established in July 2020, following the dissolution of the Newburyport Redevelopment Authority (NRA). All revenue from meters collected from the former NRA Lots (so-called "East and West Lots") are deposited into this fund and can be spent on "purposes of design, construction, maintenance, or operation of an extended waterfront park and related infrastructure on: (1) the lands described in Home Rule/State Law referenced above (H.4545); provided, that the lands shall be protected under article 97 of the Constitution, and (2) adjacent property as deemed necessary by the city of Newburyport for the purposes of integrating the waterfront park expansion with adjacent public parks, ways and infrastructure."

**Transfer From:**

Account Name:	<u>Harbormaster - Retained Earnings</u>	Balance:	<u>\$ 773,356.00</u>
Account Number:	<u>6520-35920</u>	Category:	<u>n/a</u>
Amount:	<u>\$20,000.00</u>	Trans I/O:	<u>\$ -</u>

**Why Funds Are Available:**

The Massachusetts Department of Revenue certified Harbormaster Retained Earnings for FY2023 at \$773,356. These funds are available for any legal expenditure with the approval of the Mayor and a vote of the City Council.

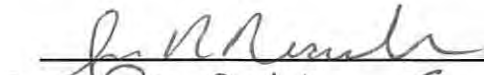
**Transfer To:**

Account Name:	<u>Market Landing Park Expansion Project</u>	Balance:	<u>\$ -</u>
Account Number:	<u>New Account</u>	Category:	<u>\$ -</u>
Amount:	<u>\$60,000.00</u>	Trans I/O:	<u>\$ -</u>

**Why Funds Are Needed:**

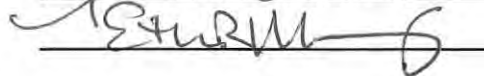
Funds are needed to provide temporary electrical service to the boardwalk, waterfront docks and surrounding area during construction of the Market Landing Parking Expansion Project. The \$60,000 represents the City's share with an additional \$20,000 being funded by the Waterfront Trust. See attached explanatory memorandum and cost estimate.

Sean R. Reardon, Mayor:



Date: 10/25/2022

Ethan R. Manning, Auditor:



Date: 10/25/2022

City Council Action:





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

**MEMORANDUM**

**TO: Honorable Members of the Newburyport City Council**

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

**CC: Sean R. Reardon, Mayor**  
**Heather L. Shand, City Council President/Chair, Ad Hoc Committee on Market Landing Park Expansion**  
**Ethan Manning, Director of Finance**  
**Jamie Tuccolo, Acting Director, Department of Public Services**  
**Jon-Eric White, City Engineer**

**RE: Market Landing Park Expansion Project & Temporary Power for 2023 Construction Season**

**DATE: October 24, 2022**

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As you know, this Department has been overseeing design, funding and other aspects of the long-awaited Market Landing Park Expansion project. Plans and funding sources are now in place for the construction of Phase I park improvements beginning in Spring 2023, with contractor bidding to be done over the winter season during the next few months.

During the past few months, we have worked with our consultants at Sasaki and RFS to examine the details of electrical infrastructure along our central waterfront in relation to the above project. From this review it is apparent that the City must provide additional funding to maintain temporary power during Phase I park construction because a key transformer and related infrastructure must be relocated to accommodate the newly created park space. We have “peer reviewed” the scope of work required to maintain temporary power to the central waterfront, and potential options for “value engineering,” with the City Electrician. Even with temporary relocation and reuse of an existing transformer, and temporary reuse of old conduit lines, providing temporary power throughout the season, during ongoing construction, will cost approximately \$80,000. This is partially due to the expensive nature of this specialized work, and partially due to the unusually high construction costs we have seen across the board in recent years.

Temporary power to the central waterfront must be maintained throughout the peak season to ensure that pedestrian lighting, parking lot lighting and dock power pedestals for the boating community remain active.

The attached transfer request is for the purpose of funding this work so that the requirement to provide temporary power can be required of all bidders for the Market Landing Park Expansion project in the coming months. We respectfully request your approval of the requisite funding to support this work. The remaining gap of \$20,000 is expected to be filled by vote and commitment of the Waterfront Trust at their next meeting, allowing us to distribute the cost of providing temporary power amongst the City/quasi-City entities involved in our central waterfront operations. We will make ourselves available for Committee review of this transfer, and the scope of work required. Thank you in advance for your consideration.



BY: MWM DATE: 9/8/2022 SUBJECT: Newburyport Market Landing JOB NO. 9748.001  
 CHKD BY: PGW Temp Power

## ENGINEER'S OPINION OF PROBABLE CONSTRUCTION COST

NO.	ITEM	UNIT	QTY.	UNIT PRICE	AMOUNT
<b>1.</b>	<b>Electrical</b>				\$ 42,339
a.	Relocate Existing Transformer and Meter	LS	1	\$1,500.00	\$ 1,500
b.	Transformer Concrete Pad	LS	1	\$2,500.00	\$ 2,500
c.	4" primary conduit from PB-1 to relocated trans	LF	60	\$19.80	\$ 1,188
d.	3" secondary conduit from relocated transformer to existing East Pnl	LF	65	\$15.00	\$ 975
e.	Secondary cabling (4#4/0&#4G)	LF	325	\$13.00	\$ 4,225
f.	Trenching/backfill Primary and Secondary	LF	95	\$18.00	\$ 1,710
g.	100amp Breaker for West Pnl	LS	1	\$800.00	\$ 800
h.	Conduit Splice West Pnl secondary	LS	1	\$2,000.00	\$ 2,000
i.	Secondary to West Pnl (3#2/0&1#4G)	LF	780	\$9.54	\$ 7,441
j.	Remove West Pnl Meter and Splice	LS	1	\$2,000.00	\$ 2,000
k.	Extend Middle Lighting Circuit to East Pnl	EA	12	\$1,500.00	\$ 18,000
<b>2.</b>	<b>National Grid - Allowance (Fees unknown to be priced by National Grid)</b>				\$ 10,000
a.	Primary Power Disc	LS	1	--	--
b.	Primary - Pull Back existing cabling to PB 1-96	LS	1	--	--
c.	Primary - Pull existing cabling from PB 1-96 to relocated transformer	LS	1	--	--
d.	Primary Power Reconnect	LS	1	--	--



# CITY OF NEWBURYPORT FY 2023

RECEIVED  
CITY CLERK'S OFFICE  
NEWBURYPORT, MA

## TRANSFER/APPROPRIATION REQUEST

PM 3:10

**Department:** Mayor

**Submitted by:** Mayor Sean R. Reardon

**Date Submitted:** 11/1/2022

**Transfer From:**

Account Name:	<u>General Fund - Free Cash</u>	Balance:	<u>\$ 4,316,637.00</u>
Account Number:	<u>01-35910</u>	Category:	<u>n/a</u>
Amount:	<u>\$500,000.00</u>	Trans I/O:	<u>\$ -</u>

**Why Funds Are Available:**

The Massachusetts Department of Revenue certified Free Cash for FY2023 at \$4,316,637. These funds are available for any legal expenditure with the approval of the Mayor and a vote of the City Council.

**Transfer To:**

Account Name:	<u>Stabilization Trust Fund</u>	Balance:	<u>\$ 3,944,031.76</u>
Account Number:	<u>8263-49700</u>	Category:	<u>\$ -</u>
Amount:	<u>\$500,000.00</u>	Trans I/O:	<u>\$ -</u>

**Why Funds Are Needed:**


Due to strong collections, as well as, one-time receipts that came into the City during FY2022, year-end revenue ended \$2.2 million higher than originally estimated (thereby increasing the amount of Free Cash certified as of July 1, 2022). Given the strong Free Cash balance, combined with continued economic uncertainty, it is recommended that \$500,000 be directed to the City's Stabilization Trust Fund. The fund's current balance represents 5.0% of FY23 estimated revenue; this transfer would increase that ratio to 5.6%.

Sean R. Reardon, Mayor:



Date: 10/25/2022

Ethan R. Manning, Auditor:



Date: 10/25/2022

City Council Action:



# CITY OF NEWBURYPORT FY 2023 TRANSFER/APPROPRIATION REQUEST

RECEIVED  
CITY CLERK'S OFFICE  
NEWBURYPORT, MA  
2022 OCT 25 PM 3:10

**Department:** Finance

**Submitted by:** Ethan R. Manning, Finance Director

**Date Submitted:** 11/1/2022

**Transfer From:**

Account Name:	<u>General Fund - Free Cash</u>	Balance:	<u>\$ 4,316,637.00</u>
Account Number:	<u>01-35910</u>	Category:	<u>n/a</u>
Amount:	<u>\$18,647.00</u>	Trans I/O:	<u>\$ -</u>

**Why Funds Are Available:**

The Massachusetts Department of Revenue certified Free Cash for FY2023 at \$4,316,637. These funds are available for any legal expenditure with the approval of the Mayor and a vote of the City Council.

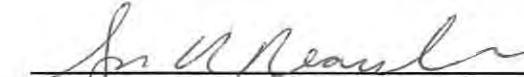
**Transfer To:**

Account Name:	<u>Parklet Maintenance Fund</u>	Balance:	<u>\$ 5,853.00</u>
Account Number:	<u>8290-49700</u>	Category:	<u>\$ -</u>
Amount:	<u>\$18,647.00</u>	Trans I/O:	<u>\$ -</u>

**Why Funds Are Needed:**

The Parklet Maintenance Fund was established in March 2022. Per MGL c. 40, §5B, a dedication of revenue to a stabilization fund takes effect in the fiscal year following such vote. Therefore, parklet fees collected through June 30, 2022 totaling \$18,647 were considered General Fund revenue, which closes to Free Cash at year-end. When the parklet fund was created, it was intended that all fees collected in FY2022 would be credited back to this parklet fund upon certification of Free Cash, which has now occurred.

Sean R. Reardon, Mayor:



Date: 10/25/2022

Ethan R. Manning, Auditor:



Date: 10/25/2022

City Council Action:

	SUBTOTAL				\$ 52,339
	General Conditions	10%			\$ 5,234
	General Construction Overhead & Profit	5%			\$ 2,617
	SUBTOTAL				\$ 60,190
	Design/Estimating Contingency	10%			\$ 6,019
	Construction Contingency	10%			\$ 6,019
	<b>TOTAL</b>				<b>\$ 72,228</b>
					Budget Range \$70k-80k

**APPOINTMENTS  
FIRST READING**



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

RECEIVED  
CITY CLERK'S OFFICE  
NEWBURYPORT, MA

2022 OCT 17 AM 10:34

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: November 1, 2022  
Subject: Re-Appointment

-----  
I hereby re-appoint, subject to your approval, the following named individual as a member of the Emma L. Andrews Library and Community Center Commission. This term will expire on November 1, 2023.

Susan Chase  
44 Oak Street  
Newburyport, MA 01950

Susan Chase  
44 Oak Street  
Newburyport, MA 01950

**Education:** Newburyport High School, Class of 1971  
Cornell College, BSS in English, History, Education 1975  
Salem State, M.Ed in school library Media, 1995

**Work:** Librarian at the Rupert Nock Middle School, 1988 - 1997  
Librarian at The Governor's Academy, 1997 – retiring June 4, 2021

**Volunteer:** Librarian at Emma Andrews Library and Community Center  
Former Chair of Emma Andrews Library and Community Center Commission

**Professional organizations:** Massachusetts Library Association  
Massachusetts School Library Association  
Cooperative Library Association of Greater Boston  
New England School Library Association

**Cultural organizations:** Museum of Old Newbury  
Maritime Society  
Sons and Daughters of First Settlers of Old Newbury  
Newburyport Garden Club  
Daughters of the American Revolution  
Jane Austen Society of North America



Susan Chase  
44 Oak Street  
Newburyport, MA 01950

**Education:** Newburyport High School, Class of 1971  
Cornell College, BSS in English, History, Education 1975  
Salem State, M.Ed in school library Media, 1995

**Work:** Librarian at the Rupert Nock Middle School, 1988 - 1997  
Librarian at The Governor's Academy, 1997 – retiring June 4, 2021

**Volunteer:** Librarian at Emma Andrews Library and Community Center  
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Sons and Daughters of First Settlers of Old Newbury  
Newburyport Garden Club  
Daughters of the American Revolution  
Jane Austen Society of North America



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

RECEIVED  
CITY CLERK'S OFFICE  
NEWBURYPORT, MA  
2022 OCT 17 AM 10:35

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: November 1, 2022  
Re: Re-Appointment

-----  
I hereby re-appoint, subject to your approval, the following named individual as a member of the Emma L. Andrews Library and Community Center Commission. This term will expire on November 1, 2023.

Elizabeth Valeriani  
29 Oak Street  
Newburyport, MA 01950



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

RECEIVED  
CITY CLERK'S OFFICE  
NEWBURYPORT, MA

2022 OCT 17 AM 10:35

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: November 1, 2022  
Subject: Re-Appointment

-----  
I hereby reappoint, subject to your approval, the following named individual as a member of the Emma L. Andrews Library and Community Center Commission. This term will expire on November 1, 2023.

Virginia R. Champi  
84 Purchase Street  
Newburyport, MA 01950

October 17, 2017

Donna Holaday, Mayor  
City Hall  
Pleasant Street  
Newburyport, MA

Dear Mayor Holaday,

Recently I was asked by Donna Conway to serve on the Emma Andrews Library Commission for the city. I would be glad to serve on this committee.

My personal involvement with this library goes back to the early 90s when I was hired to be its librarian by Dottie LaFrance. At that time I worked shifts at both the Emma Andrews Branch and the downtown Library. While there I was the only employee that was responsible for running the Emma library. This job included circulation at the library desk, selecting and purchasing books, running story hours, keeping records and attending meetings of the Andrews Branch Improvement Association. I took this job very personally, even to the extent of shoveling snow when no one else showed up to do that in order to keep the library open.

When Dottie LaFrance offered me the position of Children's Cataloging Librarian at the main library in 2001, I gladly accepted the position. Although I was no longer the Emma librarian, I did continue to be very involved at the Emma Library. I became the treasurer of the association and a member of the board and also worked on every fundraising activity. When the Emma Andrews Library became independent from the main library, I also continued to be an active member of the board.

I retired from the main library in 2012 but I still work there as a substitute librarian.

Because I only live a stone's throw from the Emma library, I still keep my eye out for the little library from my kitchen window. I feel it is an important and beloved institution in the South End Community.

Hopefully this letter will also serve as my resume regarding the Commission position as it entails all my experience at the Emma Andrews Library and my willingness to maintain its importance in the community.

I appreciate your consideration of this application.

Sincerely,

Virginia R. Champi



CITY OF NEWBURYPORT  
OFFICE OF THE MAYOR

SEAN R. REARDON, MAYOR

RECEIVED  
CITY CLERK'S OFFICE  
NEWBURYPORT, MA

2022 OCT 17 AM 10:35

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: November 1, 2022  
Subject: Re-Appointment

-----  
I hereby re-appoint, subject to your approval, the following named individual as a member of the Emma L. Andrews Library and Community Center Commission. This term will expire on November 1, 2023.

Aine Greaney Ellrott  
43 Purchase Street  
Newburyport, MA 01950

*Áine Greaney Ellrott, writing as, "Áine Greaney," 43 Purchase Street,  
Newburyport, MA 01950, USA*

978-463-3599 [Aine@ainegreaney.com](mailto:Aine@ainegreaney.com)

## **Education**

**B.Ed., English and education, Carysfort College,** National University of Ireland, Dublin, 1982. Minor in French.

**M.A., English,** College of Saint Rose, Albany, New York, 1996

**Fellowships:** New York State Writers Institute; Chester College Writer in Residence; Visiting Writer Bursary, Manchester-Essex Regional High School

**Continuing Education:** Medicine and the Arts, University of Cape Town;  
Narrative Medicine Intensive, Columbia University School of Medicine  
Poetry and Mental Health, U. Warrick (online)  
Science Writing, U. Leeds (online)  
Narrative therapy, Dulwich Center (in progress)

## **Academic Teaching and Curricular Design Experience**

-**Baypath University:** MFA program.

-**Emerson College, Boston,** Department of Writing, Literature and Publishing –  
Subject areas: Advanced Creative Nonfiction and Beginner Short Fiction  
(undergraduate) spring semester, `05

-**Director and Host,** Emma Andrews Library Author Series, 2022 (LCC funded)

## **Community Workshops and Speakerships**

### **Conferences & Lecture Series**

**Keynote,** International Women's Writing Guild Annual Conference, 2021

**Critical Thinking Lecture Series,** Saint John's University, Minnesota

**Examined Life Conference, U Iowa School of Medicine -** First-person Writing  
for Medical Professionals

**International Women's Writing Guild Annual Conference,** summer 2022

**Pioneer Valley Writers Workshop**

**North Shore Young Writers Conference,** Waring School

**The New Hampshire Writers Project,** six-week intensive in narrative writing

**Writers Digest National Conference,** New York, Summer 2014

**Unicorn Writers Conference,** Connecticut, March 2013

**Ocean Park Writers Conference,** 2012, Writing the Personal Essay

**Seacoast Writers Conference,** 2007, short fiction workshop

**Cape Cod Writers Conference** 2007, short fiction, summer 2007

**North Shore Young Writers Conference** 2006 and 2007, fiction (teens)

*Best of Flume Press*

*What is Home?* (Portsmouth, N.H. Poet Laureate Program)

*Irish Girls Are Back in Town* (Simon & Schuster, U.K.)

*From the Heart of Ireland* (Brandon Books)

*Lost and Found: An anthology of Teachers' Writing*

**Consumer Publications:**

*Boston Globe Magazine, NPR/WBUR Boston, Edutopia, The Wisdom Daily, Salon.com, Forbes Women, The Irish Times Generation Emigration, CARA Aer Lingus Inflight Magazine, The Wisdom Daily, The Huffington Post* and others.

International Women's Writing Guild

Boston Authors Club

A Room of Her own

Boston Immigrant Authors (virtual)

New Hampshire Writers Project

American Medical Writers Association

**END OF CONSENT AGENDA**

**BEGINNING OF REGULAR AGENDA**



# **PRESENTATION**



# 59 Low Street Plan supporting NYS

PRESENTATION TO CITY COUNCIL

NOVEMBER 1, 2022

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# Presentation Overview

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BACKGROUND AND  
HOW WE GOT HERE



THREE OPTIONS WITH  
COST ESTIMATES



NEXT STEPS AND TIME  
FOR QUESTIONS

# Goals

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- Major objective in Mayor's Strategic Plan is to provide high quality public services that serve children and families with educational and youth services programming
- Also to invest in medium to long-term capital assets to meet the City's needs
- Shared goal of Newburyport residents to support our youth and find a home for NYS

# Process

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- March 2022: Administration presented a 'proof plan' to City Council showing components of a new buildout fitting within the constraints of the site (wetlands, zoning/parking, stormwater/soil test pits)
- April-May 2022: wetlands were flagged and RDA approved with Conservation Commission to set lines for 3 years
- April-September 2022: EGA Architects hired to perform conceptual design for property, several meetings with EGA, NYS and MSP to design site/floorplans and review cost estimates

**NOTES:**

1. THE INFORMATION SHOWN HEREIN IS FROM "SECTION PLAN OF LAND", 57 LOW STREET PREPARED FOR CITY OF BOSTON BY WENNER ASSOCIATES OF BOSTON, MA, DATED JUNE 30, 2018.
2. METERS DELINEATED BY HUGHES ENVIRONMENTAL CONSULTING APRIL 2002.



