

CITY COUNCIL “HYBRID”

MEETING AGENDA

November 29, 2021

107 State Street Hearing 6:00 pm – 8:00 pm

Tax Classification hearing 8:00 pm

Pole Hearing 8:10 pm

City Council Regular Meeting 8:15 pm

LOCATION: City Council Chambers, City Hall

60 Pleasant Street, Newburyport

Zoom Details:

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/87977934012>

Or One tap mobile :

US: +13017158592

Or Telephone:

US: +1 301 715

Webinar ID: 879 7793 4012

1. MOMENT OF SILENCE

2. PLEDGE OF ALLEGIANCE

3. CALL TO ORDER

4. LATE FILE

- COMM380_11_29_2021 Jillian Bayko Ltr. Ferry Rd. Dog Park Fence
- APPL057_11_29_2021 2nd Hand Motor Vehicle License Plum Autoworks

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

- November 8, 2021

(Approve)

8. COMMUNICATIONS

- APPL055_11_29_2021 Cultural Survival Bazaar Inn Street 7/16/22-7/17/22 10am-8pm (PS)
- COMM379_11_29_2021 Appropriations for Fiscal Year 2023 (R&F)
- APPL056_11_29_2021 2nd Hand Motor Vehicle License RL Currie (L&P)

9. TRANSFERS

- TRAN113_11_29_2021 Buc Budget Cont. \$213,963.47 to Fire Sal Deputy Chief \$8,606.69, Fire Sal Firefighters \$180,926.78, Fire Paid Holidays \$24,430 (B&F)
- TRAN114_11_29_2021 Sewer Retained Earnings \$223,000 to Sew Maint-Equipment \$40,000 and CIP Generator Replacement \$183,000 (B&F)

10. APPOINTMENTS

**Referred to Planning & Development*

Re-Appointment

- *APPT287_11_29_2021 Stephen Moore 10 N. Atkinson St. Conservation Comm. 12/15/2024

Appointment

- *APPT288_11_29_2021 Jamie Pennington 8 Buck St. Planning Board 12/15/2026
- APPT289_11_29_2021 Omni Raimo 11 Marquand Ln. Comm. On Disabilities 12/15/2024
- APPT290_11_29_2021 Howard M. Adams Special Police Officer
- APPT291_11_29_2021 Paul Knowlton 37 Milk St. Tree Comm. 12/15/2024
- APPT292_11_29_2021 Debbie Campbell 10 Chestnut St. Comm. On Disabilities 12/15/2024
- APPT293_11_29_2021 Joseph Morgan 55 Hill St. Community Preservation Act Comm. 2/1/2023
- APPT294_11_29_2021 Nikhil Gehani 18 Strong St. Human Rights Comm. 12/30/2024

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

Budget and Finance

- ORDR277_08_30_2021 Municipal Fee Schedule Fiscal Year 2022
- ODNC094_08_30_2021 Municipal Fee Schedule
- ORDR280_09_13_2021 Cutter Fire Station Loan Order
- ORDR281_09_13_2021 Authorizing Land Taking w/Waiver of Appraisal & Damages w/Bond
- COMM360_10_25_2021 Memo Conf. Water Main Replacement Phillips Dr.
- TRAN112_11_08_2021 Gen. Fund Free Cash \$250,000 to Compensated Absences Reserve Fund \$250,000
- ORDR297_11_08_2021 FY22 Residential Factor
- ORDR298_11_08_2021 FY22 Tax Rate
- ORDR299_11_08_2021 Prior Year Bills City Solicitor
- ORDR303_11_08_2021 Late File - Local Acceptance MGL Ch 60, Sec. 23B

Planning & Development

- ODNC092_08_30_2021 Zoning Amendment Encouraging Outdoor and Recreational Activities

Public Safety

- ODNC096_09_13_2021 Late File Codification of Parking Orders

END OF CONSENT AGENDA

REGULAR AGENDA

9. MAYOR'S UPDATE

10. FIRST READING APPOINTMENTS

11. COMMUNICATIONS

- COMM380_11_29_2021 Jillian Bayko Ltr. Ferry Rd. Dog Park Fence
- APPL057_11_29_2021 2nd Hand Motor Vehicle License Plum Autoworks