Existing conditions

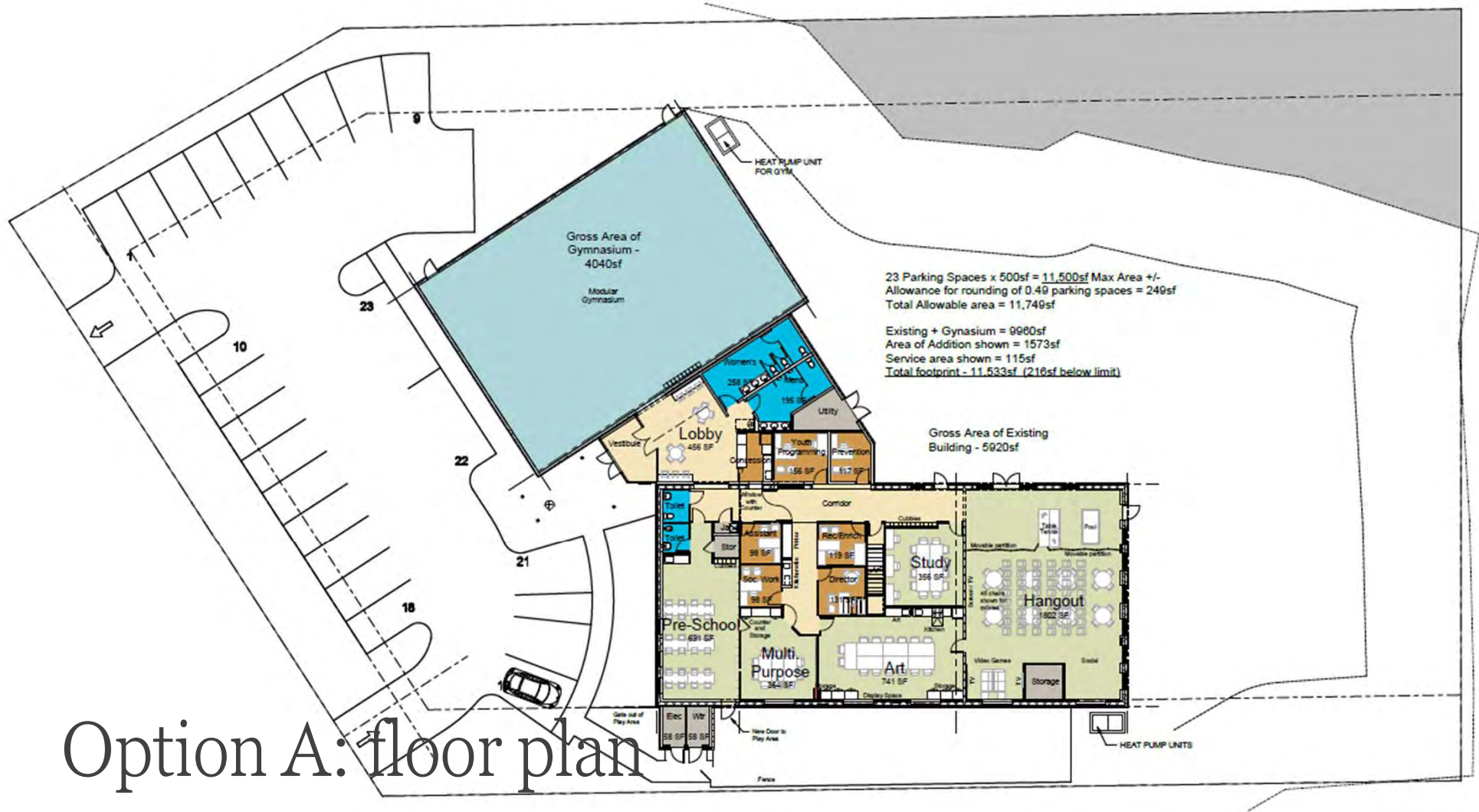
# Option A

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- Floor plan
- Site plan
- Cost estimate



NYS began in 2005 with a summer of 212 participants. In 2015, NYS had 1,583 summer registrations. In 2022, there were 2,765 summer registrations (not including waitlists).



Option A: floor plan



# Option A: site plan



# Option A: cost estimate (11,533 sf)

▪ Renovate existing building:	\$2,098,174
▪ Office additions:	\$1,052,821
▪ Gym addition:	\$1,615,791
▪ Remove hazardous materials:	\$ 86,920
▪ Site work:	\$ 642,344
▪ Design & contingency:	\$ 659,526
▪ Escalation (Aug 2023 start):	\$ 329,763
▪ General conditions:	\$ 824,408
▪ Bonds & insurance:	\$ 164,469
▪ Overhead & fee:	\$ 597,937
▪ TOTAL:	\$8,072,153



Newburyport Youth Services  
Renovation and Addition  
Newburyport, MA  
Schematic Design

3-Aug-22

## MAIN CONSTRUCTION COST SUMMARY

		Gross Floor Area	\$/sf	Estimated Construction Cost
<b>EXISTING BUILDING WITH ADDITION</b>				
RENOVATE EXISTING BUILDING		9,742	\$215.37	\$2,098,174
OFFICE ADDITIONS		1,705	\$617.49	\$1,052,821
GYM ADDITION		3,904	\$413.88	\$1,615,791
REMOVE HAZARDOUS MATERIALS (Credera associates 2021 costs escalated)				\$86,920
SITework				\$642,344
<b>SUB-TOTAL</b>		<b>11,447</b>	<b>\$480.13</b>	<b>\$5,496,050</b>
DESIGN AND PRICING CONTINGENCY	12%			\$659,526
ESCALATION (August 2023 start)	6%			\$329,763
<b>SUB-TOTAL</b>				<b>\$6,485,339</b>
GENERAL CONDITIONS	15%			\$824,408
<b>SUB-TOTAL</b>				<b>\$7,309,747</b>
BONDS	1.00%			\$73,097
INSURANCE	1.25%			\$91,372
PERMIT				NIC
<b>SUB-TOTAL</b>				<b>\$7,474,216</b>
OVERHEAD AND FEE	8.0%			\$597,937
<b>TOTAL OF ALL CONSTRUCTION</b>		<b>11,447</b>	<b>\$705.18</b>	<b>\$8,072,153</b>

# Option B

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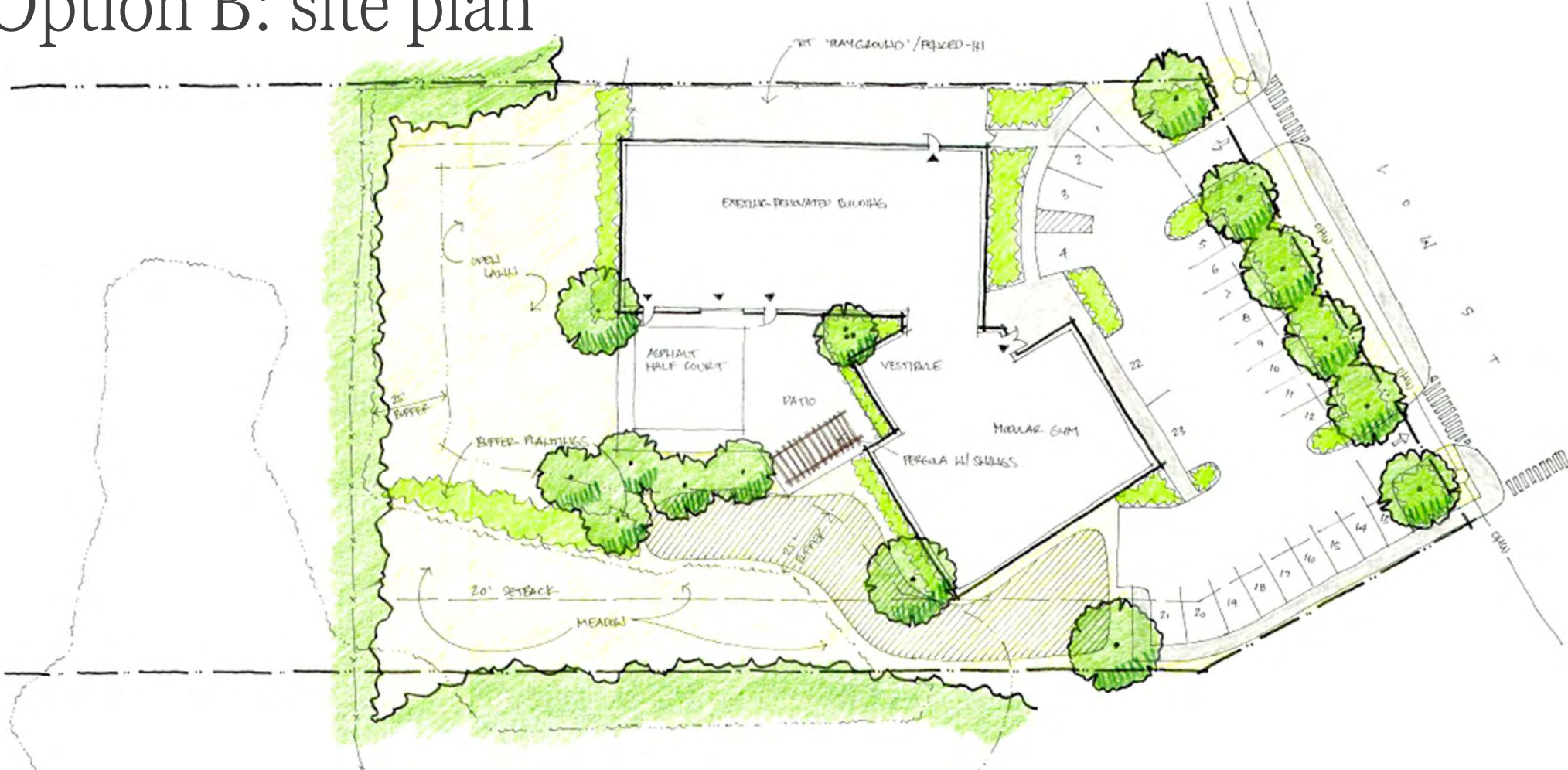
- Floor plan
- Site plan
- Cost estimate



Prior to COVID, the Rec Center Gym was booked 75% of operating hours during the school year. Programs for infants through adults & community groups utilize the gym.



# Option B: site plan



# Option B: cost estimate (10,985 sf)

Renovate existing building:	\$1,505,025
Office additions:	\$ 558,707
Gym addition:	\$1,319,335
Remove hazardous materials:	\$ 86,920
Site work:	\$ 442,844
Design & contingency:	\$ 469,540
Escalation (Aug 2023 start):	\$ 234,770
General conditions:	\$ 586,925
Bonds & insurance:	\$ 117,092
Overhead & fee:	\$ 425,693
<b>TOTAL:</b>	<b>\$5,746,851</b>



Newburyport Youth Services  
Renovation and Addition  
Newburyport, MA  
Schematic Design

3-Aug-22

## MAIN CONSTRUCTION COST SUMMARY

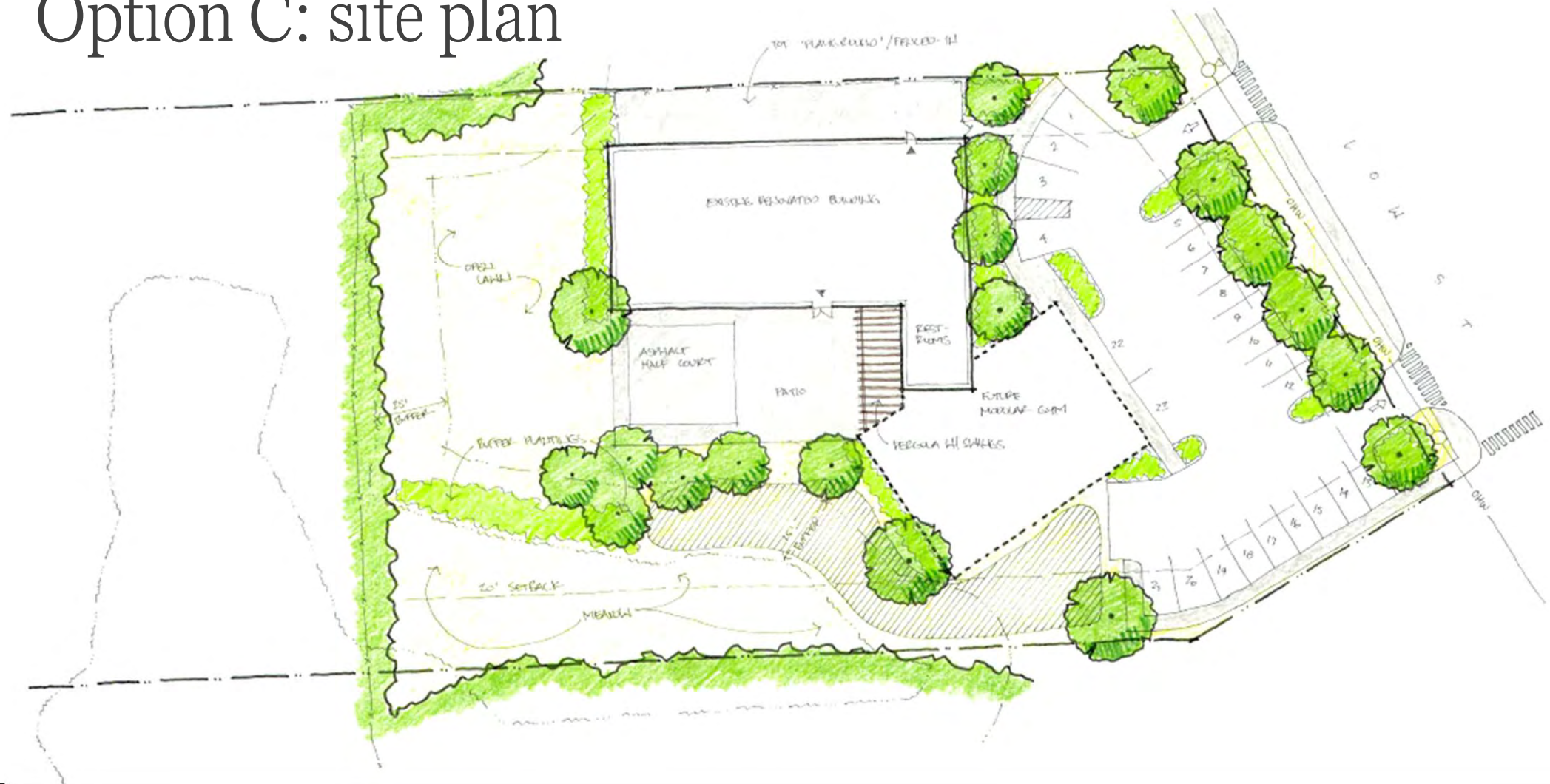
	Gross Floor Area	\$/sf	Estimated Construction Cost
<b>EXISTING BUILDING WITH ADDITION</b>			
RENOVATE EXISTING BUILDING	9,742	\$215.37	\$2,098,174
OFFICE ADDITIONS	1,705	\$617.49	\$1,052,821
GYM ADDITION	3,904	\$413.88	\$1,615,791
REMOVE HAZARDOUS MATERIALS (Credeire associates 2021 costs escalated)			\$86,920
SITework			\$642,344
Value Engineering	Net Zero	Possible Savings	
RENOVATION	430,599	\$162,550.00	
OFFICE ADDITION	245,750	\$248,364.00	
GYM ADDITION	32,808	\$263,648.00	
SITework	15,000	\$184,500.00	
Total Savings	724,157	859,062	
SUB-TOTAL LESS SAVINGS	11,447	\$341.82	\$3,912,831
DESIGN AND PRICING CONTINGENCY	12%		\$469,540
ESCALATION (August 2023 start)	6%		\$234,770
SUB-TOTAL			\$4,617,141
GENERAL CONDITIONS	15%		\$586,925
SUB-TOTAL			\$5,204,066
BONDS	1.00%		\$52,041
INSURANCE	1.25%		\$65,051
PERMIT			NIC
SUB-TOTAL			\$5,321,158
OVERHEAD AND FEE	8.0%		\$425,693
<b>TOTAL OF ALL CONSTRUCTION</b>	<b>11,447</b>	<b>\$502.04</b>	<b>\$5,746,851</b>







# Option C: site plan



# Option C: cost estimate (6,485 sf)

---

▪ Renovate existing building & add toilets:	\$1,000,000
▪ Addition (toilets):	\$ 300,000
▪ Remove hazardous materials:	\$ 86,920
▪ Site work:	\$ 442,844
▪ Design & contingency:	\$ 300,000
▪ Escalation (Aug 2023 start):	\$ 100,000
▪ General conditions:	\$ 450,000
▪ Bonds & insurance:	\$ 80,000
▪ Overhead & fee:	\$ 240,000
▪ <b>TOTAL:</b>	<b>\$2,999,764</b>
▪ Gym addition (phased in: \$1,750,000):	\$4,749,764
▪ Gym addition (not phased in: \$1,319,335):	\$4,319,099

# How do these options support NYS: programming

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- Options A & B: 30% more participants than option C (116 options A & B vs 85 option C)(+100 in gym=critical element of programming)
- All options hold 5 programming spaces: option C are flexible/shared spaces
- Options A & B: larger, more connected spaces for middle and high school aged youth, separate from younger kids vs option C
- Options A & B: cooking space

# How do these options support NYS: administration

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- Options A & B: utilize more of existing building vs open lobby space (15% wasted space)
- Options A & B: administrative spaces are larger and more efficient

# How do these options support NYS: safety

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- Options A & B: entry lobby with check in area/snack bar that can be monitored, single point of entry
- Options A & B: allow to block off parts of the building when unused
- Options A & B: line of sight in teen areas, freedom of movement within hangout space, homework room and art room
- Options A & B: more protected outdoor play area, building creates barrier between road, parking lot & play space

# How will we pay for this?

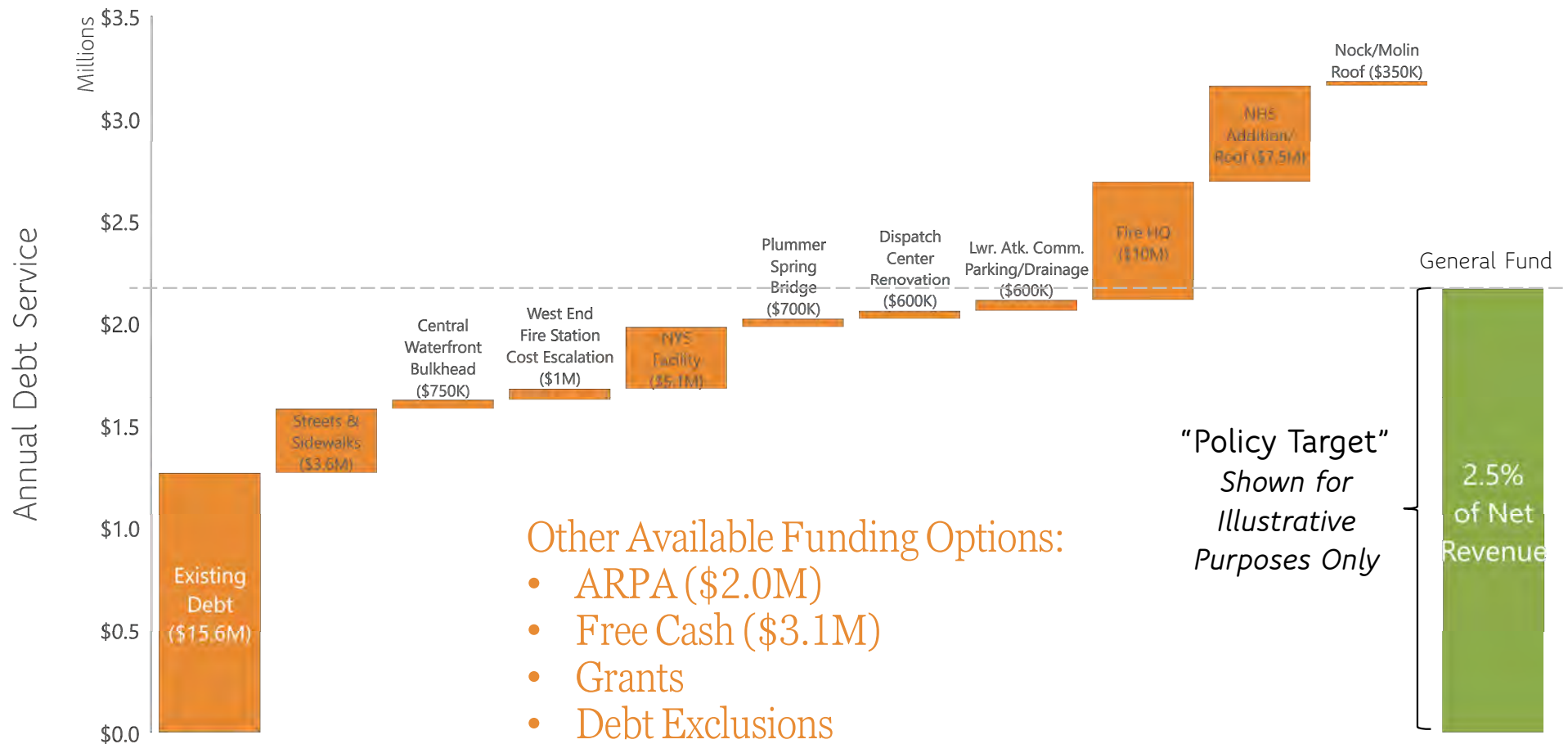
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- \$600K Kelley School Sale Proceeds
- Borrowing Authorization

Proposal	Project Cost	Available Funds	Borrowing Amount	Est. Annual Payment*
Option A	\$8.1M	(\$600K)	\$7.5M	\$432K
Option B	\$5.7M	(\$600K)	\$5.1M	\$298K
Option C no gym	\$3.0M	(\$600K)	\$2.4M	\$139K
Option C w/ phased gym	\$4.7M	(\$600K)	\$4.1M	\$240K
Option C w/ gym	\$4.3M	(\$600K)	\$3.7M	\$215K

\*30 Year G.O. Bond, 4.0% Interest

# How does this fit in with other borrowing needs?



# Which option has the best value?

---

Proposal	Project Cost	Price per square foot
Option A	\$8.1M	\$700/sf
Option B	\$5.7M	\$523/sf
Option C* no gym	\$3.0M	\$463/sf
Option C* w/ phased gym	\$4.7M	\$450/sf
Option C* w/ gym	\$4.3M	\$409/sf

\*Option C does not meet program needs

The Senior/Community Center cost \$768/sf to build in today's dollar  
(\$11.9M for 15,524 square feet)\*\*



# Next steps

---

- Zoning change:  
community center  
district
- Request funding:  
bond order





Questions?

# ORDERS

# CITY OF NEWBURYPORT



IN CITY COUNCIL

**ORDERED:**

November 1, 2022

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

**THAT** the City Council of the City of Newburyport hereby approves and authorizes the acceptance of a Sidewalk Easement between the City (Grantee) and Newburyport Properties, LLC or "NPLLC" (Grantors) for the property located at 2-6 Market Street, Newburyport. Said Easement to be substantially in the form submitted to this Council at its meeting on November 1, 2022; and

**Further**, that the Mayor of the City of Newburyport is hereby authorized to sign the subject Non-Exclusive Use Easement ("UE") and to act on behalf of the City and enter into any and all instruments, including acceptance of said UE in accordance herewith, and to take any other actions necessary to execute this acceptance and the associated UE accordingly.

Said UE is attached hereto and incorporated herewith and marked Attachment 'A'.

---

Councillor Edward C. Cameron, Jr.

NON-EXCLUSIVE ACCESS AND MAINTENANCE EASEMENT

This Non-Exclusive Maintenance and Access Easement (the "Easement") is granted this \_\_\_\_ day of \_\_\_\_\_, 2022 by Newburyport Properties, LLC, a Massachusetts limited liability company having a mailing address of 11 Windward Drive, Newburyport, MA 01950 ("NPLLC"), as the owner of property at 2-6 Market Street, Newburyport, Massachusetts, shown as "Lot C" on a Plan entitled "Plan of Land In Newburyport, MA Showing Proposed Site Improvements At 2-6 Market Street (Map 47 – Lot 59)" and attached hereto as Exhibit A (the "Plan"), to the City of Newburyport, a municipal corporation duly organized under the laws of the Commonwealth of Massachusetts and located in Essex County, Massachusetts, located at 60 Pleasant Street, Newburyport, Massachusetts, 01950 (together with its successors and assigns, "Grantee.")

WHEREAS, pursuant to a Site Plan Review Decision granted by the Newburyport Planning Board originally dated December 23, 2019, signed by the Board on December 24, 2019, which Decision is recorded in the Essex South Registry of Deeds at Book 38222 Page 161 (the "Permit"), condition no. 4 contained in the Special Conditions, in the section entitled "Prior to Issuance of an Occupancy Permit", requires NPLLC to provide for the benefit of the Grantee public access, and optional City maintenance, of sidewalk areas depicted on the above-referenced and approved plans located outside of the existing public ways, which areas are shown on the Plan attached hereto as Exhibit A; and

WHEREAS, NPLLC's property at 2-6 Market Square upon which the Easement is located is bounded by Summer Street, Merrimac Street and Market Street, all public ways; and

WHEREAS, NPLLC derives its title to the property by deed of Nancy C. White, Trustee of the 6 Market Street Realty Trust dated April 30, 2020 recorded in the Essex South Registry of Deeds at Book 38476 Page 46.

NOW THEREFORE, for consideration paid of Less Than One Hundred (\$100.00) Dollars, the receipt and sufficiency of which is hereby acknowledged and for the promises set forth below, NPLLC does hereby grant to Grantee the following rights and easement:

1. Grant of a Non-Exclusive Access and Maintenance Easement. The Easement area is any area located on NPLLC's property outside of the limits of the public

Property Address: 2-6 Market Street, Newburyport, MA

ways abutting 2-6 Market Square, Newburyport, Essex County, Massachusetts, upon which sidewalks are currently located. NPLLC does hereby grant to Grantee the following non-exclusive access and maintenance easement in the Easement area to run with the land as follows:

(a) The non-exclusive right for the City of Newburyport for public access to allow passage over the easement area from time to time by the City and the public; and

(b) The non-exclusive right for the City of Newburyport for maintenance of the easement area incidental to construction, use and maintenance of the adjacent public way. The City may, but shall not be obligated to, maintain the sidewalk areas outside of the limits of the public ways in the Easement area.

(c) This Non-Exclusive Access and Maintenance Easement shall be perpetual and irrevocable and shall be deemed to be a covenant running with the land and shall inure to the benefit of and be binding upon the Grantee and NPLLC and their respective successors and assigns.

2. Limitations and Restrictions. The right and easements granted in paragraph 1 above shall become effective only if and when and not until this Easement has been recorded in the Essex South Registry of Deeds. The rights and easements granted herein shall not (a) include any right or obligation of the Grantee to construct, install or repair any other improvements beyond the scope or outside of the limits of the public ways adjacent to the Easement or the Easement area, nor (b) impose any obligation upon the Grantee to maintain any improvements unrelated to sidewalk areas and the rights of passage beyond the scope of or outside of the limits of the public ways adjacent to this Easement or the Easement area. All construction, installation, repair and maintenance beyond the limits of public ways adjacent to and within the Easement area shall remain the obligation of NPLLC.

3. Use By the Public. In permitting the use of the Easement area by the public, the NPLLC and the Grantee agree that to the extent possible, the liability of NPLLC, its successors and assigns, is limited by Massachusetts General Laws Chapter 21, Section 17C, as amended, and Massachusetts General Laws Chapter 84, Section 15, as amended.

4. No Liability. NPLLC does not assume any responsibility to the Grantee, the general public, or anyone else in connection with its or their use of this Non-Exclusive Access and Maintenance Easement which use shall be at its and their own discretion and risk.

5. No Representations or Warranties. NPLLC does not make any representation or warranty, either express or implied, with respect to the condition of any portion of NPLLC's Property or the improvements now or hereafter constructed thereon.

6. Compliance with Law. In the performance of its obligations hereunder, Grantee shall comply promptly with all laws, regulations and governmental permits and approvals and matters of record existing prior to the recording of this Agreement. The Grantee shall be responsible for any and all permits or approvals necessary to exercise any rights or privileges granted hereunder.

7. Amendment. Except as otherwise expressly set forth in this Agreement, no amendments or modifications of this Agreement shall be effective without the prior written consent of each party at the time of such amendment or modification.

8. Severability. If any term or provision of this Agreement or the application thereof to any person or circumstance shall, to any extent, be declared to be invalid or unenforceable, then the remainder of this Agreement shall not be affected thereby, and each term and provision of this Agreement shall be valid and enforceable to the fullest extent permitted by law.

9. Governing Law. This Agreement shall be construed and interpreted under the laws of the Commonwealth of Massachusetts.

10. Notices. Unless otherwise specified herein, any notice to be hereunder shall be in writing and shall be deemed to have been given (a) when delivered by hand, or (b) when mailed by registered or certified mail return receipt requested, or (c) when sent by overnight delivery (such as FedEx), or (d) when sent by daytime courier, addressed as follows:

If to NPLLC:  
Newburyport Properties, LLC  
11 Windward Drive  
Newburyport, MA 01950

If to the Grantee:  
City of Newburyport  
Office of the Mayor, \_\_\_\_\_, Mayor  
City Hall  
60 Pleasant Street  
Newburyport, MA 01950

Each party's notice address may change upon twenty (20) days prior written to the other party. Notices shall be deemed delivered on the date received or rejected or on the date noted that the addressee has refused delivery, or on the date that the notice is returned to sender due to the inability of the postal authorities to deliver.

11. Not a Public Dedication. Nothing contained in this Agreement shall be deemed to be a gift or dedication of or a restriction or covenant upon any part of the remaining portion of NPLLC's Property, for the benefit of the general public, or for any public purpose whatsoever.

*(Signature pages to follow)*



Executed under seal this \_\_\_\_ day of October, 2022.

Newburyport Properties, LLC

\_\_\_\_\_  
By: Steven J. Lewis, Manager

\_\_\_\_\_  
By: Jennifer Lewis, Manager

COMMONWEALTH OF MASSACHUSETTS

Essex, ss.

On this \_\_\_\_ day of \_\_\_\_\_, 2022, before me, the undersigned Notary Public, personally appeared the above-named Steven J. Lewis, Manager of Newburyport Properties LLC, proved to me through satisfactory evidence of identification, being (check whichever applies):  driver's license or other state or federal governmental document bearing a photographic image,  oath or affirmation of a credible witness known to me who knows the above signatory, or  my own personal knowledge of the identity of the signatory, to be the person whose name is signed above, and acknowledged the foregoing to be signed by him, as his free act and deed, voluntarily for its stated purpose.

\_\_\_\_\_  
Notary Public –  
My Commission Expires:

COMMONWEALTH OF MASSACHUSETTS

Essex, ss.

On this \_\_\_\_ day of \_\_\_\_\_, 2022, before me, the undersigned Notary Public, personally appeared the above-named Jennifer Lewis, Manager of Newburyport Properties LLC, proved to me through satisfactory evidence of identification, being (check whichever applies):  driver's license or other state or federal governmental document bearing a photographic image,  oath or affirmation of a credible witness known to me who knows the above signatory, or  my own personal knowledge of the identity of the signatory, to be the person whose name is signed above, and acknowledged the foregoing to be signed by her, as her free act and deed, voluntarily for its stated purpose.

\_\_\_\_\_  
Notary Public –  
My Commission Expires:

Agreed and accepted this \_\_\_\_ day of \_\_\_\_\_, 2022.

City of Newburyport

\_\_\_\_\_  
By: Sean R. Reardon, Mayor

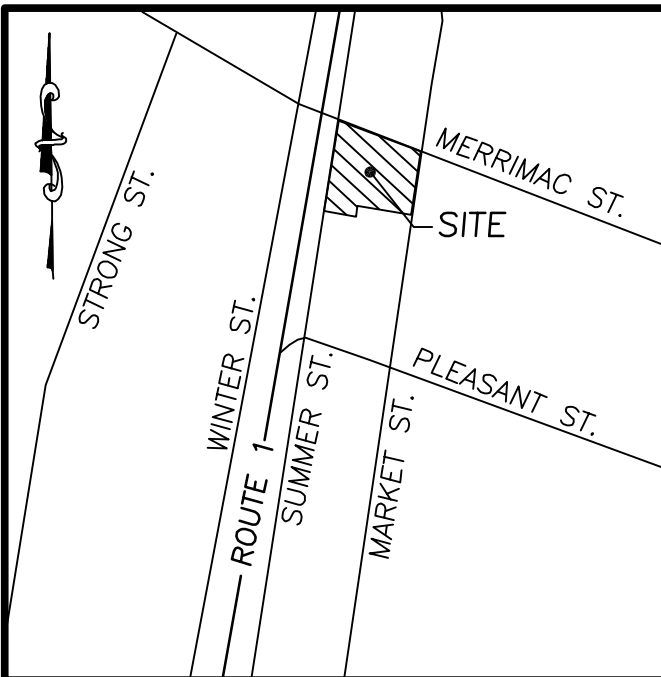
COMMONWEALTH OF MASSACHUSETTS

Essex, ss.

On this \_\_\_\_ day of \_\_\_\_\_, 2022, before me, the undersigned Notary Public, personally appeared the above-named Sean R. Reardon, Mayor of the City of Newburyport, proved to me through satisfactory evidence of identification, being (check whichever applies): [ ] driver's license or other state or federal governmental document bearing a photographic image, [ ] oath or affirmation of a credible witness known to me who knows the above signatory, or [ ] my own personal knowledge of the identity of the signatory, to be the person whose name is signed above, and acknowledged the foregoing to be signed by him, as his free act and deed, voluntarily for its stated purpose.

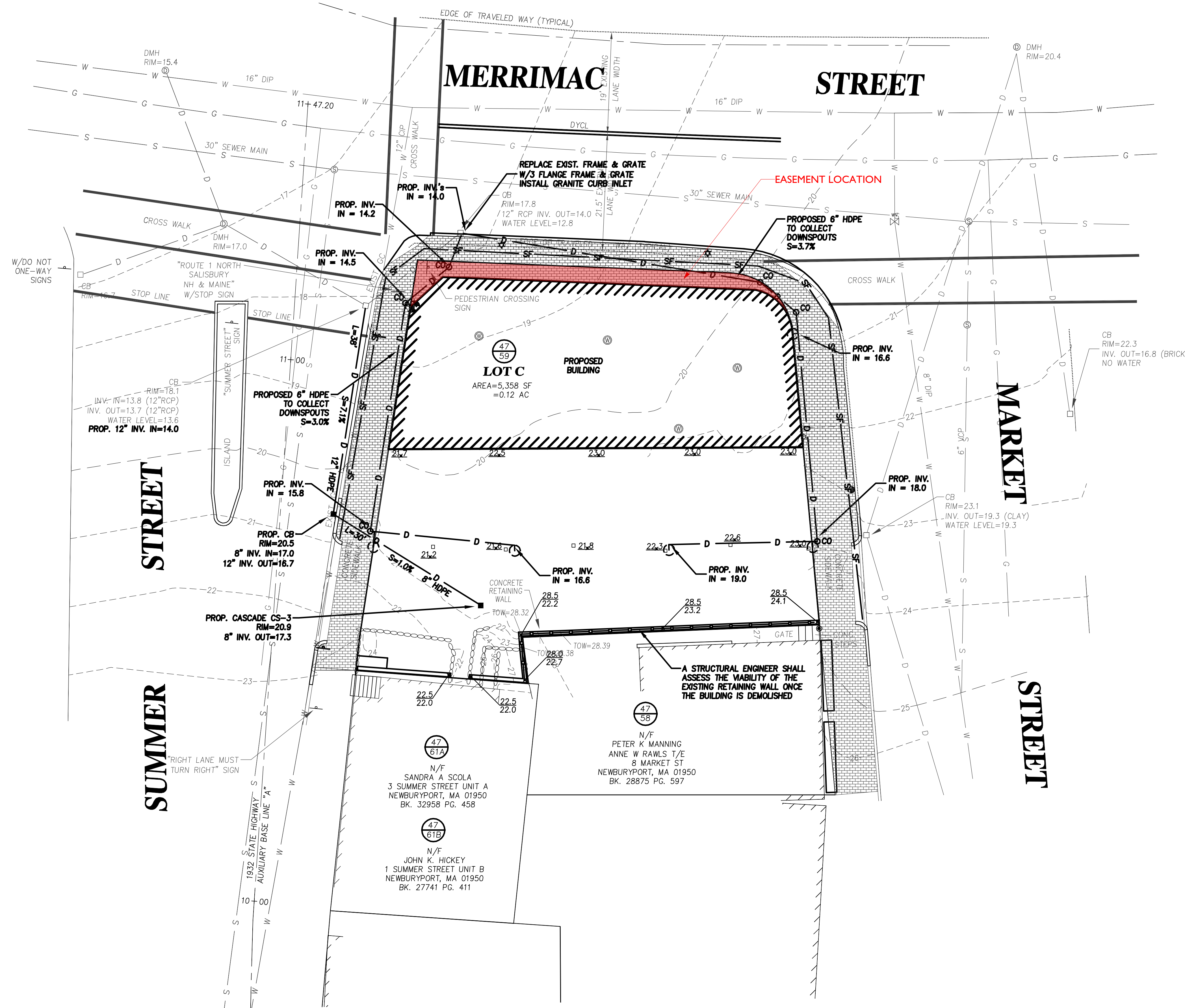
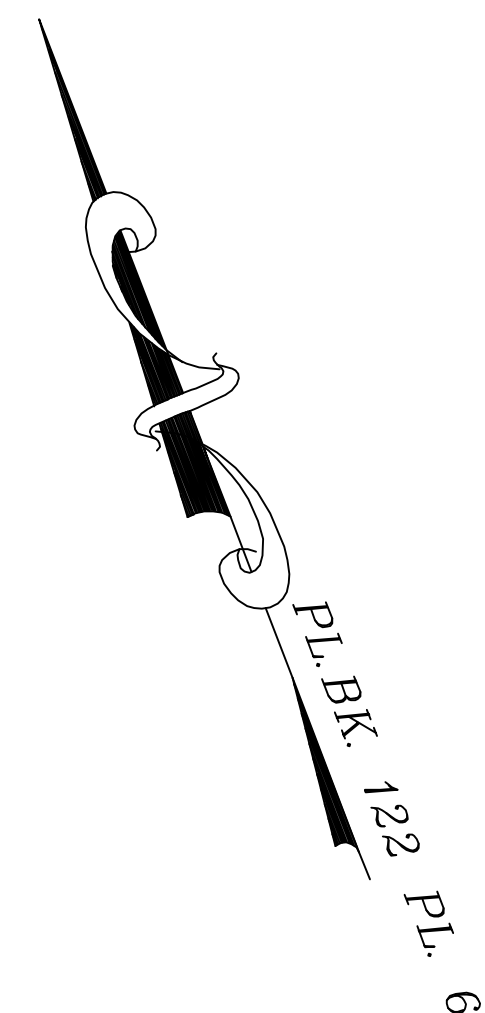
\_\_\_\_\_  
Notary Public –  
My Commission Expires:

Exhibit A



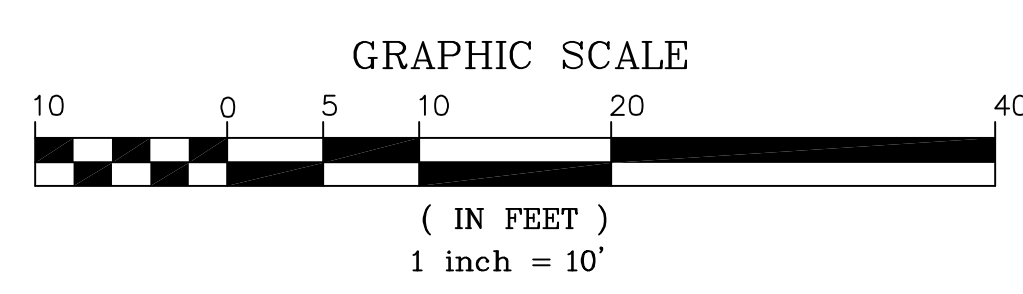
LOCUS MAP  
N.T.S.

T.B.M. #1  
MAG NAIL  
ELEV. = 18.69



**LEGEND**

	— 28 —	EXIST. CONTOUR
	— 23 —	PROP. CONTOUR
	SF	PROP. SILTATION BARRIER
		PROP. TREELINE/LIMIT OF WORK
		PROP. BRICK SIDEWALK
		PROP. CATCH BASIN
		EXIST. CATCH BASIN
	22.3	PROP. SPOT GRADE
		EXIST. UTILITY POLE
		PROP. OUTLET STRUCTURE
		WETLANDS



PREPARED FOR  
**STEVEN LEWIS**  
11 WINDWARD DRIVE  
NEWBURYPORT, MA 01950

NO.	DATE	DESCRIPTION	BY
6	10/14/21	UPDATE DOWNSPOUT LOCATIONS	C.M.Y.
5	9/27/21	REVISE MERRIMAC ST. SIDEWALK	C.M.Y.
4	9/14/21	UPDATE PARKING LOT GRADING	C.M.Y.
3	4/2/21	FINAL PLANS PER DOT REVIEW	C.M.Y.
2	12/18/19	ADDRESS REVIEWER'S COMMENTS	C.M.Y.
1	12/10/19	ADDRESS REVIEWER'S COMMENTS	C.M.Y.