12. TRANSFERS

13. SECOND READING APPOINTMENTS

- APPT286_11_08_2021 Sarah Holden 34 Toppans Ln. Housing Authority 12/1/2026

14. ORDERS

- ORDR310_11_29_2021 Holiday Parking 2021
- ORDR311_11_29_2021 Morrill Foundation Gift Acceptance
- ORDR312_11_29_2021 Adjudging 107 State St. - DRAFT

15. ORDINANCES

- ODNC084_07_12_2021 Streets, Sidewalks, & Other Public Places Alterations & Maintenance 1st reading
(Moved to a date certain on 11/8/2021)
- ODNC086_08_09_2021 Loading Zone - Liberty Street 2nd reading
- ODNC099_10_12_2021 Parking Restriction Carter Street 2nd reading
- ODNC100_10_25_2021 Amended Parking Union St 2nd reading
- ODNC101_10_25_2021 Bus Stop Designation Low St 2nd reading

16. COMMITTEE ITEMS

Ad Hoc Committee on Economic Development

In Committee:

- ODNC098_10_12_2021 Permanent Parklets Legislation

Ad Hoc Committee on Market Landing Park and COTW

In Committee:

- COMM261_08_31_2020 Proposed Timeline, Waterfront
- ORDR227_12_14_2020 Appropriate NRA funds for RFP award
- ORDR296_10_25_2021 Additional funding the market landing park restroom facility

Budget & Finance

In Committee:

- ORDR277 08 30 2021 Municipal Fee Schedule Fiscal Year 2022
- ODNC094 08 30 2021 Municipal Fee Schedule
- ORDR280 09 13 2021 Cutter Fire Station Loan Order
- ORDR281 09 13 2021 Authorizing Land Taking w/Waiver of Appraisal & Damages w/Bond
- COMM360 10 25 2021 Memo Conf. Water Main Replacement Phillips Dr.
- TRAN112 11 08 2021 Gen. Fund Free Cash \$250,000 to
Compensated Absences Reserve Fund \$250,000
- ORDR297 11 08 2021 FY22 Residential Factor
- ORDR298 11 08 2021 FY22 Tax Rate
- ORDR299 11 08 2021 Prior Year Bills City Solicitor
- ORDR303 11 08 2021 Late File - Local Acceptance MGL Ch 60, Sec. 23B
- ORDR300_11_08_2021 Low St and Brown School Gym Order
- ORDR301_11_08_2021 Authorizing-Acquisition-57-Low-St
- ORDR309_11_08_2021 57 Low Street

Education

In Committee:

- COMM273_10_13_2020 Ltr of Non-Support from Mayor on Acts of 1987
- COMM329_05_24_2021 Statement of Interest, School Building Authority
- COMM358_10_12_2021 School Strategic Plan documents

General Government

In Committee:

- COMM325_05_10_2021 Ordinance Review Committee Report
- COMM330_05_24_2021 Code of Ordinances Edited May 2021

License & Permits

In Committee:

- ODNC047_01_27_2020 General Ordinance - Short Term Rental Units Rules
- COMM229_02_24_2020 Ltr re: Implementation of Short-Term Rental Ordinance

Neighborhoods & City Services

In Committee:

- ODNC091_08_30_2021 Street, way or grounds specifications
- COMM299_02_08_2021 Phillips Dr. Neighborhood Committee Ltr
- COMM337_07_12_2021 Central Congregational Request crosswalk painting
- ORDR288_10_12_2021 Establishing Pickleball Courts
- ODNC102_11_08_2021 Late File - Ch. 17 Stormwater Management Revisions

Planning & Development

In Committee:

- **ODNC092 08 30 2021 Zoning Amendment Encouraging Outdoor and Recreational Activities**
- ODNC046_01_27_2020 Zoning Amendment Short Term Rental Unit (STRU)
- COMM231_03_09_2020 Ltr re: Short-Term Rental Ordinance
- COMM346_08_30_2021 Ltr. Jane Snow Coffin St. safety concerns
- COMM338_08_09_2021 Blight at State & High, Abandoned Global Oil Service Station
- COMM351_09_13_2021 Notice of Public Hearing Pursuant 107 State St. (Oct 12, 2021 7 pm)
- COMM352_09_13_2021 ORDER Pursuant to G.L. c.139, §1 on Dangerous Building at 107 State St.
- ORDR281_09_13_2021 Authorizing Land Taking w/Waiver of Appraisal & Damages w/Bond
- ORDR304_11_08_2021 Late File - Evergreen Conservation Restriction
- ORDR305_11_08_2021 Late File - Evergreen-Parcel-A
- ORDR306_11_08_2021 Late File - Evergreen-Parcel-C
- ORDR307_11_08_2021 Late File - Evergreen Trail Easement
- ORDR308_11_08_2021 Late File - Evergreen Utilities Access Easement

Public Safety

In Committee:

- **ODNC096 09 13 2021 Late File Codification of Parking Orders**
- APPT165_04_13_2020 Dr. Robin Blair 18 Market St. Board of Health 4/30/2023
- ORDR200_07_30_2020 List of Crosswalks Amended
- COMM283_01_27_2021 Ltr from Jim McCarthy-speed limit
- COMM334_06_28_2021 Crosswalk Rawson Ave/High St/Highland Ave
- COMM335_06_28_2021 Safety Review Rawson Ave Ltr. Daniel Blest
- COMM345_08_30_2021 Public Safety Concern, Parker Street
- COMM346_08_30_2021 Ltr. Jane Snow Coffin St. safety concerns
- ORDR302_11_08_2021 Late File - Stop Sign at the Intersection of Rawson and Highland Aves.

Public Utilities

In Committee:

- COMM290_02_08_2021 Falmouth Broadband Feasibility Study (full text in Clerk’s office)
- COMM295_02_08_2021 Best Best & Krieger Small Cells Order Annual Meeting
- COMM296_02_08_2021 Natoa FCC Small Wireless Facilities Rules Compliance Guide

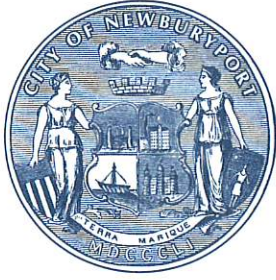
Rules

In Committee:

- COMM220_01_27_2020 Proposed City Council Rule 9F
- ORDR170_02_24_2020 Amendment Council Rules 2020 (COTW)
- ORDR171_02_24_2020 Amendment to Rule 17B (COTW)
- ORDR239_02_8_2021 Council Rule 7 and 10B

17. GOOD OF THE ORDER

18. ADJOURNMENT



CITY OF NEWBURYPORT
MASSACHUSETTS
CITY CLERK'S OFFICE
NEWBURYPORT CITY HALL
60 PLEASANT STREET • P.O. BOX 550
NEWBURYPORT, MA 01950
TEL: 978-465-4407 • FAX: 978-462-7936

RICHARD B. JONES
CITY CLERK

November 22, 2021

Dear Property Owner:

Please note there will be **Delayed start at 8:10 pm and not 7:15 pm.**

Notice is hereby given that a Public Hearing will be held on the petition of National Grid to construct a line of underground electric conduits, including the necessary sustaining and protection fixtures, for the following:

Shandel Drive-Newburyport, MA – National Grid to install 120 feet of 3- inch conduit from existing transformer to private property hand hole to serve Shandel Dr. Ext.

Said meeting will be held on Monday, November 29, 2021 at 7:15 PM in the City Council Chamber, City Hall, 60 Pleasant St., Newburyport, MA. At that time, all interested parties will have an opportunity to be heard.

Location approximately as shown on plan attached.

Sincerely,

Patricia E. Barker
Assistant City Clerk

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2021 NOV 10 AM 10:40

nationalgrid

November 10, 2021

The City Council of Newburyport, Massachusetts

To Whom It May Concern:

Enclosed please find a petition of NATIONAL GRID covering the installation of underground facilities.