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

SCALE: 1"=10'  
DATE: NOV. 20, 2019  
CALC. BY: Z.T.J.  
CHKD. BY: E.W.B.  
PROJECT: M193613

**PLAN OF LAND**  
IN  
**NEWBURYPORT, MA**  
SHOWING  
**PROPOSED SITE IMPROVEMENTS**  
AT  
**2-6 MARKET STREET**  
(MAP 47 - LOT 59)

**GRADING PLAN**  
SHEET: C-3

FOR REGISTRY USE

NEWBURYPORT PLANNING BOARD APPROVAL

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

DATE \_\_\_\_\_

# CITY OF NEWBURYPORT



IN CITY COUNCIL

**ORDERED:**

November 1, 2022

**THAT** the City Council of the City of Newburyport hereby orders, pursuant to Code Section 13-166, the Department of Public Works to add sufficient signage and markings to the following intersection:

**Street:** Jefferson Street at the intersection of Merrimac Street.

**Signage:** Signage sufficient to delineate the twenty (20) feet restriction on the east and west side of Jefferson St at the intersection with Merrimac St.

---

Councillor Christine Wallace

# CITY OF NEWBURYPORT



IN CITY COUNCIL

**ORDERED:**

November 1, 2022

**THAT**, \$5,750,000 is appropriated to pay costs of renovating and expanding the municipal facility at 59 Low Street for use by the Youth Services Department, including the payment of all costs incidental or related thereto, and that to meet this appropriation, the Treasurer with the approval of the Mayor, is authorized to borrow said amount under and pursuant to M.G.L. c. 44, §7(1), or pursuant to any other enabling authority, and to issue bonds or notes of the City therefor; and that the Mayor and the Treasurer are authorized to take any other action necessary or convenient to carry out this vote.

---

Councillor Heather L. Shand

# Friends of NEWBURYPORT YOUTH SERVICES

October 27, 2022

To the Members of the City Council,

As members of the Board of Friends of Newburyport Youth Services (FoNYS), we want to underscore the importance of moving Newburyport Youth Services (NYS) to 59 Low Street and lend our support to this **priority project**.

In this post-pandemic world, our children are in greater need of support than ever before - both in terms of their emotional and their physical well-being. For 18 years, NYS has proven and documented success providing our community with critical public health services for our youth, from birth through to adulthood. Between 2005 and 2019, before the pandemic and loss of the Brown School, NYS grew from a handful of programs to over 5,000 registrations serving over 2,000 individuals.

NYS does so much more than seasonal recreational activities. NYS has brought in over \$2.5 million dollars in grant funds to support healthy youth development and healthy choices. NYS's scope of work allows them to build bridges and create local partnerships to build on change. Such as, during COVID, through city partnerships, NYS created a remote-learning center when most organizations were shutting their doors. The need is there.

However, due to space limitations of its current temporary location, NYS has had to prioritize its programming and look for alternative spaces to meet the needs of the community. As we enter another winter, we cannot wait any longer for NYS to have a permanent space to adequately provide programming to the City's children and their families.

We would be remiss not to mention that we are extremely grateful for and proud of our incredibly dedicated NYS staff that has continued to deliver high quality programs while working temporary offices in City Hall, and making use of ad-hoc space in schools, churches, and other public spaces around the city to meet the needs of our community's youth.

Showing support for a move to 59 Low Street is not just a commitment to our youth - but also to the NYS staff who have worked tirelessly for the community by providing them a dedicated, professional space to continue to best serve our community.

We understand that you may have questions regarding funds, however, it still should not be a question of IF you choose to fund 59 Low Street, but rather **how and when we fund and start this project**. We as a community cannot keep pushing this important issue for another administration to make decisions and invest in this project. We ask that you support this project, the Youth Services department, and the hundreds of children this department directly serves and regularly provides services.

Each day that this critical need goes unmet in our community is another day of increased risk to our youth who are left without a critical resource for support and aid.

*Sincerely the Board Members of the Friends of Newburyport Youth Services*

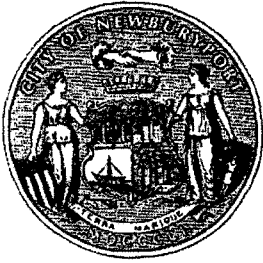
Laurie Naughton, President, 8 Doe Run Drive, Ward 5

Kim Hutchins, Vice President, 2 Birch St, Ward 3

Barb Cullen, Treasurer

Ryann Nickerson, Secretary, 354 High Street, Ward 4





CITY OF NEWBURYPORT  
CONSERVATION COMMISSION  
60 PLEASANT STREET  
NEWBURYPORT, MA 01950  
978-465-4400

October 20, 2022

The Honorable Heather L. Shand  
Newburyport City Council  
60 Pleasant Street  
Newburyport, MA 01950

Dear Councilor Shand and Members of the City Council,

Please accept this letter as confirmation that the Newburyport Conservation Commission has issued a Negative Determination of Applicability, approving the wetland boundaries at 59 Low Street, as delineated on behalf of the City in May 2022.

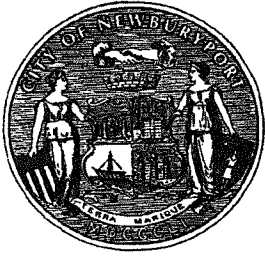
On April 15, 2022, the Commission received a Request for Determination of Applicability (RDA) filed under the Massachusetts Wetlands Protection Act and the Newburyport Wetlands Protection Ordinance. The RDA, submitted by the City of Newburyport, requested confirmation of the wetland resource area boundaries at 59 Low Street. Those boundaries were delineated by Hughes Environmental Consulting and surveyed on a plan titled, 59 Low Street Wetland Delineation, dated May 10, 2022. The Conservation Commission conducted a site visit and held a public meeting on May 17, 2022. At their public meeting, the Commission voted unanimously to issue a Negative 2(a) Determination, stating that the boundary delineations of the resource areas described on the plans dated May 10, 2022 are confirmed as accurate.

This Determination is valid for three years, during which time, any project proposed on the site may utilize the approved delineation.

Sincerely,

A handwritten signature in black ink, appearing to read "Julia Godtfredsen", written over a horizontal line.

Julia Godtfredsen  
Administrator, Newburyport Conservation Commission



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

JAMIE TUCCOLO, ACTING DIRECTOR

PHONE: 978-465-4463/4464  
FAX : 978 462 2063

**DATE:** October 21, 2022  
**To:** Newburyport City Council Members  
**BY:** Diane Gagnon, Assistant Engineer  
**SUBJECT:** 59 Low Street

Members of City Council,

The Engineering Department has reviewed the 59 Low Street Conceptual Layout Plan by Kim Turner dated July 20, 2022 and feel that the area provided is suitable to provided sufficient stormwater treatment. In order to come to this conclusion, we compared the Conceptual Plan to the existing conditions in the 57 Low Street Sketch Plan of Land, dated June 20, 2019, provided by Meridian Associates, examined the soil conditions and ran preliminary stormwater calculations.

In comparing the pre and proposed conditions we determined that the proposed impervious area is approximately equal to that of the existing impervious area.

A Phase II ESA was conducted by Credere Associates, LLC in October 2021 to explore the redevelopment of the site. Eight (8) Soil borings were drilled during the environmental assessment on the easterly end of the site between the structure and Low Street. These borings were drilled to refusal on bedrock which ranged from 10 feet to 14.5 below ground surface. One boring was terminated at 15 feet below ground surface with no refusal. Samples were consistently wet around 5 feet below surface and consisted of sand with bands of clay with some silt and fine gravel. To supplement the finding of the Phase II ESA boring logs, City of Newburyport Engineering department with the assistance of DPS dug two test pits on March 7, 2022. One being approximately 10 feet off the west side of the existing building and the other to the south of the property just beyond the existing pavement. The soils here were consistent to what was found in the report, a clay layer was uncovered approximately two feet below surface grade.

Due to clay soils and groundwater elevation an above grade surface treatment detention pond was modeled using Hydro CAD software. The area as shown on the Conceptual Plan, offers adequate area to treat the volume of runoff required. Final calculations are still needed and compliance with permitting agencies will be implemented as necessary.

Diane Gagnon  
Assistant City Engineer



# NEWBURYPORT PUBLIC SCHOOLS

70 LOW STREET

NEWBURYPORT, MASSACHUSETTS 01950-4086

OFFICE OF THE SUPERINTENDENT  
SEAN T. GALLAGHER, SUPERINTENDENT

TELEPHONE 978.465.4456  
FAX 978.462.3495

October 24, 2022,

To City Council Members,

I would like to express the support of the Newburyport Public Schools for the project to build out 59 Low Street as the future location of Newburyport Youth Services. Our district has established and maintains a strong partnership with NYS, and we are very grateful for the wide variety of quality year-round programs and services they have provided to both our students and their families over the years.

Each year many of our students participate in recreation and enrichment programs offered by Newburyport Youth Services. They provide necessary after school programming for the working families of Newburyport and offer children of this great community many opportunities including but not limited to academics, sports, cultural arts and student leadership programming. NYS also complements the schools with many parent / guardian focused programs with rich topics meant to inform and educate parents / guardians of new trends that may impact their children.

Relocating NYS to 59 Low Street will make the programming more accessible to our students and families. On behalf of Newburyport Public Schools, I strongly support Newburyport Youth Services' relocation plan to 59 Low Street.

Sincerely,

Sean T. Gallagher  
Superintendent

# HUGHES ENVIRONMENTAL CONSULTING

44 MERRIMAC STREET, NEWBURYPORT, MA 01950  
PHONE 978.465.5400 • FAX 978.465.8100  
EMAIL THUGHES@HUGHESENVR.COM

PO BOX 392, CONCORD, MA 01742  
PHONE/FAX 978.369.2100

To: Kimberly Turner, Manager of Special Projects

From: Tom Hughes 

Subject: 59 Low Street Newburyport – MEPA Triggers

Date: October 19, 2022

\*\*\*\*\*

I understand there is concern that a project that requires a variance from the Conservation Commission would somehow trigger a MEPA filing with the state. I have reviewed these concerns and provide the following clarification.

MEPA applies to projects that require a “state action” (funding, a permit, etc...) AND trip a threshold. In this case I believe the City has been told that the “state action” occurred in selling the property to the City. If this is the case, then within a certain time period, MEPA review would be required if a MEPA threshold is tripped. Some thresholds are for ENFs with discretionary EIRs and some are mandatory ENF with an EIR. The threshold being referred to with regards to a variance is found in 301 CMR 11.03 (3)(a)2. The MEPA threshold is quite specific and states “***Alteration requiring a variance in accordance with the Wetlands Protection Act.***” This is only triggered when a variance is required under Wetlands Protection Act, M.G.L. c. 131 § 40, and its implementing regulations, 310 CMR 10.00 is necessary. If we needed such a variance, we would need to file an ENF and mandatory EIR. Variances under the Wetland Protection Act are rare and the most common variance is for filling of more than 5,000 square feet (exclusive of allowed larger fills that qualify as limited projects and are allowed under regulation). While the DEP Commissioner can issue a variance to any part of its regulations, this action is uncommon and extremely unlikely in any development scenario associated with the Low Street Property. Examples of projects that seek and obtain variances under the regulations are highway widenings, bridges, airports, etc... A site such as the Low Street site could easily be substantially redeveloped in full compliance with the Act and its regulations, and would even allow up to 5,000 square feet of wetland fill and I can’t imagine a need for such a variance.

A variance from the DEP Commissioner under the WPA is not to be confused with a variance under the local Wetlands Ordinance, which is a separate law from the Wetland Protection Act and has no bearing on the MEPA thresholds. This variance is entirely up to the discretion of the Conservation Commission within the context of the local Wetlands Ordinance and regulations.

In summary, a variance from the Conservation Commission does not trigger a filing with MEPA and people are misinterpreting the MEPA thresholds with regards to a wetlands variance by conflating the term variance across two different laws and then using that term under the MEPA thresholds that only apply to the variance under the state law. I hope that helps and I am willing to discuss this matter further with anyone who needs further clarification.

# **ORDINANCES**

# CITY OF NEWBURYPORT



IN CITY COUNCIL

**ORDERED:**

**June 27, 2022**

## **AN AMENDMENT TO AN ORDINANCE ENTITLED BUILDINGS AND BUILDING REGULATIONS**

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

THAT the Code of Ordinances, City of Newburyport, Massachusetts, is hereby amended as follows:

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

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

### **Sec. 5-45. - Enforcement of chapter.**

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

(b) Violation penalties

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

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

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

(3) 3rd offense – three hundred (300) dollar fine

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

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

---

Councillor James J. McCauley

**In City Council June 27, 2022:**

Motion to refer to Budget & Finance by Councillor McCauley, seconded by Councillor Vogel.  
Roll call vote. 9 yes, 2 absent (AK,JD). Motion passes.

**In City Council October 11, 2022:**

Motion to approve on 1<sup>st</sup> reading by Councillor Zeid, seconded by Councillor McCauley. Roll  
call vote. 10 yes., 1 no (SZ). Motion passes.

# CITY OF NEWBURYPORT



IN CITY COUNCIL

## ORDERED:

July 11, 2022

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

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

The Code of Ordinances, City of Newburyport Massachusetts, Appendix B – Municipal Fee Schedule is amended to make the following insertions and deletions related to municipal fees. ~~Furthermore, Appendix B – Municipal Fee Schedule will be updated to reflect the city council approved fees for city departments.~~

All changes will be noted with insertions in double-underline and deletions in double-strike.

## 2-A - Animals

*No changes in Rates for ‘Licensing of dogs and kennels’ or ‘Stray Animal Fees’*

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



## 2-B - Boats, Docks and Waterways

*No changes in Rates for 'Central Waterfront Docks'*

<b>Commercial Fish Pier</b>	<b>Fee</b>
Five cents (\$0.05) per pound for each pound in excess of twenty thousand pounds (20,000) of fish per day	\$500
Annual Docking Permit, includes use of hoist/parking	\$1,700
<b>Commercial Shellfish Pier</b>	<b>Fee</b>
Residents License	\$100
Non-Residents License	\$200
Rack Fee	\$2.00 per rack
<b>Waterways, Moorings, etc. Annual Permits</b>	<b>Fee</b>
Dinghies up to 16 ft	\$20
Waterways	\$5 per foot
Moorings	\$4 per foot
Moorings, overnight only	\$50
Dinghy Dock	\$250

## 2-C - Building Inspection Permits (Plumbing, Gas, Metal, & Electrical)

<b>Building Permits</b>	<b>Fees</b>
First one thousand dollars (\$1,000) of cost estimate	\$50

Each additional one thousand dollars (\$1,000) of estimate or part thereof.	\$10
Certificate of Occupancy	\$40
Work without a Permit	Lesser of double permit cost or \$2,000
Certificate of Inspection	\$50
<b>Plumbing Permit Fees</b>	<b>Fees</b>
Permit fee	\$40
Inspection/Re-inspection fee	\$45
Charge for each fixture	\$10, residential \$20, commercial
Replacement hot water heater	\$60, residential \$75, commercial
Work without a permit	\$150, residential \$300, commercial
<b>Gas Permit Fees</b>	<b>Fees</b>
Permit fee	\$40
Inspection/Re-inspection fee	\$45
Appliance fee	\$5, residential \$10, commercial
Replacement hot water heater	\$60, residential \$75, commercial
Work without a permit	\$150, residential \$300, commercial
<b>Sheet Metal Permit Fees</b>	<b>Fees</b>
Permit fee	\$75.00, residential \$150.00, commercial
Inspection/Re-inspection fee:	\$45.00

<del>Re-inspection fee:</del>	<del>\$35.00</del>
Charge for each fixture	\$5.00, residential \$10.00, commercial
If residential work started before a permit	\$150.00
If commercial work started before permit	\$300.00

<b>Residential Electrical Permit Fees (3 or more units use Commercial Rate)</b>	<b>Fee</b>
New Construction - Fee is based on the projected building cost as shown on the building permit. Includes 3 inspections	First \$50,000 = \$180 Each additional \$1,000 = \$1.00
Additions/Remodel/Alteration/Replacement (service not included) Includes 2 inspections	\$130 for the first five fixtures then \$3 per additional fixture unless otherwise listed, maximum allowable charge \$300
Garages Added On	\$80, attached \$125, detached
Services—New, changed, or altered Includes 1 inspection	Single Family Overhead = \$65 Single Family Underground = \$85 Multi Family = \$85 plus \$20 each additional unit-, sub- or house- panel
Solar Includes 1 inspection	\$100 up to 10kW (>10kW use commercial solar rate)
Work without a Permit	\$150
Note: Any Re-inspection, additional or failed inspection will require an additional \$45 fee.	

<b>Commercial Electrical Permit Fees</b>	<b>Fee</b>
New construction - Fee is based on the projected building cost as shown on the building permit. Includes 3 inspections	First \$100,000 is \$350 Each additional \$1,000 or fraction thereof is \$1.00
Remodel/Alteration/Replacement (service not included) Includes 2 inspections	\$150 for the first five fixtures then \$3 per additional fixture unless otherwise listed
Services—New, changed, or altered	Each 200 amps or fraction thereof \$75  Underground: \$85 Each additional panel \$75 Temporary Service \$65
Solar Includes 1 inspection	\$100 plus \$1.00 per kW over 10kW
Work without a Permit	\$300
Note: Any Re-inspection, additional or failed inspection will require an additional \$45 fee.	

<b>Miscellaneous Electrical Permits</b> (includes 1 inspection unless noted otherwise)	<b>Fee</b>
Annual Electrical Permit	\$150
Generators (includes 2 inspections)	\$130
Burglar/fire alarm systems	\$65, residential \$85, commercial
Central Heat/AC	\$65, residential \$85, commercial
Temporary Service Includes 1 inspection	\$65, residential \$85, commercial

<b>Miscellaneous Electrical Permits</b> (includes 1 inspection unless noted otherwise)	<b>Fee</b>
Swimming pool (includes 3 inspections)	\$160.00
<del>Swimming Pool — In Ground</del>	<del>\$95</del>
Marina Commercial (includes 2 inspections)	\$150
Re-inspection	\$45
Hot water heater replacement	\$65, residential \$85, commercial
Utility lighting retrofit	\$65
Tel/data systems	\$85
Remove and reinstall for siding	\$65
Gas piping grounding	\$65

## **2-D - City Clerk (Vital Records, Certifications and Parking)**

*No changes in Rates for 'Central Waterfront Docks'*

## **2-E - Finance Department**

*No changes in Rates*

## **2-F - Fire Prevention and Protection**

*No changes in Rates*

## **2-G - Licenses, Permits and Business Regulations**

*No changes in Rates*

## 2-H - Municipal Facility Use Fee

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

Dining Room/Kitchen	\$125/hour – Commercial/Private Function \$100/hour – Non-Profit/Civic Organization
Arts & Crafts Room, Billiards Room, Board Room, Computer Lab, Exercise Equipment Room, Library, Wellness Room	\$100/hour – Commercial/Private Function \$75/hour – Non-Profit/Civic Organization
Set-up/access to reserved space prior to event	No charge for first hour \$50/hr per additional hour

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

<b>City Hall Auditorium</b>	<b>Fee (see note below)</b>
<b><i>Weekday Rates: Monday through Thursday 8:00am – 10:00pm, Friday 8:00am – 4:00pm</i></b>	
Auditorium	\$75/hour – Commercial/Private Function \$50/hour – Non-Profit/Civic Organization
Set-up/access to reserved space prior to event	No charge for first hour, \$50/hr per additional hour
<b><i>Weekend Rates: Friday 4:00pm through Monday 7:00am (two hour minimum)</i></b>	
Auditorium	\$125/hour – Commercial/Private Function \$75/hour – Non-Profit/Civic Organization
Set-up/access to reserved space prior to event	No charge for first hour, \$50/hr per additional hour

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

## **2-I - Parking Fees (Permits, Rates)**

*No changes in Rates*

## **2-J - Parks and Recreation Fees**

*No changes in Rates*

## **2-K - Planning Department Fees**

<b><i>Planning Board Application</i></b>	<b><i>Fee</i></b>
Form A - Approval Not Required	\$200/lot or lot line change
Form B - Preliminary Subdivision	\$100 base plus \$100 per lot
Form C - Definitive Subdivision	\$1,000 base plus \$250/lot if Preliminary Plan was approved or \$500/lot otherwise
Modification of a Definitive Plan	\$500 base plus \$175/lot
Special Permit / Amendment	\$200 \$500 \$200
Site Plan Review – Major Project	\$500
Site Plan Review – Minor Project	\$200
Repetitive Petition	\$200
Smart Growth Plan Review	\$1,000
Publication and Abutters fee	\$500 per project
Minor Modification	\$50



<b><i>Planning Board Review<del>Peer Review</del></i></b>	<b><i>Fee</i></b>
Preliminary Plan, Modification of Definitive Plan, or Special Permit Amendment	
2 - 15 Lots/Units	\$2,000
16 - 20 Lots/Units	\$3,000
21 - 25 Lots/Units	\$4,250
More than 25 Lots/Units	\$5,000
Fewer than ten (10) Parking Spaces	\$1,000
Ten (10) or more Parking Spaces	\$1,500
Definitive Plan, Special Permit or Site Plan	Fees
2 - 15 Lots/Units	\$4,000
16 - 20 Lots/Units	\$6,000
21 - 25 Lots/Units	\$10,000
More than 25 Lots/Units	\$20,000
Fewer than ten (10) Parking Spaces	\$2,000
Ten (10) or more Parking Spaces	\$5,000
Site Plan Review - Major	\$1,500
Site Plan Review - Minor	\$500
<del>Smart Growth Plan Review</del>	<del>\$5,000</del>

<b><i>Zoning Board of Appeals Applications</i></b>	<b><i>Fee</i></b>
Appeal	\$200
Special Permit/Amendment	\$200
Variance	\$200
Publication and Abutters fee	\$450

Minor Modification	\$50
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<b>Other Commission Applications</b>	<b>Fee</b>
Historical Commission: Demolition Delay Application	\$100
Fruit Street Historical Commission: Certificate of Appropriateness/Non-Applicability	\$25

<b>Conservation Commission Applications</b>	<b>Fee</b>
Request for Determination	\$100
Notice of Intent (NOI)	
Category 1.....	\$50 for each activity
Category 2.....	\$150 for each activity
Category 3.....	\$300 for each activity
Category 4.....	\$500 for each activity
Category 5.....	\$1/linear foot, not less than \$100 or more than \$1,000
Category 6.....	\$1/linear foot, not more than \$100 for a single-family home or \$1,000 for all other activities
Certificate of Compliance	\$25 for active Orders of Conditions \$100 for expired Orders of Conditions \$50 for each additional request
Amendments to Orders of Conditions	\$50 for the first amendment, \$75 for any subsequent amendments
Abbreviated Notice of Resource Area Delineation	\$25/100 linear feet of resource area not to exceed \$1,000
Minor Modifications	\$25
Extension Permit	\$50
Emergency Certification	\$100
Letter Permit	\$25

Publication	\$175
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## 2-L - Police Department

*No changes in Rates*

## 2-M - Public Health Department

*Only changes to 'Day Camps, Funeral Directors and Miscellaneous' section, 'Food Service Establishment Permits' and 'Temporary Food Events'*

<b>Day Camps, Funeral Directors and Other Fees</b>	<b>Fee</b>
Bed & Breakfast License	\$50
Body Art Practitioner (tattoo/piercing)	\$200
Body Art Establishment	\$200
Day Camp for Children	\$100
Day Care Service for Children	\$50
Certificate of Compliance	\$50
Burial Permit	\$15
Funeral Directors	\$50
General License / Permit	\$100
<del>Housing Section 8 Inspection</del>	<del>\$50</del>

Special Inspection	\$75
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<b><i>Title V /Septic and Wells</i></b>	<b><i>Fee</i></b>
Disposal Works Installers Exam	\$50
Disposal Works Installers Permit	\$100
Ground Water Test (Deep Hole)	\$100
Perk Test	\$150
Well – Plan Review & Permit	\$50

<b><i>Food Service Establishment – Plan Review</i></b>	<b><i>Fee</i></b>
Plan Review (Food Establishment)	\$150
Plan Review (Mobile Food Kitchen)	\$150
Plan Review (Residential Kitchen)	\$75

<b><i>Food Service Establishment - Permits</i></b>	<b><i>Fee</i></b>
Permit Fee	\$230
- Each Seat (Max of \$450)	\$5/seat
Frozen Dessert	\$25
Milk & Ice Cream	\$10

Mobile Food Kitchen Annual	\$350
Catering Establishment	<b>\$230</b>
Retail Food	\$230
Residential Kitchen	\$230
Seasonal Establishment	\$165
Event Organizer	\$100
Re-Inspections (Additional)	\$35

<b><i>Temporary Food Events</i></b>	<b><i>Fee</i></b>
Temporary Event	\$50/day

<b><i>Solid Waste Hauler Permit</i></b>	<b><i>Fee</i></b>
Permit	\$200
Each Vehicle	\$50/vehicle

<b><i>Septage / Fats, Oils, Grease / Other Offal Substances Hauler Permit</i></b>	<b><i>Fee</i></b>
Permit	\$250
Each Vehicle	\$50/vehicle

<b><i>Choke Saver Registration</i></b>	<b><i>Fee</i></b>
Newburyport Resident	\$20
Newburyport Restaurant Employee	\$20
Non-Newburyport Resident	\$25

Non-Newburyport Restaurant Employee	\$25
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## 2-N - Highway Department

*No changes in Rates*

## 2-O - Recycling and Solid Waste

<b><i>Yard Waste Facility and Landscaper Permit</i></b>	<b><i>Fee</i></b>
Under 65 years of age, First Vehicle	\$20
Second Vehicle	\$10
65 years of age <b>and older</b>	\$5
Replacement Sticker	<b>\$10</b>
Landscaper Permit	\$250
<b><i>Curbside Bulk Waste Stickers</i></b>	<b><i>Fee</i></b>
Any furniture item	\$5
Mattress (trash)	\$20
Mattress (recycled)	\$25

<b><i>Recycling Center Fees – Appliances</i></b>	
Clothes Washer/Dryer (stackable) - \$20.00	Microwave - \$1.00 (metal), \$5.00 (plastic)
Clothes Washer/Dryer - \$10.00	Refrigerator - \$15.00 (regular), \$5.00 (dorm-size)
Dehumidifier - \$10.00	Room Air Conditioner - \$10.00

Dishwashers - \$5.00	Stove - \$10.00
<b>Recycling Center Fees – Electronics</b>	
Copier Machine - \$5 (<30lbs), \$25 (>30lbs)	Televisions (CRT) - \$10 (10-19”), \$15 (20-31”),
Computer (CPU Tower) - \$5	Televisions (CRT) - \$20 (32-35”), \$25 (>=36”)
Electronics, miscellaneous - \$0 to \$3, varies by size	Televisions (Flatscreen) - \$5 <= 32”, \$10 >32”
Monitor - \$10 (CRT), \$5 (flat-screen)	TV (wood case) - \$25
Printer - \$5 (inkjet), \$10 (laser)	TV (Projection) - \$30 <= 200lbs, \$0.22/lb > 200 lbs
Printer over 30lbs - \$25	VCR/DVD - \$2
<b>Recycling Center Fees – Miscellaneous</b>	
Mattresses - \$15 (recycling)	Tire - \$3/each (rim or no rim)
Helium Tank - \$1	Water Cooler - \$5 (small), \$10 (large)
Propane tank - \$1 (gas grill size)	Water Tank - \$3

## 2-P - Water and Sewer Department

*Only changes in Rates for ‘Water Consumption Usage Rates’ as established by City Council Order on June 27, 2022. All other rates remain unchanged.*

<b>Water Consumption Usage Rates</b>	<b>Fee</b>
First 3,000 cu-ft for Residential and Non-residential	<b>\$6.61/100 cu-ft</b>
3,001 cu-ft and over for Residential and Non-residential	<b>\$7.37/100 cu-ft</b>

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Councillor Afroz Khan

**In City Council July 11, 2022:**

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

**In City Council October 11, 2022:**

Motion to approve on 1<sup>st</sup> reading by Councillor Zeid, seconded by Councillor McCauley. Roll call vote. 10 yes., 1 no (SZ). Motion passes.



# CITY OF NEWBURYPORT



IN CITY COUNCIL

**ORDERED:**

November 1, 2022

AN AMENDMENT TO AN ORDINANCE DESIGNATING COMMITTEES AND DEFINING RESPONSIBILITIES THERETO PURUSANT TO VARIOUS SECTIONS OF CHAPTER 2 ADMINISTRATION OF THE MUNICIPAL CODE

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

Chapter 2	Administration
Article II	City Council
Section 2-31	Committees designated; membership

***Amend Sections 2-31, 2-32, 2-33, 2-34, 2-35, 2-26 and 2-37 by inserting a new line, as follows, with deletions ~~double-stricken through~~, and additions double-underlined:***

Sec. 2-31. - Committees designated; membership.

There shall be ~~nine six (96)~~ nine (9) standing committees of the city council: committee on budget and finance; ~~committee on education~~; committee on general government; committee on licenses and permits; committee on ~~neighborhoods and~~ city services; committee on planning and development; and committee on public safety, facilities and services; ~~and committee on public utilities; and committee on rules~~. Each such standing committee shall consist of three (3) members of the city council. The president of the city council shall serve on the committee on general government, as its chair, and the mayor may serve as a fourth, ex officio, non-voting member of such committee.

Sec. 2-32. - Responsibilities of committee on general government.

The committee on general government shall be concerned with supervision of city properties whose custody has not been assigned to a specific municipal department, as well as the proper use of school properties. ~~and The the committee has oversight over~~ the following municipal departments: city clerk; city solicitor; registrars of voters, information technology; and human resources. The committee shall have charge of and supervision over the city council chambers. The committee will be concerned with the keeping of the rules of the city council. The committee

shall act as the liaison between the school committee and the city council on matters related to education

Sec. 2-33. - Responsibilities of committee on public safety, facilities and services.

The committee on public safety, facilities and services shall be concerned with all the activities in the police, fire, and health departments, the harbor commission and harbormaster, the animal control officer, the parking clerk, public parking and associated regulations and traffic safety needs and regulations. The committee reviews matters and activities related to the Department of Public Services, including the Water and Sewer Division; and the Highway Division including the engineering department and will include such tasks as but not limited to: street acceptance, layout, construction, repair and maintenance; relocation and discontinuance of public ways; sidewalk placement, repairs and street tree placement, street lighting; snow and ice removal plans; water and sewer services including replacement and construction within or under the public way; storm drains; and requests from public utilities for easements and poles. The committee shall be concerned with all activities and policies of the water and sewer commission and requests from public utilities.

Sec. 2-34. - Responsibilities of committee on city service.

The committee on neighborhoods and city service shall be concerned with all the activities: in the department of public services with the exceptions of public parking and traffic, and of water and sewer services, including, without limitation, municipal lighting, street sweeping, and city cemeteries; and regarding youth services, the public library, the veterans agent, the parks commission and department, and the council on aging, the commission on disabilities and the sustainability department. Additionally, the committee will provide oversight to the interactions related to the fundraising arms of the above departments.

Sec. 2-35. - Responsibilities of committee on licenses and permits.

The committee on licenses and permits shall evaluate and make recommendations on all applications for licenses and permits that come under the jurisdiction of the city council. This includes but not limited to road races, block parties and applications for festivals utilizing city streets or areas under the jurisdiction of the city council.

Sec. 2-36. - Responsibilities of the committee on planning and development.

The committee on planning and development shall be concerned with all the activities and jurisdictions of the office of planning and development and its director; the affordable housing trust; the conservation commission and its conservation agent; the planning board; the zoning board of appeals; the historical commission and any local historic district commissions; ~~and the commission on disabilities~~ and the Building Department

Sec. 2-37.1. - Responsibilities of committee on budget and finance.

The committee on budget and finance shall be concerned with all issues of city finances including issues relating to city revenues and the city budget, including, without limitation, all the activities and jurisdictions of the city auditor, city treasurer, tax assessor, and tax collector. Additionally, the

committee will be the liaison with the Newburyport School Committee regarding the school finances.

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Councillor Heather L. Shand

# CITY OF NEWBURYPORT



IN CITY COUNCIL

**ORDERED:**

November 1, 2022

## **AN ORDINANCE DEFINING RULES FOR DEPARTMENT HEADS WITH REGARDS TO CONFLICTS OF INTEREST, COMPLIANCE WITH THE STATE CONSTITUTION AND RESIDENT PRIVACY AND ASSOCIATED EXTERNAL ORGANIZATIONS**

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

**Chapter 2** Administration  
**Division 1** Generally  
**Article I** In General

**Insert Section 2 – 127**

### **Definitions:**

*Department Head* – An employee of the City of Newburyport employed as the leader of any department of the City of Newburyport.

*Associated External Organization* – Any organization whether for profit or non-profit (also referred to as a 501(c)(3)) that participates in fundraising activities in support of City departments.

### **Department Head Conflicts**

The following rules are meant to promote transparency and avoid potential conflicts of interest, whether real or perceived, between city departments and external organizations that may form to raise funds in support of these departments.

- (a) *Department Heads* shall be prohibited from serving on the board of directors or in any position of leadership of any *associated external organization*.
- (b) *Department Heads* shall be prohibited from the handling, the allocation, or the disbursing, of Funds raised, or otherwise act in a controlling way toward any *associated external organization*.

- (c) *Department Heads* shall be prohibited from sharing City resources, including contact lists, with any *associated external organization*, consistent with the State Constitution's anti-aid amendment codified in Article CII.
- (d) While this section may not be overridden by City policy, it is not intended to supplant or replace other obligations for *Department Heads* that may be created via employment agreements or other City ordinances or City policies.
- (e) City addresses, whether they be physical or email, may not be authorized for use by *associated external organizations*.

---

Councillor Sharif I. Zeid

# CITY OF NEWBURYPORT



IN CITY COUNCIL

**ORDERED:**

November 1, 2022

## **AN ORDINANCE REGARDING ACCEPTANCE OF GIFTS AND GRANTS TO THE CITY**

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

**Chapter 2** Administration  
**Article VI** Finance

**Insert Section 2 – 396**

### **Definitions:**

*Items* - funds, goods, services, information services or analysis and/or anything of value

*Gift* – Items being donation to the City by a third party whether an individual, group, organization.

*Grant* – Any receipt

*Fee* – Items that have been authorized by a specific state statute or City Ordinance.

### **Procedure and Acceptance**

- (a) *Grants* must, by Order, either be approved for submittal by the City Council or accepted by the City Council upon award.
- (b) *Gifts* exceeding five-hundred dollars (\$500.00) must be accepted by City Council Order and then either separately or concurrently appropriated for a specific purpose. Consecutive *gifts* may not be strung together to avoid triggering the threshold.

- (c) *Fees* shall be accepted and appropriated in accordance with their enabling state statute or ordinance.
- (d) *Gifts, grants, and fees* may not be used interchangeably.

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Councillor Sharif I. Zeid

## **COMMITTEE ITEMS**



# **Committee Items – November 1, 2022**

## **Ad Hoc on Market Landing Park**

### ***In Committee:***

- COMM00437\_10\_11\_2022 MLP Project Update
- ORDR00385\_10\_11\_2022 Sasaki Design Progress



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

**MEMORANDUM**

**TO: Honorable Members of the Newburyport City Council**

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

**CC: Sean R. Reardon, Mayor**  
**Heather L. Shand, City Council President/Chair, Ad Hoc Committee on Market Landing Park Expansion**

**RE: Late File Communication & Order – Market Landing Park Expansion Project**

**DATE: October 11, 2022**

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As you know, this Department has been overseeing design, funding and other aspects of the long-awaited Market Landing Park Expansion project. Throughout the process to date the Council, and its designated Ad Hoc Committee, have provided guidance on both design and funding for the project.

Most recently the Council voted on 7/11/2022 to approve CPA bonding of \$3,000,000 to complete Phase I park improvements in spring 2023. We have since received confirmation of a \$400,000 grant award from the Massachusetts Division of Conservation Services (DCS) supplementing this and other funding sources for Phase I work. However, our ability to proceed with the timely preparation of complex bid plans and specifications suitable for public procurement in the weeks ahead is contingent upon a vote of the Council to approve the final schematic design plans pursuant to said bond order (see attached *ORDR00356 05 09 2022*). During the past few months Sasaki has worked to secure overlapping plan approvals from the Newburyport Planning Board given their jurisdiction under the Newburyport Zoning Ordinance. The final Planning Board approval/vote in relation to these project plans is expected on 10/19/2022. As such, **I hereby request a timely meeting of the Ad Hoc Committee on Market Landing Park Expansion, to be held tentatively on Tuesday 10/25/2022. I also request that the attached/associated Order relative to final plan approval, be accepted as a late file this evening, along with this memo/communication, and referred to said Ad Hoc Committee for consideration on 10/25/2022.** Attached to this memo and the Order are the most recent schematic plans and illustrations provided to us by the design team at Sasaki. Your timely approval of same would be greatly appreciated given the potential implications for design costs and bidding timeframes crucial to this project in the coming weeks.

Thank you in advance for your consideration, and your continued support for this long-awaited project.

# CITY OF NEWBURYPORT



## IN CITY COUNCIL

**ORDERED:**

October 11, 2022

**AN ORDER APPROVING FINAL SCHEMATIC PLANS FOR THE EXPANSION OF MARKET LANDING PARK & THE RELATED VISITOR CENTER/RESTROOM FACILITY, INCLUDING THE SCOPE FOR PHASE I CONSTRUCTION OF THIS PROJECT**

**WHEREAS**, Order 356 (*ORDR00356 05 09 2022*) authorized Community Preservation Act (CPA) bonding of \$3,000,000 for Phase I construction of Market Landing Park Expansion; and

**WHEREAS**, said Order 356 (*ORDR00356 05 09 2022*) was conditioned upon Sasaki's presentation of a final schematic plan for Council approval in relation to said bonding; and

**WHEREAS**, the Newburyport Planning Board recently voted to approve site plans for said Market Landing Park Expansion, and is expected to approve final architectural design for the associated Visitor Center/Restroom Facility on October 19, 2022; and

**WHEREAS**, Sasaki's plans for said Market Landing Park Expansion, and the associated Visitor Center/Restroom Facility, as further refined during Planning Board review and permitting, maintain consistency with guidance and direction previously given by the Council and its designed Ad Hoc Committee with respect thereto; and

**WHEREAS**, the City intends to begin with the construction of Phase I Market Landing Park Expansion improvements, in accordance with said plans, starting in Spring 2023; and

**WHEREAS**, Sasaki is under design contract to timely proceed with the preparation of detailed plans and specifications suitable for public bidding in the weeks immediately following Planning Board approval;

**WHEREAS**, further delay to Sasaki's timeline, work products and "deliverables," for this project, may result in increased cost to the City, and/or adversely impact the schedule for "shovel ready" construction plans later this year;

**NOW, THEREFORE**, the City Council hereby approves, in accordance with Order 356 (*ORDR00356 05 09 2022*), Sasaki's final schematic design plans for the project, including the initial construction of Phase I improvements, as depicted in Exhibit A attached to this Order.

---

Councillor Heather L. Shand

**In City Council October 11, 2022:**

Motion to accept the late files to their respective referral by Councillor Zeid, seconded by Councillor McCauley. So voted.