If you have any questions regarding this permit, please contact:

John Butler 978-725-1415

If this petition meets with your approval, please return an executed copy to:

National Grid: Lisa Ayres; 1101 Turnpike Street; North Andover, MA 01845; # 978-725-1418

Very truly yours,

Dave Johnson/lla

Dave Johnson
Supervisor, Distribution Design

Enclosures

Questions contact – John Butler 978-725-1415

Petition of the Massachusetts Electric Company d/b/a NATIONAL GRID
Of NORTH ANDOVER, MASSACHUSETTS
For Electric Conduit Location:

To the City Council of Newburyport

Respectfully represents the Massachusetts Electric Company d/b/a NATIONAL GRID of North Andover, Massachusetts, that it desires to construct a line of underground electric conduits, including the necessary sustaining and protecting fixtures, under and across the public way or ways hereinafter named.

Wherefore it prays that after due notice and hearing as provided by law, it be granted permission to excavate the public highways and to run and maintain underground electric conduits, together with such sustaining and protecting fixtures as it may find necessary for the transmission of electricity, said underground conduits to be located substantially in accordance with the plan filed herewith marked – Shandel Dr. - Newburyport, Massachusetts.

The following are the streets and highways referred to:

30481570 Shandel Dr. - National Grid to install 120 feet of 3-inch conduit from existing transformer to private property handhole to serve 23 Shandel Dr. Ext.

Location approximately as shown on plan attached.

Massachusetts Electric Company d/b/a
NATIONAL GRID *Dave Johnson/lla*
BY _____
Engineering Department

Dated: November 10, 2021

ORDERED:

Notice having been given and public hearing held, as provided by law, that the Massachusetts Electric Company d/b/a NATIONAL GRID be and it is hereby granted permission to excavate the public highways and to run and maintain underground electric conduits, together with such sustaining and protecting fixtures as said company may deem necessary, in the public way or ways hereinafter referred to, and to make the necessary house connections along said extensions, as requested in petition with said company dated the 10th day of November 2021.

Said underground electric conduits shall be located substantially in accordance with the plan filed herewith marked – Shandel Dr. - Newburyport, Massachusetts.

The following are the public ways or part of ways along which the underground electric conduits above referred to may be laid:

30481570 Shandel Dr. - National Grid to install 120 feet of 3-inch conduit from existing transformer to private property handhole to serve 23 Shandel Dr. Ext.

I hereby certify that the foregoing order was adopted at a meeting of the
.....
....., held on the day of, 20

....., 20

Received and entered in the records of location orders of the City/Town of
Book Page

Attest:
.....

..... hereby certify that on20....., at o'clock,M
at, a public hearing was held on the petition of
Massachusetts Electric Company d/b/a NATIONAL GRID for permission to construct the
underground electric conduits described in the order herewith recorded, and that I mailed at least
seven days before said hearing a written notice of the time and place of said hearing to each of the
owners of real estate (as determined by the last preceding assessment for taxation) along the ways
or parts of ways upon which the Company is permitted to construct the underground electric
conduits under said order. And that thereupon said order was duly adopted.

.....
.....
.....

ORDERED:

Notice having been given and public hearing held, as provided by law, that the Massachusetts Electric Company d/b/a NATIONAL GRID be and it is hereby granted permission to excavate the public highways and to run and maintain underground electric conduits, together with such sustaining and protecting fixtures as said company may deem necessary, in the public way or ways hereinafter referred to, and to make the necessary house connections along said extensions, as requested in petition with said company dated the 10th day of November 2021.

Said underground electric conduits shall be located substantially in accordance with the plan filed herewith marked – Shandel Dr. - Newburyport, Massachusetts.

The following are the public ways or part of ways along which the underground electric conduits above referred to may be laid:

30481570 Shandel Dr. - National Grid to install 120 feet of 3-inch conduit from existing transformer to private property handhole to serve 23 Shandel Dr. Ext.

I hereby certify that the foregoing order was adopted at a meeting of the
.....
....., held on the day of, 20
....., 20

Received and entered in the records of location orders of the City/Town of
Book Page

Attest:
.....

..... hereby certify that on20....., at o'clock,M
at, a public hearing was held on the petition of
Massachusetts Electric Company d/b/a NATIONAL GRID for permission to construct the
underground electric conduits described in the order herewith recorded, and that I mailed at least
seven days before said hearing a written notice of the time and place of said hearing to each of the
owners of real estate (as determined by the last preceding assessment for taxation) along the ways
or parts of ways upon which the Company is permitted to construct the underground electric
conduits under said order. And that thereupon said order was duly adopted.

.....
.....
.....



City of Newburyport

OFFICE OF THE ASSESSOR

City Hall
60 Pleasant Street
Newburyport, MA 01950
978-465-4413 / Fax 978-462-8495
assessor@cityofnewburyport.com

Date: November 10, 2021

To: Richard Jones, City Clerk

From: Newburyport Board of Assessors

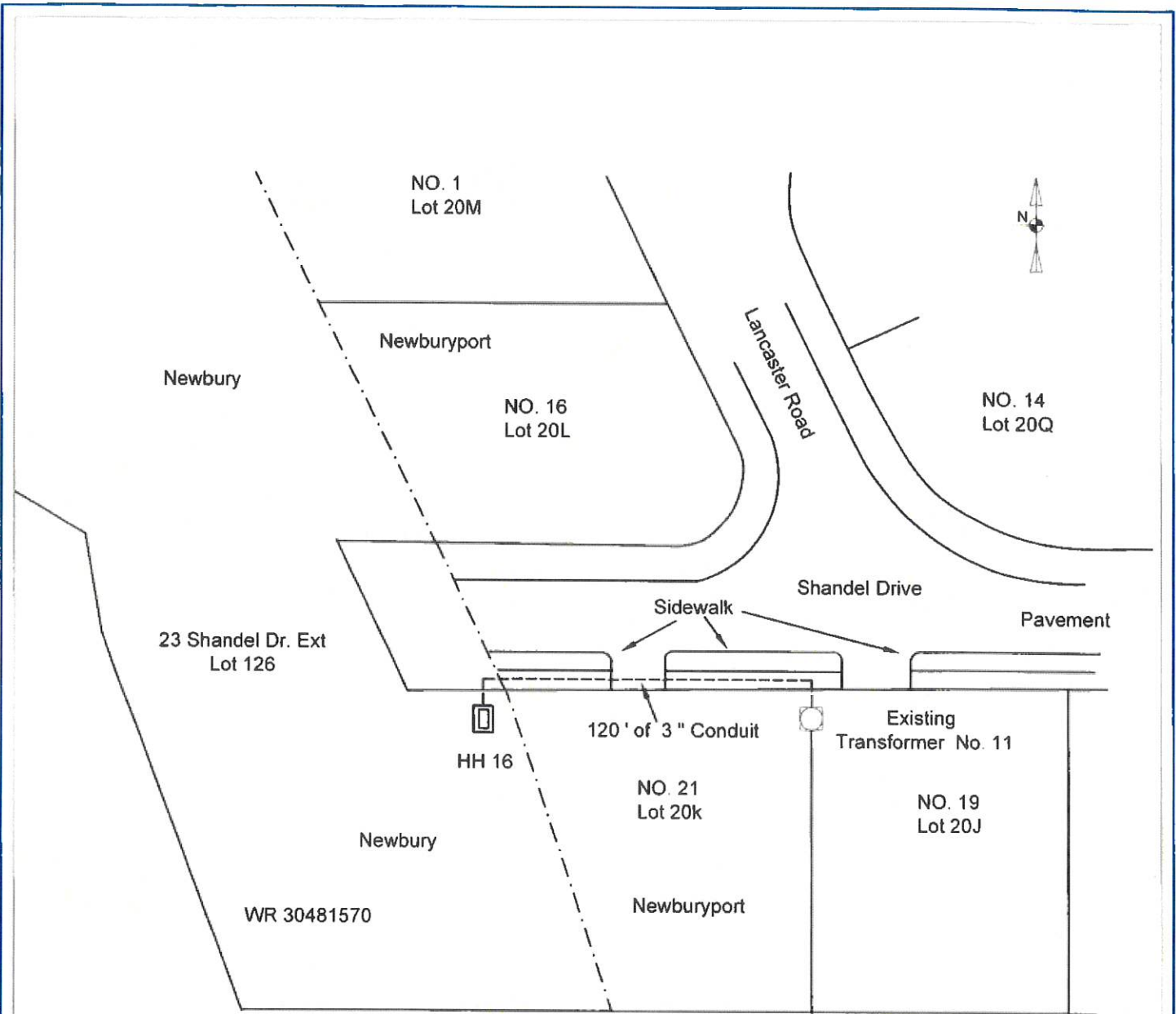
RE: Shandel Drive - Install 120 feet of 3-inch conduit from existing transformer to private property handhole to serve 23 Shandel Dr. Ext. NOTE: Shandel Dr. Ext. is located in Newbury.