# Existing Conditions



Waterfront Trust


Waterfront Trust

Waterfront Trust

NRA Parcel - West

NRA Parcel - East

Waterfront Trust

 Areas of Integration

0 25 50 100'

# Proposed Plan



# Phasing Plan - Revised



PHASE 1

PHASE 1

PHASE 2

WFT

PHASE 2

PHASE 3

PHASE 2

# Phase 1

Interim conditions until parking areas are complete





# View from Merrimac Street



# Swing Trellis

75% Design



# Swing Trellis

## Design Parameters

### Materials

Wood Slats + Metal Frame



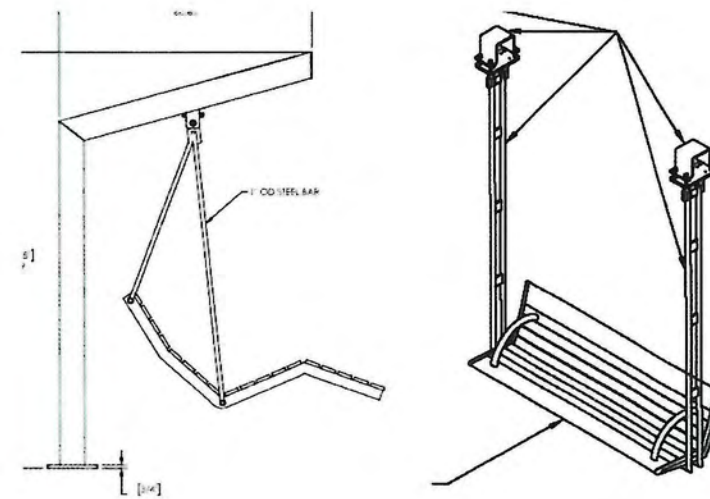
Metal



Wood

### Function

Shade + Range of Swing Types



### Scale

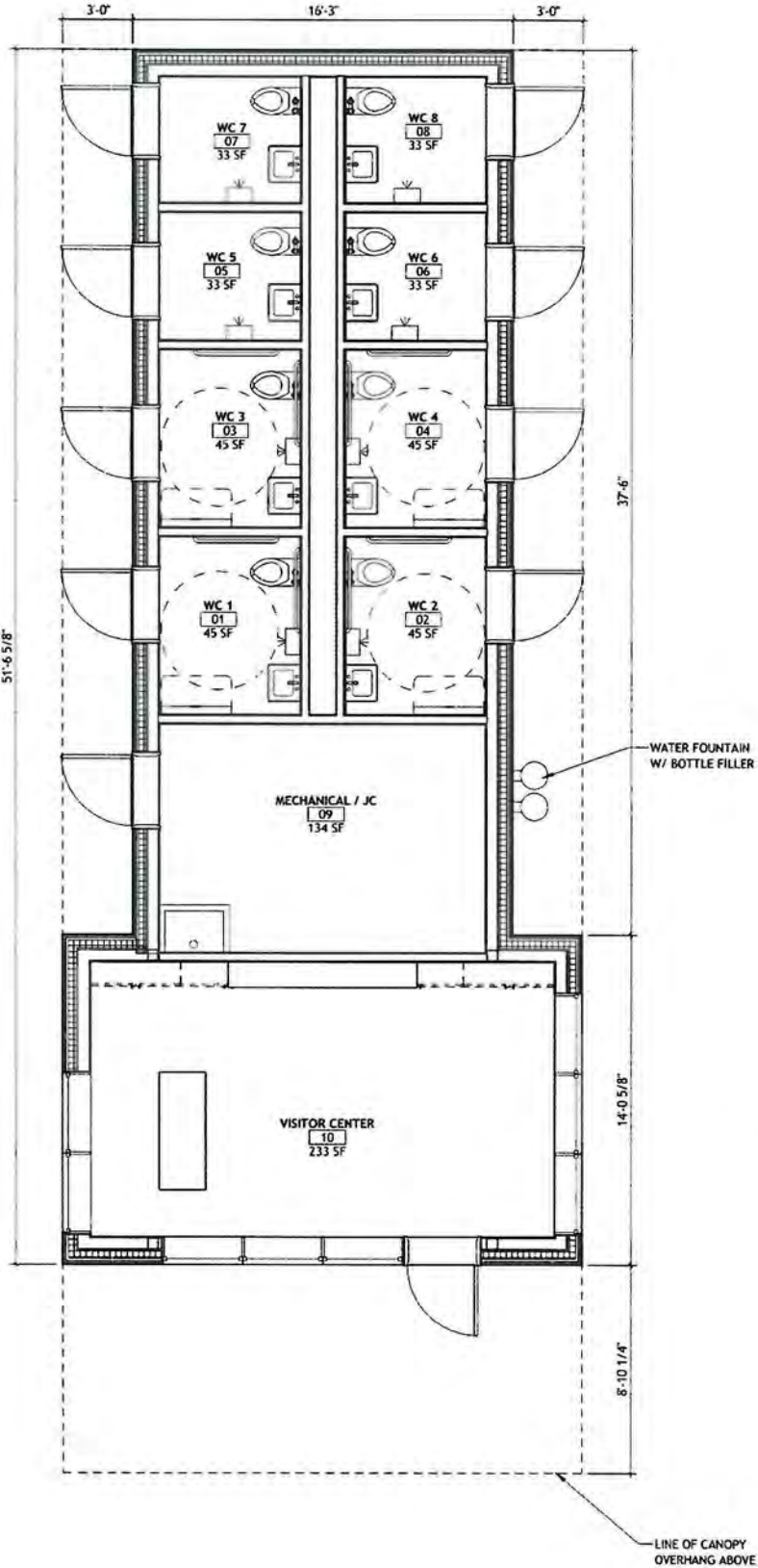
Presence on the Plaza



# Visitor Center + Restroom Facility



# Visitor Center Plan

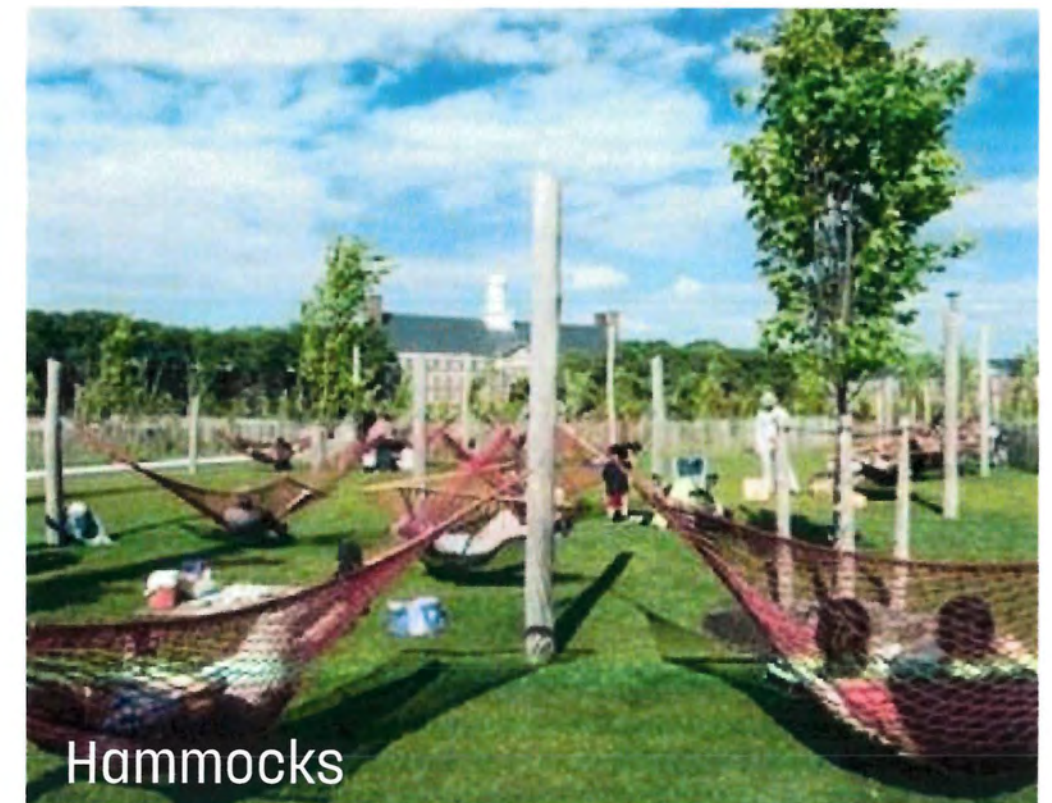


OVERALL BUILDING GROSS SQ FT - 922GSF

# Swing Trellis Structure



# Harbormaster Entry Drive + Hammock and Picnic Grove



# Indigenous Peoples Plaza



Seatwall  
Stone Paving  
Sculpture



Sculpture



Paving



Circular Stone Wall



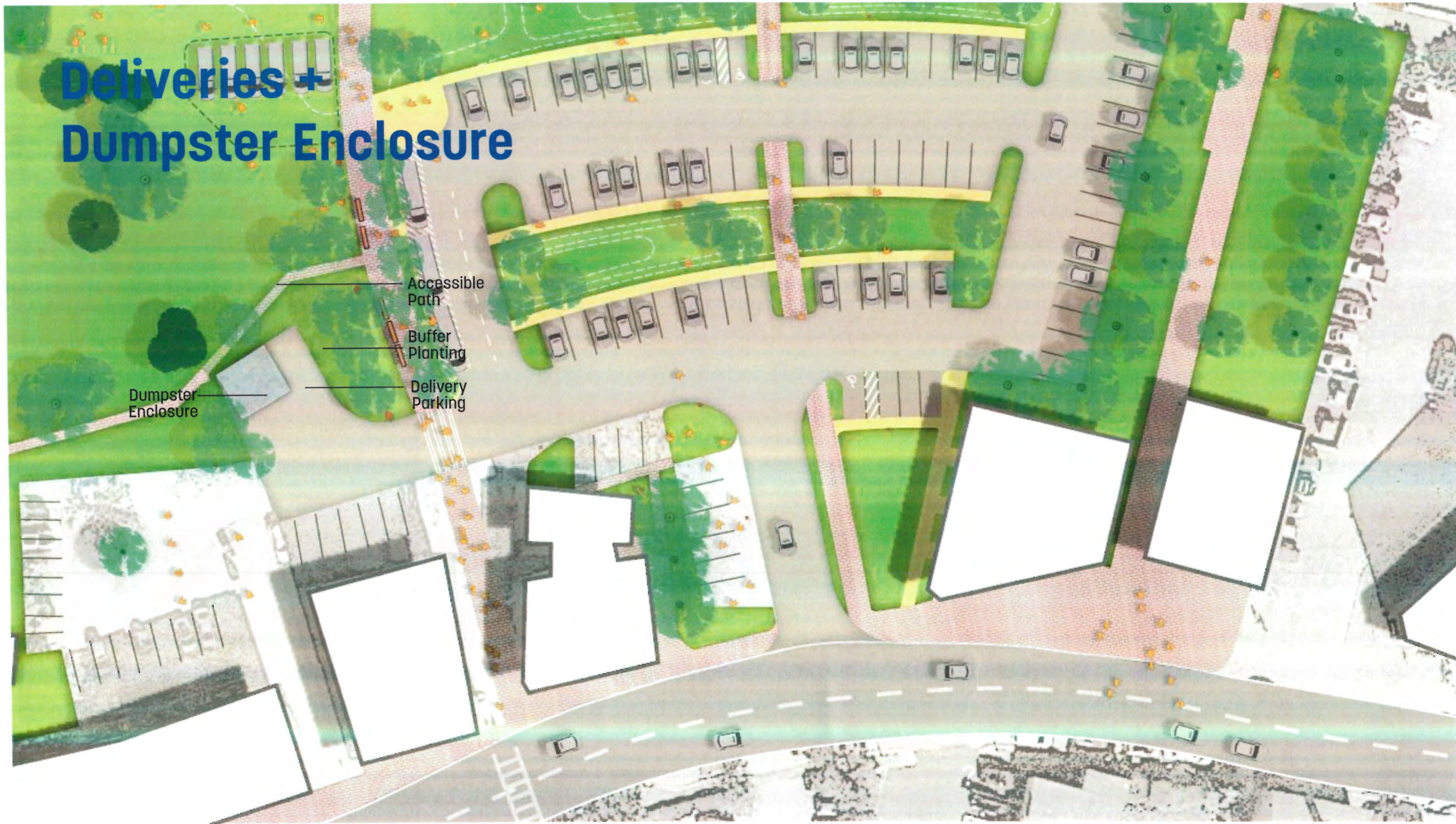
# Deliveries + Dumpster Enclosure

Dumpster  
Enclosure

Accessible  
Path

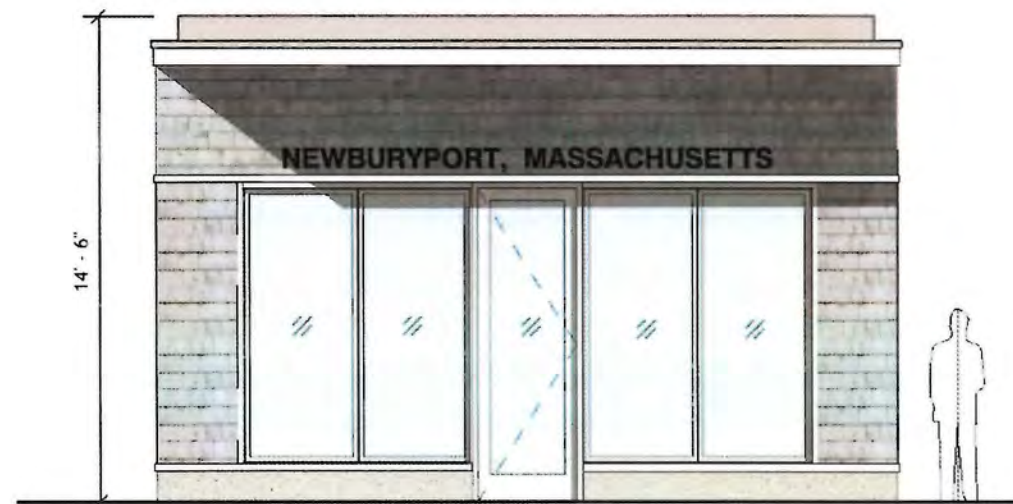
Buffer  
Planting

Delivery  
Parking



# Building Elevations

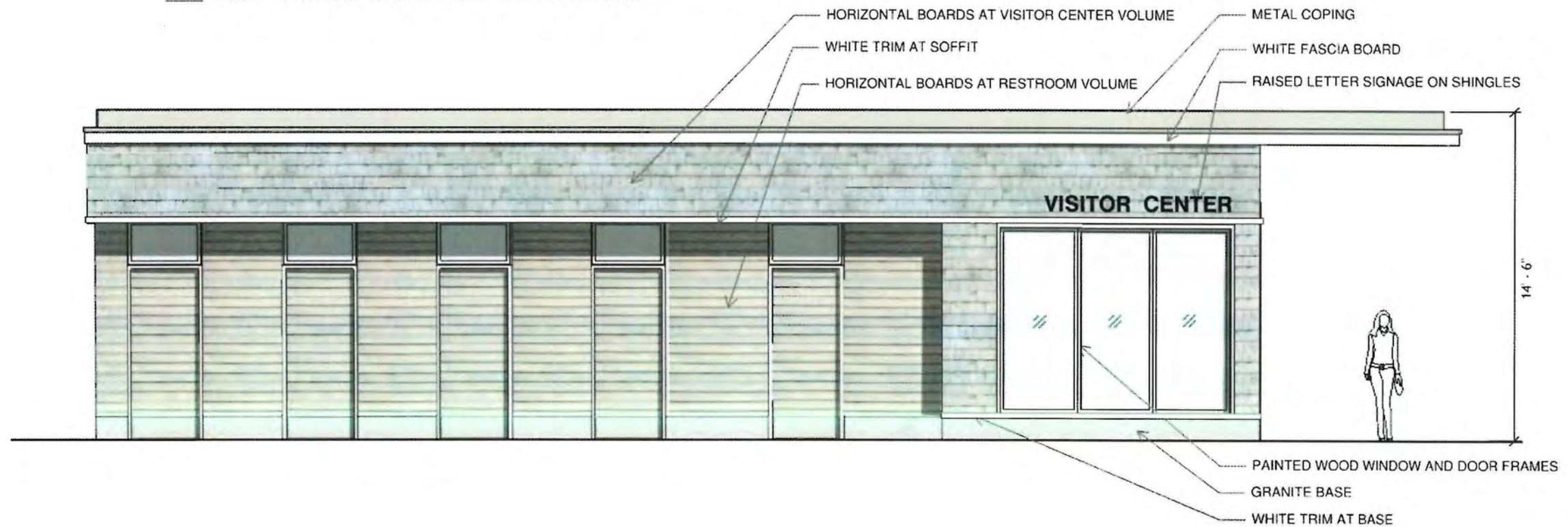
## Option 2



NOTE: THIS IS A PROPOSED CHANGE TO FOUR WINDOWS AND CENTERED DOOR

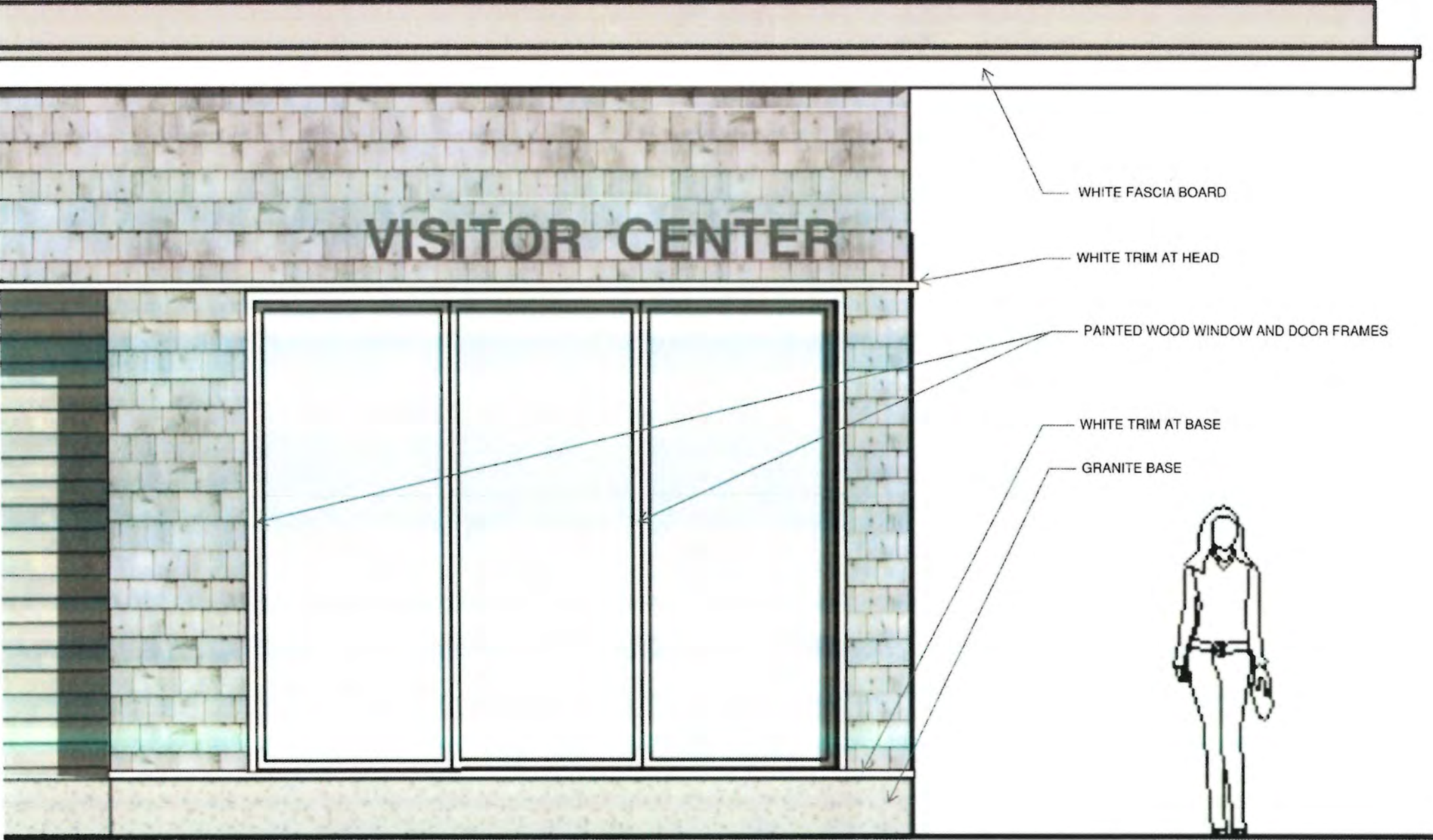
### OPTION 2:

- WOOD SHINGLE SIDING, EITHER LEFT UNTREATED TO GREY NATURALLY OR STAINED
- WHITE PAINTED WOOD STOREFRONT WINDOWS
- WHITE FASCIA BOARD AT ROOF
- WHITE TRIM AT RESTROOM OVERHANG



# Building Elevations

Enlarged Elevation of Option 2



# **Committee Items – November 1, 2022**

## **Budget & Finance**

### *In Committee:*

- ORDR00384\_09\_27\_2022 FY2023 Supplemental Budget with Memo

# CITY OF NEWBURYPORT



IN CITY COUNCIL

**ORDERED:**

September 27, 2022

**THAT** the City Council of the City of Newburyport approves the Mayor’s **Fiscal Year 2023 Supplemental Budget Request** in the total amount of \$271,400, to be appropriated as shown below, to be funded by FY2023 General Fund revenue.