The following are the abutters of the above described location:

Board of Assessors

Jill Brennan

BY CERTIFYING THAT THE PERSONS LISTED IN THE FOREGOING LIST OF ABUTTERS ARE THE OWNERS OF RECORD OF THE FOREGOING PROPERTIES AS OF JANUARY 1ST, 2021. THE CITY ASSESSOR IS NOT CERTIFYING THAT THE PERSONS SO LISTED ARE THE PERSONS WHO ARE REQUIRED TO RECEIVE NOTIFICATION UNDER APPLICABLE LAW.



UNDERGROUND PETITION



Existing 75 KVA Transformer



Private property Hand Hole



Proposed 3" conduit

Date: **Date November 9 2021**

WORK REQUEST: **WR 30481570**

Job description

Installation of 120 feet of 3 inch conduit from existing transformer to private property hand hole to serve 23 Shandel Dr. Ext

To The: **City** Of **Newburyport**

For Proposed: **3" conduit** Location: **Shandel Drive**

Drawn By: **J. Butler**

DISTANCES ARE APPROXIMATE

31/ 20/Q / /
GUAY MARK J
JENNIFER L T/E
14 SHANDEL DRIVE
NEWBURYPORT, MA 01950

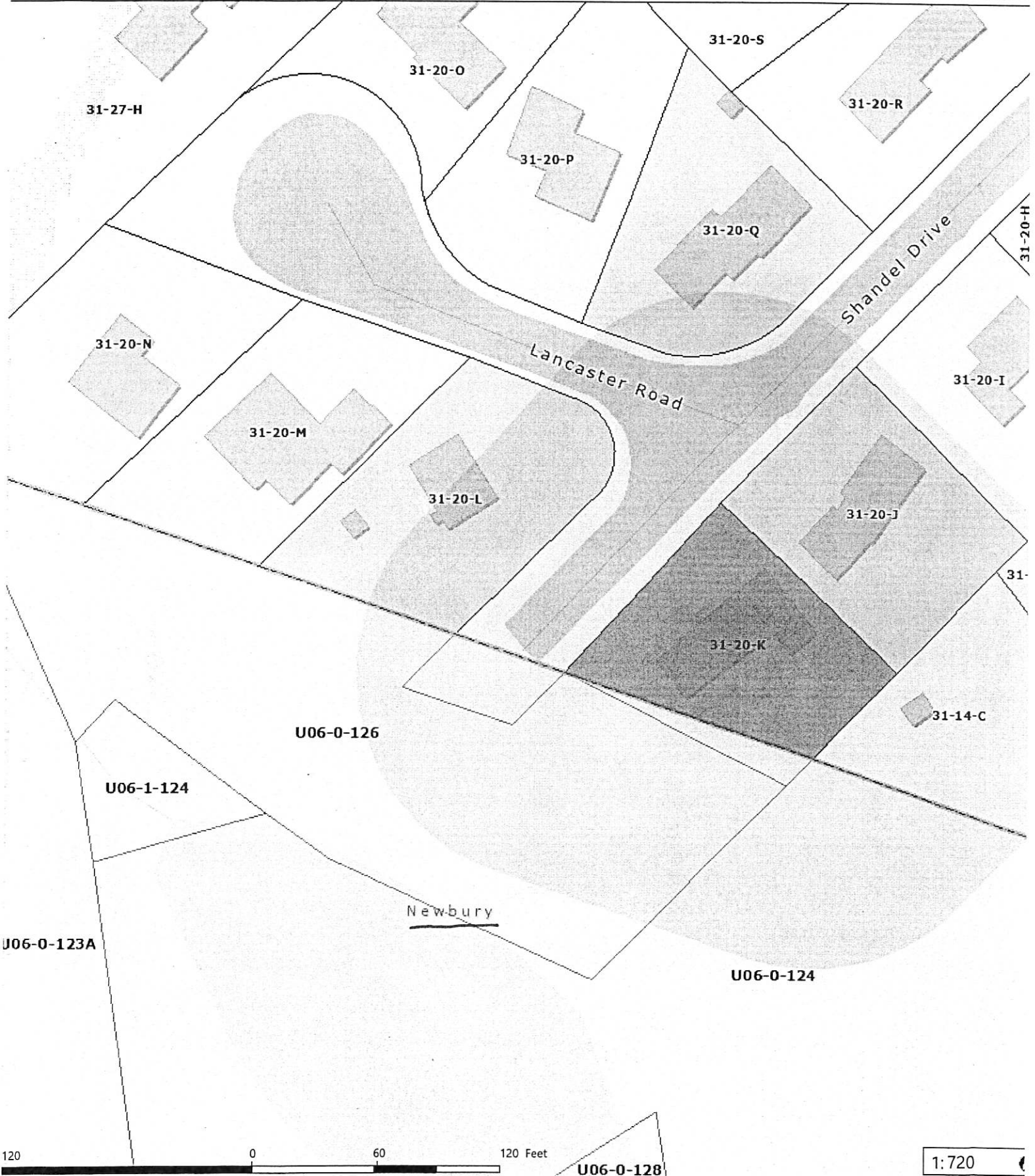
31/ 20/J / /
RICHARDSON BARRY
CLAIRE T/E
19 SHANDEL DR
NEWBURYPORT, MA 01950

31/ 20/K / /
LINES DEREK
ANNE R T/E
21 SHANDEL DR
NEWBURYPORT, MA 01950

31/ 20/L / /
DURGIN DAVID P
PATRICIA A. T/E
16 SHANDEL DRIVE
NEWBURYPORT, MA 01950

City of Newburyport

11/10/202



1:720

Data Sources: Produced by Merrimack Valley Planning Commission (MVPC) using data provided by the City of Newburyport & MassGIS. MVPC AND THE CITY OF NEWBURYPORT MAKES NO WARRANTIES, EXPRESSED OR IMPLIED, CONCERNING THE ACCURACY, COMPLETENESS, RELIABILITY, OR SUITABILITY OF THESE DATA. THE CITY OF NEWBURYPORT AND MVPC DOES NOT ASSUME ANY LIABILITY ASSOCIATED WITH THE USE OR MISUSE OF THIS INFORMATION.



Stormwater BMP Sites		Municipal Boundary		Roads		Legend	
	Parcels		Newbury Parcels		Interstate		Major Road
	Hydrographic Features		Streams		Road Right of Way		Paved
			Stream		Intermittent Stream		Local Road
							Unpaved

**CITY OF NEWBURYPORT
PUBLIC HEARING**

In accordance with section 1 of chapter 369 of the acts of 1982,
the City Council of the City of Newburyport will hold a
public hearing on the determination of the **Percentage of Tax
Levy** to be borne by each **Class of Real and Personal
Property for Fiscal Year 2022**. The hearing will be held on
Monday, November 29, 2021 at 8:00 P.M. via hybrid
participation, at which time all interested parties may be heard.
All interested parties should look to the meeting calendar on
the City website as the hearing date approaches.

Councillor Jared J. Eigerman

A true copy attest:

Richard B. Jones, City Clerk

CITY COUNCIL “HYBRID”

MEETING MINUTES

November 8, 2021

**Proposed Executive Session
re Proposed Settlement with Institution for Savings 6:30 pm to 7:30 pm**

**City Council Regular Meeting 7:30 pm
LOCATION: City Council Chambers, City Hall
60 Pleasant Street, Newburyport**

Zoom Details:

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/87977934012>

Or One tap mobile :

US: +13017158592

Or Telephone:

US: +1 301 715

Webinar ID: 879 7793 4012

1. CALL TO ORDER FOR EXECUTIVE SESSION COMMENCING AT 6:30 PM TO DISCUSS LITIGATION BY AND BETWEEN THE INSTITUTION FOR SAVINGS AND THE CITY OF NEWBURYPORT.