<b>Cost Center</b>	<b>Line Item</b>	<b>Amount</b>
151 - Info. Technology	IT Director	(21,000.00)
151 - Info. Technology	IT Support Staff	61,000.00
151 - Info. Technology	IT Travel Allowance	3,825.00
191 - Legal	Legal	50,000.00
210 - Police	Police Training	10,800.00
220 - Fire	Fire Overtime	20,000.00
421 - DPS Highway	Sidewalks	62,275.00
542 - Youth Services	Rental Space	30,000.00
543 - Veterans Services	P/T Office Assistant	19,500.00
630 - Parks	Landscape Supplies	35,000.00
<b>Total</b>		<b>271,400.00</b>

---

Councillor Sharif I. Zeid

**In City Council September 27, 2022:**

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



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

To: President and Members of the City Council  
From: Mayor Sean R. Reardon  
Date: September 20, 2022  
Subject: FY2023 Supplemental Budget Request

---

I hereby submit a FY2023 supplemental budget request totaling \$271,400 in proposed expenditures. This request is funded by \$281,790 in available revenue, which comprises cuts made to the FY2023 budget proposal, as well as, increased local aid in the final state budget. This leaves a balance of \$10,390 available for further appropriation or, if unappropriated, a reduction to the FY2023 tax levy.

<b>Source/Use of Funds</b>	<b>Amount</b>
Cuts	\$157,200
Additional State Aid	\$124,590
<b>Available for Appropriation</b>	<b>\$281,790</b>
FY23 Supplemental Budget	\$271,400
<b>Net Remaining</b>	<b>\$10,390</b>

On the following pages are the items contained in this supplemental budget request; many of which result from City Councillor feedback that was provided during the FY2023 budget workshops and approval process. In summary, this request works to:

- Rebuild the City's information technology team by restoring funding for two full-time staff;
- Supplement legal funding to allow stakeholders to engage in the negotiation of a development agreement for Waterfront West that works to preserve the City's best interests;
- Implement funding to train new officers going to the police academy to help address ongoing staffing shortages in the department;
- Add funding for shift coverage in the Fire Department, bringing the annual overtime appropriation closer to reality;
- Increase funding for sidewalk improvements based on stronger than forecasted meals tax collections during FY2022;

- Provide temporary rental space for Youth Services to allow them to continue to service our youth and families until a permanent location is established;
- Better service the veteran population by funding a part-time office assistant that can help to expedite the process by which veterans receive their entitled federal and state benefits; and
- Improve the safety of our City's playgrounds by ensuring the appropriate level of surfacing is in place to help prevent or mitigate the severity of injuries sustained during falls.

I look forward to discussing this supplemental budget request in further detail once referred to Budget and Finance Committee for review. Thank you for your consideration of these important funding priorities.

## FY2023 Supplemental Budget Request 9/26/2022 – Page 1 of 3

<b>Cost Center</b>	<b>Line Item</b>	<b>Amount</b>	<b>Rationale</b>
151 - Info. Technology	IT Director	(\$21,000)	Reduction based on position vacancy. Retains funding for an IT Director for the remaining 9 months of FY23. The Administration anticipates filling this position soon.
151 - Info. Technology	IT Support Staff	\$61,000	Restores funding for a full-time support staff person for the remainder of FY23. The Administration anticipates filling this position soon.
151 - Info. Technology	IT Travel Allowance	\$3,825	Restores funding for the travel allowance for the remaining 9 months of FY23 per Teamster's contract.
191 - Legal	Legal	\$50,000	Supplements funding for the current legal budget to allow the City to begin work on a development agreement for Waterfront West.
210 - Police	Police Training	\$10,800	Funding for travel/training in the Police Department has historically come from the general travel/training account for the City. It is recommended that a line item is established within the department's budget to cover the cost of sending student officers to the police academy, which is approximately \$5,400 per person (\$3,200 tuition plus materials, clothing, gear). The proposed budget funds two officers per year. Any remaining budget would be spent on other required officer training, that would otherwise be charged to the general travel/training line item.
220 - Fire	Fire Overtime	\$20,000	FY23 Fire Overtime was budgeted at \$430,000. Given the average annual spending of \$494,000 over the past three years, a \$20,000 increase to this line item is recommended, bringing the revised budget to \$450,000.
421 - DPS Highway	Sidewalks	\$62,275	FY22 meals tax receipts totaled \$764,549. It is the City's policy objective to allocate 50% of receipts to sidewalk improvements. As such, it is recommended that this line item increases from \$320,000 to \$382,275 based on final collections.



## FY2023 Supplemental Budget Request 9/26/2022 – Page 2 of 3

Cost Center	Line Item	Amount	Rationale
542 - Youth Services	Rental Space	\$30,000	<p>Funds temporary rental space for NYS. These funds will be used primarily at the Methodist Church on Pleasant Street at a rate of \$30/hr. Some funds will be used at the Central Congregational Church or to fund the required custodians at the Public Schools.</p> <p><u>Cost breakdown:</u></p> <p>1) The Youth Center needs approx. 20 hrs/wk (2-5pm daily, some evening hours and event space) for middle/high school aged programming; this also includes space for teen infinity groups to meet (cost \$24,000).</p> <p>2) The Rec &amp; Enrichment Division requires space for approx. 5 hrs/wk for daytime programming for younger children, vacation week programming, evening and some weekends (cost \$6,000).</p>
543 - Veterans Services	P/T Office Assistant	\$19,500	<p>Restores funding for a part-time office assistant. For a regional district of our size (pop. 47,500), MA Division of Veterans Services (DVS), in their authority under MGL Chapter 115, requires cities and towns to have at least two full-time and one part-time staff. Based on the cost sharing agreement, \$14,330 (73.5%) of this request is being funded by the participating municipalities, who have all approved this funding in their FY23 budgets. In addition to the complying with the state's minimum staffing levels, this need is further intensified by a change in processes, by both the VA and DVS, which have greatly impacted the amount documentation that must be provided in order for veterans to access their federal and state benefits. The VA's forms have all increased in length, some doubling in size from eight pages to sixteen pages – all required information. DVS has done the same thing, and now requires the use of proprietary software to communicate with them, creating a very time consuming process.</p>

**FY2023 Supplemental Budget Request 9/26/2022 – Page 3 of 3**

<b>Cost Center</b>	<b>Line Item</b>	<b>Amount</b>	<b>Rationale</b>
630 - Parks	Landscape Supplies	\$35,000	During an inspection of City playgrounds, it was determined that 7 sites (Cashman Playground, Ayers Playground, Perkins Playground, Brown School, Bartlet Mall, Woodman Park) had fallen below the required 12" depth for safety surfacing. In order to bring the playgrounds back into compliance and prevent users from being injured, 947 cubic yards of IPEMA Certified Playground Safety Surfacing had to be ordered and blown into these playgrounds at a total cost of \$49,244. Given that only \$10,000 was estimated for playground mulch in the FY23 budget, an appropriation of \$35,000 is requested to replenish this account for the remaining nine months of the fiscal year. In addition to playground mulch and decorative mulch, this account funds a variety of supplies, such as plants, trees, grass seed, fertilizers, planting materials, fountain chemicals, landscaping rocks, gravel/fill, fencing, etc.
<b>Total</b>		<b>\$271,400</b>	

# **Committee Items – November 1, 2022**

## **Education**

***In Committee:***

- COMM00434\_09\_27\_2022 Whittier Tech Annual Operational Report



Brett Murphy  
Chairperson  
School Committee

Maureen Lynch  
Superintendent

# Whittier Regional Vocational Technical High School

115 Amesbury Line Road  
Haverhill, MA 01830-1898  
978-373-4101  
Fax: 978-521-0260  
www.whittiertech.org

August 31, 2022

## ANNUAL OPERATIONAL REPORT

TO: The Honorable City Council Members

FROM: Brett Murphy, Whittier Representative  
Joseph Haberland, Whittier Representative  
Maureen Lynch, Superintendent

Whittier offers 23 vocational technical career areas designed to provide the necessary training and skills for further education or work force success.

Whittier's academic program is designed to offer students the fundamental skills through its core curriculum in English, Math, Science and Technology, Social Studies, World Languages, Physical Education/Health, and Elective subjects. Courses are aligned with the Massachusetts Curriculum Frameworks in order to achieve success on the MCAS.

Courses are offered in a sequential format and are integrated with the vocational-technical areas, wherever practicable and mutually beneficial. All academic courses offer advanced sections for students who desire to further their education. We offer honors courses in English, science, and math to lead toward advanced placement courses. Moreover, a Tech Prep program is offered to eleventh and twelfth grade students which parallels the College Prep program and provides students with the opportunity to earn college credit and/or advanced college placement.

Since all programs are open to all genders, we encourage our students to explore and to specialize in non-stereotyped, non-traditional vocational-technical areas and to strive for the maximum realization of their goals and potential.

Whittier Regional Vocational Technical High School is entering its forty ninth year. To date we have graduated 12,751 students from the day school.

The enrollment for the Evening School from Newburyport: 11

**Whittier Tech: *Working on your future***

RECEIVED  
CITY CLERK'S OFFICE  
NEWBURYPORT, MA  
2022 SEP 12 PM 1:20

Honorable City Council Members  
August 31, 2022  
Page 2


The October 1, 2021 Day School Enrollment:

	Boys	Girls	Non-Binary
Grade 9	7	2	0
Grade 10	3	3	0
Grade 11	1	6	0
Grade 12	7	1	0
Total –	30		

2022 Graduates – 8

The cost to Newburyport for the school year 2021-2022 was \$654,314.00.

Respectfully yours,

DocuSigned by:  
  
E194C00061F6472  
Brett Murphy  
Newburyport Representative

DocuSigned by:  
  
06D6F2004ED7409  
Joseph Haberland  
Newburyport Representative

DocuSigned by:  
  
63CF4299C7AE401  
Maureen Lynch  
Superintendent

ML/lr

# **Committee Items – November 1, 2022**

## **Neighborhood & City Services**

### ***In Committee:***

- APPT00339\_09\_12\_2022 Kevin Hunt 14 10<sup>th</sup> St. Veteran's Agent 10/1/2023



CITY OF NEWBURYPORT

OFFICE OF THE MAYOR  
SEAN R. REARDON, MAYOR

RECEIVED  
CITY CLERK'S OFFICE  
NEWBURYPORT, MA

2022 AUG 31 AM 11:45

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: September 12, 2022  
  
Subject: Re-Appointment

I hereby re-appoint, subject to your approval, the following named individual as Veterans Agent for Newburyport. This term will expire on October 1, 2023.

Kevin Hunt  
14 Tenth Street  
Newburyport, MA 01950

# **Committee Items – November 1, 2022**

## **Planning & Development**

### ***In Committee:***

- ODNC00125\_10\_11\_2022 Amend to Ch 5 Buildings



# CITY OF NEWBURYPORT



## IN CITY COUNCIL

ORDERED:

October 11, 2022

AN ORDINANCE TO AMEND CHAPTER 5 BUILDINGS AND BUILDING REGULATIONS

**CHAPTER 5 BUILDINGS AND BUILDING REGULATIONS**  
**ARTICLE III BUILDING CONSTRUCTION STANDARDS**  
**SEC. 5 – 66 GENERAL CONSTRUCTION STANDARDS**

**THAT** the City Council of the City of Newburyport hereby amends Chapter 5 Buildings and Building Regulations, Article III Building Construction Standards by adding Section 5-66 to the City of Newburyport Code of Ordinances as follows, with deletions ~~double-stricken-through and in bold~~, and additions double-underlined and in bold:

**5.66 Basement Floor/Slab Elevation.** The elevation of the basement floor or slab of any new building shall be no less than two (2) feet higher than the estimated seasonal high ground water table as determined by a Massachusetts Certified Soil Evaluator and approved by the Building Commissioner.

---

Councillor James J. McCauley

**In City Council October 11, 2022:**

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

# Committee Items – November 1, 2022

## Public Safety

### *In Committee:*

- APPT00341\_10\_11\_2022 Gregory A. Downs Asst Harbormaster/Shellfish Constable/Sp. Police Officer
- APPT00342\_10\_11\_2022 Mike Merriman Asst Harbormaster/Shellfish Constable/Sp. Police Officer
- APPT00343\_10\_11\_2022 Andrew C. Malatesta Asst Harbormaster/Shellfish Constable/Sp. Police Officer
- APPT00344\_10\_11\_2022 William Jarman Asst Harbormaster/Shellfish Constable/Sp. Police Officer
- APPT00345\_10\_11\_2022 Ben Molnar Asst Harbormaster/Shellfish Constable/Sp. Police Officer
- APPT00346\_10\_11\_2022 Michael Maillette Asst Harbormaster/Shellfish Constable/Sp. Police Officer
- ODNC00123\_09\_27\_2022 Handicapped Parking Space – Plummer Ave
- ODNC00124\_10\_11\_2022 Amend to Noise Ordinance
- ODNC00126\_10\_11\_2022 Amend to Ch 13-180 Resident Zone
- ODNC00127\_10\_11\_2022 Handicapped Space - Olive St



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: October 11, 2022

Subject: Re-Appointment

---

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

Gregory A. Downs  
40 Riverview Drive  
Newbury, MA 01951

A handwritten signature in cursive script, appearing to read 'for Mr. Reardon'.

Newburyport Harbormaster  
Newburyport, MA

05-Oct-2022

To: Paul Hogg, Newburyport Harbormaster

Attached is my resume for reappointment to the position of Newburyport Assistant Harbormaster and Newburyport Pump-Out Boat Operator.

Best Regards

Greg Downs  
40 Riverview Drive  
Newbury, MA 01951  
1-978-270-6205  
[gdowns@captdowns.com](mailto:gdowns@captdowns.com)

Attachments:  
1, Resume  
2, References



## Gregory A Downs

40 Riverview Drive  
Newbury, MA 01951  
978-270-6205  
Email: [gdowns@captdowns.com](mailto:gdowns@captdowns.com)

### Experience

#### Vessel/Marine

- 2016 – Present Assistant to the Harbormaster for the town of Salisbury, Ma  
Operate Salisbury 30ft Patrol boat as both a lead operator and crew  
Duties include, vessel assistance including towing, dewatering, boater education, enforcement of town bylaws and state laws relative to 90B.
- 2016 – Present Pump out boat operator for Salisbury and West Newbury  
Operate pump out boat and related equipment to include maintaining logs and records.
- 2008 – Present Provide hired captain service delivering boats, providing docking and boat handling training on the Merrimack River.
- 2005-2016 Assistant to the Harbormaster for the town of Newbury, Ma  
Operated the Town of Newbury's 26 ft and 16ft patrol boat logging over 200 hours duties include, provided towns ramp assistance, vessel assistance including towing, dewatering, boater education, enforcement of town bylaws and state laws relative to 90B.
- 2000-2018 Own and operate a 36 FT Grand Banks Trawler. I operate it all over New England to include several cruises up and down the Maine coast.
- 1995-2000 Owned and operated a 35 FT Bruno& Stillman Lobster boat. Cruised all over Maine and spent a lot of time ground fishing and Tuna fishing.

#### Other than Marine

- 2016 – Present Mechanical Engineer, Portsmouth Naval Ship Yard, Kittery Maine
- 2001 – 2016 Lead Mechanical Project Engineer for Goss International.  
I am responsible for all documents, drawing and designs relative to installing of large commercial print presses. I am with the customer and review and document all mechanical interfaces at the site.
- 1980– 2001 Engineer for Northeast Ford engines.  
I am responsible for all / OEM application engineering and testing from Maine to Florida. Through the years I worked as a marine diesel mechanic, fabricator and had the opportunity to design several marine cooling systems.
- 1980-2001 Field Artillery Officer, Captain (03) Retired – MANG. I had the opportunity to develop my career within 2 Artillery Battalions and a Division Artillery Headquarters commanding several units and detachments.

### Education / Licenses

Master Near Coastal (100 Ton)- #2804705 – Current (3<sup>rd</sup> Issue)  
Towing Endorsement – Current  
Radar Observer Training  
USCG Deck License renewal Training (2017) - Mariners Learning System  
Master/OUVP Training – Boatwise (80hrs) – S.Hampton, NH  
Current – CPR, EDD and First Aid Certification, MA State Ethics Training  
MROP (Marine Radio Operators Permit)  
Homeland Security -Terminal Worker Identification Card (TWIC) – Current  
Random Drug Test and Dive Certification– Current

**Bachelor Degree in Mechanical Engineering**  
Wentworth Institute of Technology, Boston MA

**Associate Degree in Mechanical Power Engineering**  
Wentworth Institute of Technology, Boston MA

## References

### Professional

Willem Van Des Stadt – Harbormaster, Salisbury (978-395-7123)

Brendan Stokes – Past Harbormaster - Newbury, MA (978-270-1702)

John Lorry – Mechanical Engineer - Portsmouth Naval Shipyard, ME (207-438-6093)

### Character /Personal

Ralph D'Ambrosio – Wenham, MA (978-214-6517)

Terry O'Malley - Byfield, MA (978-420-6236)



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: October 11, 2022

Subject: Re-Appointment

---

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

Mike Merriman  
6 Little Pond Road  
Merrimac, MA 01860

## MIKE MERRIMAN

6 Little Pond Road, Merrimac, MA 01860

508-523-7724

mike.merriman1@icloud.com

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### EXPERIENCED SAILOR

I am an experienced New England boater and sailor, licensed USCG Captain and boating instructor. I perform all maintenance on my vessels, and personally restored Quissett with new standing & running rigging, electrical and fuel systems. I am an active member of the Salem Willows Yacht Club and have served as a Flag Officer responsible for all club and waterfront facilities. I also serve as a launch operator at SWYC.

I am an accomplished and comfortable public speaker, developed by years as a professional engineer and marketer, a USAF veteran, Scouting leader, boating instructor and SCUBA instructor.

### VESSELS AND EXPERIENCE

**Fame** – Commercial 35 Ton Gaff rigged wooden schooner in Salem, MA holding 49 passengers. I serve as Captain making multiple 2 hours cruises in Salem Sound daily. Average 8 cruises/week in season.

**Assistant Harbormaster – Newburyport MA** – Operate various single and twin engine power vessels for Pump-out, boater assistance, safety, law enforcement and public relations within the Merrimack River and coastal waters since 2019.

**Assistant Harbormaster – Salisbury MA** – Operate various single and twin engine power vessels for Pump-out, boater assistance, safety, law enforcement and public relations within the Merrimack River and coastal waters since 2021.

**Finesse** – 1984 Sabre 32 – Sloop rigged. Moored in Salem, MA. Owner since 2005. Regularly day sail Salem Sound, make multiday trips to Boston Harbor, Gloucester, Rockport, Newburyport, Scituate. Annually make 1-2 week cruises to Casco and Penobscot Bays, Buzzards Bay and the Islands, and Newport, RI. Occasional overnight passages to Provincetown and back. Average sailing 60 days annually.

**Quissett** – 1969 Galaxy 32 – Sloop rigged. Moored in Salem, MA. Owned 1999 - 2005. Regularly day sail Salem Sound, made multiday trips to Boston Harbor, Gloucester, Rockport, Newburyport, Scituate. Annually made 1-2 week cruises to Casco and Penobscot Bays, Buzzards Bay and the Islands, and Newport, RI. Occasional overnight passages to Provincetown and back. Average sailing 60 days annually.

**Boston Sailing Center vessels** – Member 1990 – 2000. Operated and crewed numerous sloops: J24s, J30s, C&C34s, and Beneteau 40s. Regularly day sailed Boston Harbor and the Harbor Islands. Annually made 1-2 week cruises within the Gulf of Maine. Average sailing 40 days annually.

I have operated and crewed J-24s and J-30s in Newport, RI, and Key West, FL.

In addition, I operate the two launches owned by Salem Willows Yacht Club as a launch operator, and regularly operate other member's power vessels ranging from 17-32'.

### CERTIFICATIONS

**USCG Master** of self-propelled vessels including auxiliary sail of less than 100 GRT upon near coastal waters with assistance towing endorsement

**PADI Master Instructor (SCUBA)** – teaching all diver levels up to and including Instructors, and various specialty courses

**Adult & Child CPR/AED/First Aid Instructor** with Emergency First Response

**Adult & Child CPR/AED/First Aid Instructor Trainer** with Emergency First Response

**Emergency O2 Administration Instructor**



**United States Power Squadron Certified Instructor** of NASBLA Approved America's Boating Course, Cruise Planning, Electronic Navigation, Seamanship, Piloting and Advanced Piloting

**100 Hour certificate in Marine Technology** from Whittier Regional Vocational Technical

**OSHA 10-Hour** Construction Industry Certified #14-006246814

**Yamaha Marine University:** Introduction to Outboard Systems – Certified

**TWIC** valid until Jan 26 2027

**APCA Drug Testing Consortium** – Member #121404



**Emergency First Response® Corp**

30151 Tomas Street

Rancho Santa Margarita, CA 92688-2125

Tel 800 337 1864 • +1 949 766 4261 Ext. 2224

emergencyfirstresponse.com

21 December 2021

To whom it may concern:

Re: Michael F. Merriman, d.o.b. 12 September 1962

This letter verifies Michael F. Merriman #188011 is an EFR (Emergency First Response) Instructor Trainer.

This person is a current member of EFR through 31 December 2022 and is authorized to teach EMERFR-197 - EFR® Primary and Secondary Care - First Aid, CPR & AED courses (adult/child/infant) at the provider and instructor levels as outlined by current EFR Standards. This person is also current with their personal CPR and first aid skills and knowledge having recertified on the 17 November 2021.

If anyone has any questions about EFR, PADI or any other aspect of Mr. Merriman's accreditations with PADI or EFR, please do not hesitate to contact me directly.

Sincerely,

Eric Albinsson  
Instructor Development Program Specialist  
PADI Americas



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: October 11, 2022

Subject: Re-Appointment

---

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

Andrew C. Malatesta  
37 Federal Street  
Newburyport, MA 01950

A handwritten signature in black ink, appearing to read "Andrew C. Malatesta", written vertically on the right side of the page.

# Andrew C Malatesta

andrew.malatesta@comcast.net \*(978) 808-7348 \* <https://www.linkedin.com/in/andrew-malatesta-55342728/>  
Salisbury, MA 01952

## PROFESSIONAL ACCOUNT MANAGER

Versatile, driven Regional Account Manager with 10 years of experience. Most known for strong communication with customers, maintaining an updated knowledge base of all products and innovating methods for selling to clients of all types. Dedicated to the continued success of the organization through strong Account Management skills.

### CORE COMPETENCIES

- Leadership
- CRM master / Salesforce dot com
- Microsoft Office
- Call points; Director level, and C-Suite
- 3PL, Third party logistics
- Supply Chain
- Trend analysis
- Product Demo
- Dataset analysis / Pivot table
- Business Plan Development
- Teamwork
- Communication

## PROFESSIONAL EXPERIENCES

### OnStar, North East region, New England

#### Account Manager February 2021 – Present

- Increased customer acquisitions and engagement on OnStar and Connected Services by directly working with GM-franchised dealerships.
- Initiates dealer interactions, meetings, training, promotions and sales contests throughout assigned territory.
- Monitor dealership performance within assigned territory.
- Create action plans for improving performance and profitability of assigned territory by analyzing sales and performance reports.
- Influence dealers to install or modify dealership process to improve performance and dealership profitability,
- Assigned as a leader in the OnStar Account Management coaching program.
- Upward scorecard movement; June 2021 ranked 79 out of 102, May 2022 ranked 37 out of 91.
- Implemented incremental revenue stream while saving customer 16% on Connected Services.

#### Assistant Harbor Master: Salisbury MA. June 2014 – Present. Newburyport MA. May 2018- Present.

- See LinkedIn profile for details / job functions.

### S2S Global, Charlotte NC

#### Regional Account Manager, April 2016- Sept 2019

- Managed territory with annual revenue exceeding 13 Million.
- 8 State territory consisting of; New England, New York, New Jersey and Eastern Pennsylvania.
- Built strong relationships with distributors to ensure members receive S2S products as needed.
- Conduct business reviews with membership to identify additional contract uptake opportunities.
- Log all activity into Salesforce.com manage the sales process to competition.
- Increased revenue by 1.3 million in FY19
- Top conversions;
  - Surgical and Isolation Masks- Jefferson Health, entire enterprise.
  - Topical Skin Adhesive- Geisinger Health.
  - Surgeon Gloves- Exeter Hospital.

- Develop and execute successful product clinical trials at customer and prospect facilities.

## **Yankee Alliance, Andover MA**

### **Account Manager, October 2012-April 2016**

- Consistent top performer in contact uptake – **revenue** and documented savings.
- Developed and executed overall strategy to optimize the Yankee/ Premier contract portfolio.
- Managed relationships with suppliers and distributors.
- Invited to attend customer Value Analysis committee meetings.
- Developed and maintained strong relationships with all internal departments and business units.
- Achieved trusted advisor status providing analytic support at both acute and non acute members.
- Consistently prospected for new membership opportunities, both acute and non acute.

## **Quest Diagnostics, Madison NJ**

### **Physician Sales Representative, , January 2011-May 2012**

- Increased revenue with a successfully negotiated new contract with a Federally Qualified Health Center, (Families First) Portsmouth NH, annualized additional revenue at \$300,000.
- Top performer with territory trending at 1.2 million.
- Revenue growth performance of 14% increase over prior year.
- Retention rate 97% vs. Goal.
- Anchor test performance of 112% to goal.

## **Universal Hospital Services, Edina, MN**

### **Account Executive, October 2007-August 2010**

- **Eagle Award Winner 2008**
- Promote Standardization within each account based on their GPO affiliation
- Increased outsourcing revenue 2007, 2008, 2009, 2010
  - 2007 Outsourcing revenue: \$501,624
  - 2008 Outsourcing revenue: \$671,825
  - 2009 Outsourcing revenue: \$718,496
  - 2010 Outsourcing revenue through June: 449,399
- Focused on selling solutions to Nursing and Clinical staff
- Experienced in calling on C-level for proprietary Asset Management Partnership Program
- Capital Equipment Sales;
  - Infusion Pumps
  - Dialysis
  - Med Surge and Low Beds
  - Respiratory equipment

## **EDUCATION AND TRAINING**

Graduate Certificate  
UMass Lowell, Lowell MA

Healthcare Informatics
 

- Summa cum laude graduate

Bachelor of Science Business Administration  
Plymouth State University, Plymouth NH  
Major –Marketing  
Minor- Psychology
 

- Lambda Chi Fraternity, Secretary



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: October 11, 2022

Subject: Appointment

-----

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

William Jarman  
8 Harvard Road  
Groveland, MA 01834

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

# William Jarman

8 Harvard Road

Groveland MA 01834

978.360.4346

[captainbilljarman@gmail.com](mailto:captainbilljarman@gmail.com)

[www.fishnewburyport.com](http://www.fishnewburyport.com)

## Summary:

Experienced Charter and Ferry Boat Captain seeking a position with the Newburyport Harbormaster Department

I currently hold a 50 ton Master Captains Licence on Inland Waters

## Experience:

Rocky Point Fishing Charters LLC  
2006-Present

### President

- Owner and Operator of a fishing charter business in Newburyport
- Responsible for the daily operations of the business, and all maintenance of the boat

Active member of the Northeast Charter Boat Captains Association

### Launch Operator for Cottage Park Yacht Club

4/2021-11/2021

- I was responsible for the day to day operation of the Cottage Park Yacht Club's Launch the Windajammer.
- Maintaning safe operation of the vessel while transferring passengers to and from their vessel in the mooring fields.
- Assist boaters ariving at their slips with lines if needed.

- Daily inspection of boats and moorings in the east and west fields

**Licensed Mate at Boston Harbor Cruises**

10/2019-10/2020

- Duties include safe loading and unloading of passengers on the ferry route from Hingham to Boston and Whale Watches for The New England Aquarium.
- Handle lines while approaching and departing the docks
- While under way maintain lookout and assist the Captain with Navigation when necessary

Town of Winthrop Harbormaster department

8/2016-9/2019

**Captain of the Winthrop Ferry Valkyrie**

- Responsible for the daily operations of the ferry, crew and minor maintenance of the boat
- Regularly perform and train crew on Man Overboard and Fire Fighting Procedures
- Maintain safe and timely routes from Winthrop to Marina Bay and Boston

BMW of Peabody (The Lyon Waugh Auto Group)

1/2005-12/2014

**Internal Shop Supervisor**

- Involved in all daily operations of the automotive shop.
- Coordinate with all vendors to solve current issues for both new and used cars with best possible turn around time.
- Responsible for the evaluation of the automobiles so they meet the appropriate BMW CPO Guidelines.
- Monitor the Dealerships Warranty Index.
- Dispatch all daily technician work.
- Authorize all warranty work for customers and internal vehicles.
- Maintain internal relations with the sales Department to keep informed of (inbound inventory, open work orders, warranty issues, certification issues and customer issues.)



- Responsible for the preparation of all inbound new car inventory.
- Responsible for the used car recondition process.

Atlantic Auto Glass

1988-2005

**President - CEO**

- Owned and operated a successful High End Automotive Glass repair organization, specializing in BMW, LandRover, Acura, Lamborghini, and other exotics.
- Responsible for both the installation process and all backend office operations.
- Managed relationships with suppliers to obtain the best current products.
- Successfully negotiated supplier pricing for the company
- Worked with Dealerships and independent body shops to maintain satisfied customers.
- Set up meeting and presentations with potential clients to obtain business.
- Managed all bookkeeping and financial operations.

Honda North

1980 - 1988

**Shop Foreman**

1984 - 1988

- Maintained relationships with dealership customers to ensure satisfaction and retention of the customer base.
- Supervised the quality control of all dealership technicians.
- Responsible for the training and mentoring of all dealership technicians.
- Involved in the interviewing process of all newly hired technicians.
- Worked with customer to write appropriate work order so the technicians could correct the customer issues.
- Accompanied customer on road tests to properly identify underlying issues with their automobile.

**Mechanic**

1980 - 1984

- Responsible for the troubleshooting and complete maintenance of customer's automotive issues.
- The complete Rebuild Engines, carburetors and transmissions.
- Troubleshoot electrical systems to fix electrical failures.
- Tire mount, wheel Balance and Alignment
- Schedule Maintenance Issue (Oil, Tune ups, Brake service, fluid)

**Training, Certifications and Licenses:**

Marine Radio Operators Permit

U.S Coast Guard Master 50 Ton Inland Captains License 2007

U.S Coast Guard OUPV License 2006

TWIC  
2021

CPR and Red Cross First Aid Training Current

Massachusetts Licensed Safety and Emissions Inspector 2005

STO 50 Training (BWM) 2005

ASE Certified Technician (Honda) 1980-1995

**References:**

Available upon request.



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

Ben Molnar  
12B Summerwood Drive  
Hampton, NH 03842

A large, stylized handwritten signature in black ink, likely belonging to Ben Molnar, written vertically on the left side of the page.

✉ bjm1bm@gmail.com

☎ 541-961-8070

📍 Hampton, USA

🌐 [linkedin.com/in/Benjamin Molnar](https://www.linkedin.com/in/BenjaminMolnar)

## 🔧 SKILLS

Boat Crew Examining Board, Chairman

Military Leadership

Organizational Leadership

Military Logistics

Operational Planning

Interagency Coordination

47' MLB Surfman

52' SPC-HW Surfman

RB-S II Coxswain

Boarding Officer

Military Operations

Weapons Handling

## 📖 INTERESTS

Reading

Volleyball

Drone Pilot

# Ben Molnar

## Retired Chief Boatswain's Mate, Executive Petty Officer

Dynamic leader of three successful Command tours. Ultimately responsible for the supervision, safety, efficiency, compliance, well-being, situational awareness, operational performance of command and control and the training of over 550 Active Duty members. Highly trained and considered as an expert for all Coast Guard missions at the units, to include Search and Rescue (SAR), Recreational Boating Safety (RBS), Maritime Law Enforcement (MLE), Port, Waterways and Coastal Security (PWCS).

## 📁 WORK EXPERIENCE

### Executive Petty Officer

US Coast Guard Station Merrimack River

06/2018 - Present

Newburyport, MA.

*Achievements/Tasks*

- Acting Officer in Charge and Command Duty Officer
- Chairman, Boat Crew Examining Board, assisted in certifying over 90 members with more than 200 qualifications
- Station Funds Manager, Prioritizing and organizing the units \$130,000 annual budget
- Medical Officer, Urinalysis Coordinator
- Surfman 47' Motor lifeboat

*Contact: Shawn Crahen - 978-992-6523*

### Executive Petty Officer

US Coast Guard Station Chetco River

06/2015 - 06/2018

Brookings, OR

*Achievements/Tasks*

- Acting Officer in Charge and Command Duty Officer
- Chairman, Boat Crew Examining Board, assisted in certifying over 120 members with more than 400 qualifications
- Station Funds Manager, Prioritizing and organizing the units annual \$160,000 operating expense and \$36,000 Housing budget
- Medical Officer, Urinalysis Coordinator
- Surfman 47' Motor Lifeboat

*Contact: Kirk McKay - 616-402-6272*

## 🏆 ACHIEVEMENTS

Led the unit in the execution of 2,063 missions, resulting in 256 lives and \$3.8 million property assisted (06/2018 - Present)

## 👤 PERSONAL PROJECTS

Winnacunnet High School Varsity Volleyball Coach (06/2019 - Present)

- Led the Varsity team to its third appearance in the NH State semi-finals, while recording the schools best winning season record ever.



## CERTIFICATES

Master, near coastal 100 GT (02/2013 - 02/2018)



## EDUCATION



**Associate of Arts**  
Vincennes University

*06/2016 - Present*



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Michael Maillette  
7 Summit Drive  
Atkinson, NH 03811

A large, stylized handwritten signature in black ink, likely belonging to Michael Maillette, written vertically on the left side of the page.

Michael Maillette  
7 Summit Dr. Atkinson NH. 03811  
Cell 339-235-466  
mmaquette@gmail.com

## **PROFILE**

Master Sheet Metal Worker with 40 years of experience , including supervising apprentices, fabrication and installation procedures, also proficient in multiple welding processes. Effective communicator who enjoys teaching and sharing knowledge, a willingness to learn new skills, and the ability to take on demanding projects as the opportunities present themselves.

## **EXPERIENCE**

### **Local 17 Sheet Metal Workers Union ( April 2000-PRESENT)**

Gained valuable and varied experience working on many different projects, both in the shop and in the field, which gave me a well rounded knowledge of the Sheet Metal Trade.

### **Hall Sheet Metal ( January 1997-April 2000)**

For three years I ran projects in the field as a foreman until the opportunity came to join Local 17 in Boston.

### **E. Amanti and Sons ( February 1994-December 1997)**

Worked as a sheet metal foreman on a number of schools throughout Massachusetts.

### **Hahnel Brothers Co. ( January 1981-January 1994)**

I began a four year apprenticeship program and after receiving my journeyman's certificate, I was able to run small projects which then led to larger projects and more responsibility.

## **Education**

### **Leavitt Area High School ( 1978-1981)**

#### **High School Diploma**

#### **Certificate of Journeyman (1987)**

#### **HVAC 1 and HVAC 2 Northeastern University (1997)**

#### **Auto Cad Certificate Wentworth Institute of Technology ( 2004)**

#### **Certificate of Seamanship ( January 2022)**

#### **Basic First Aid and CPR/AED ( November, 2021)**

## **Skills**

- **Blueprint Reading**
- **Safety Oriented**
- **Computer Skills**
- **Rigging and Hoisting**
- **Welding**
- **Operating a Motor Powered Vessel**
- **Navigation Skills**
- **Extensive Knowledge of Merrimack River**



# CITY OF NEWBURYPORT



IN CITY COUNCIL

**ORDERED:**

September 27, 2022

AN AMENDMENT TO AN ORDINANCE TO ADD A NEW HANDICAPPED PARKING SPACE PURUSANT TO SECTION 179 OF CHAPTER 13 (TRAFFIC AND MOTOR VEHICLES) OF THE MUNICIPAL CODE

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

Chapter 13	Traffic and Motor Vehicles
Article 4	Specific Street Schedules
Division 6	Stopping, Standing and Parking
Section 13-179	Handicapped Zones

***Amend Section 13-179 by inserting a new line, as follows, with deletions ~~double-stricken through~~, and additions double-underlined:***

No person, without a duly authorized handicapped vehicle registration or placard, as described in M.G.L.A. c. 90, § 2 shall park a vehicle in any of the following described parking spaces as designated by signs and symbols:

Plummer Avenue

One (1) space on the west side located five (5) feet north of the driveway at 10  
Plummer Ave.

---

Councillor Christine Wallace

**In City Council September 27, 2022:**

Motion to refer to Public Safety by Councillor McCauley, seconded by Councillor Cameron. Roll call vote. 11 yes. Motion passes.

# CITY OF NEWBURYPORT



## IN CITY COUNCIL

### ORDERED:

October 11, 2022

### AN ORDINANCE TO AMEND THE NOISE ORDINANCE

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

**THAT** the Code of Ordinances, City of Newburyport, Massachusetts, is hereby amended by amending existing Section 8-801, of ARTICLE IV. – NOISE, to read as follows, with deletions ~~double stricken and italicized~~, and additions double-underlined and italicized:

#### ARTICLE IV. – NUISANCES

##### Sec. 8-801. – Noise.

(d) *Vehicle deliveries and idling vehicles and mechanical equipment.* Except in non-residential districts, or as expressly approved in writing, in advance, by the mayor, the city marshal, the director of the department of public services, or the administrative official charged to enforce the recycling ordinance, no vehicular deliveries shall occur, nor shall any commercial or non-commercial vehicle or mechanical equipment be left idling or otherwise operating audibly within the City of Newburyport between the hours of 10:00 p.m. and 7:00 a.m., on any day of the year. This restriction shall apply, without limitation, to all construction vehicles and equipment related to demolition and construction. This restriction shall not apply to an emergency as declared by the Director of the Department of Public Services

Provided however in the Business district described in Sec. 8-81, Department of Public Service and the Parks Department vehicles or mechanical equipment may be left idling or otherwise operating audibly between the hours of 5:00 a.m. and 10:00 p.m. during Monday through Friday from April 1 to January 1.

---

Councillor Jennie L. Donahue

**In City Council October 11, 2022:**

Motion to refer ODNC00124, ODNC00126, and ODNC00127 collectively to Public Safety by Councillor Zeid, seconded by Councillor McCauley. Roll call vote.11 yes. Motion passes.

**Amended in PS committee 10-19-22.** Correct scrivener's error

# CITY OF NEWBURYPORT



IN CITY COUNCIL

**ORDERED:**

October 11, 2022

AN ORDINANCE TO AMEND THE RESIDENTIAL PARKING PERMIT PROGRAM

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

**THAT** the City Council of the City of Newburyport hereby amends existing subsection (c) 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:

**Sec. 13-180. - Residential parking zones.**

*Preamble.* Residential parking zones may be established: (1) where a bona fide hardship exists caused by unique or special conditions; and/or (2) where the city has imposed one- or two- or four- hour parking limits on residential streets bordering commercial zones; and/or (3) where the residents of these residential districts suffer from unreasonable burdens in gaining access to their residences.

(a) *Definitions.* As used in this section:

(1) Residential parking permit zone shall mean a residential district where curbside parking on public highways is limited to not more than two (2) or four (4) consecutive hours between 8:00 a.m. and 6:00 p.m. Monday—Saturday from ~~October~~ November 1 through ~~April 30~~ March 31, and between 8:00 a.m. and 8:00 p.m. Monday—~~Saturday~~ Sunday from ~~May 1~~ April 1 through ~~September 30~~, October 31 excepting ~~Sundays~~ and holidays throughout the year, and unless a parking permit authorized by this section has been validly issued for the parked vehicle.

---

Councillor James J. McCauley

**In City Council October 11, 2022:**

Motion to refer ODNC00124, ODNC00126, and ODNC00127 collectively to Public Safety by Councillor Zeid, seconded by Councillor McCauley. Roll call vote.11 yes. Motion passes.

# CITY OF NEWBURYPORT



IN CITY COUNCIL

**ORDERED:**

October 11, 2022

AN AMENDMENT TO AN ORDINANCE TO ADD A NEW HANDICAPPED PARKING SPACE PURUSANT TO SECTION 179 OF CHAPTER 13 (TRAFFIC AND MOTOR VEHICLES) OF THE MUNICIPAL CODE

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

Chapter 13	Traffic and Motor Vehicles
Article 4	Specific Street Schedules
Division 6	Stopping, Standing and Parking
Section 13-179	Handicapped Zones

***Amend Section 13-179 by inserting a new line, as follows, with deletions ~~double-stricken through~~, and additions double-underlined:***

No person, without a duly authorized handicapped vehicle registration or placard, as described in M.G.L.A. c. 90, § 2 shall park a vehicle in any of the following described parking spaces as designated by signs and symbols:

*Olive Street*

One (1) space in front of 13 Olive Street. Said space shall expire in two (2) years from the date of first written above.

---

Councillor Heather L. Shand

**In City Council October 11, 2022:**

Motion to refer ODNC00124, ODNC00126, and ODNC00127 collectively to Public Safety by Councillor Zeid, seconded by Councillor McCauley. Roll call vote.11 yes. Motion passes.

**Amended in PS committee 10-19-22:** Correct scrivener's error