The City Council President Jared Eigerman called the City Council meeting to order at 7:30 pm and asked the City Clerk, Richard B. Jones, to call the roll. The following City Councillors answered present Devlin, Khan, Lane, McCauley, Shand, Tontar, Vogel, Wallace, Zeid, and Eigerman. 10 present, 1 absent (BC). Motion to go into Executive Session by Councillor Zeid, seconded by Councillor Vogel. Roll call vote. 10 yes, 1 absent (BC). Motion passes.

2. MOMENT OF SILENCE

Remembering Jean Garnett

3. PLEDGE OF ALLEGIANCE

4. CALL TO ORDER

The City Council President Jared Eigerman called the City Council meeting to order at 7:30 pm and asked the City Clerk, Richard B. Jones, to call the roll. The following City Councillors answered present Devlin, Khan, Lane, McCauley, Shand, Tontar, Vogel, Wallace, Zeid, and Eigerman. 10 present, 1 absent (BC).

5. LATE FILE

- ORDR300_11_08_2021 Low St and Brown School Gym Order
- ORDR301_11_08_2021 Authorizing-Acquisition-57-Low-St
- ORDR302_11_08_2021 Stop Sign at the Intersection of Rawson and Highland Aves.
- ORDR303_11_08_2021 Local Acceptance MGL Ch 60, Sec. 23B
- ORDR304_11_08_2021 Evergreen Conservation Restriction
- ORDR305_11_08_2021 Evergreen-Parcel-A
- ORDR306_11_08_2021 Evergreen-Parcel-C
- ORDR307_11_08_2021 EvergreenTrail Easement
- ORDR308_11_08_2021 Evergreen Utilities Access Easement
- ORDR309_11_08_2021 57 Low Street
- TRAN112_11_08_2021 Gen. Fund Free Cash \$250,000 to
Compensated Absences Reserve Fund \$250,000
- ODNC102_11_08_2021 Ch. 17 Stormwater Management Revisions
Motion to waive the rules and accept the late files by Councillor Tontar, seconded by Councillor Zeid. So voted.

6. PUBLIC COMMENT

1. Peter Mackin, 13 Prospect St.
2. Anne Marie Clausen, 3 Otis Pl.
3. Margaret Larzelere, 20 Prospect St.
4. Juliet Walker, 13 Eagle St.
5. Jennie Donahue, 18 Cherry St.
6. Craig Douglas, 2 Moseley Ave.
7. Tom Kolterjahn, 64 Federal St.
8. Mark Griffin, 3 Orange St.
9. Stephanie Niketic, 93 High St.
10. Paula Renda, 16 Otis Pl.
11. Sean Sullivan, 9 Prospect St.
12. Claire Papanastasiou, 3 Orange St.
13. Gary Karelis, 15-17 & 19-21 Prospect St.

7. 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.

8. APPROVAL OF MINUTES

- October 25, 2021

(Approve)

9. COMMUNICATIONS

10. TRANSFERS

11. APPOINTMENTS

- APPT286_11_08_2021 Sarah Holden 34 Toppans Ln. Housing Authority 12/1/2026

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

Budget and Finance

- ORDR280_09_13_2021 Cutter Fire Station Loan Order
- ORDR281_09_13_2021 Authorizing Land Taking w/Waiver of Appraisal & Damages w/Bond
At the request of Councillor Zeid ORDR280 and ORDR281 to stay in committee.
- ORDR292_10_25_2021 Supplemental Budget #2 FY2022

General Government

- ORDR291_10_12_2021 Authorizing Settlement between IFS and City
- ORDR285_09_27_2021 Re-precincting Plan 2020
- ORDR294_10_25_2021 Legal Boundary Descriptions (Ward & Precincts)

Planning & Development

- APPT285_10_25_2021 Mary E. Young 11 Jefferson Ct. Aff. Housing Trust 11/10/2023

Public Safety

- APPL054_10_25_2021 11/28/21-12/19/21 Pop Park Merrimac St. & Market Sq.
- ODNC086_08_09_2021 Loading Zone - Liberty Street
- ODNC096_09_13_2021 Late File Codification of Parking Orders

- ODNC099_10_12_2021 Parking Restriction Carter Street
- ODNC100_10_25_2021 Amended Parking Union St
- ODNC101_10_25_2021 Bus Stop Designation Low St

END OF CONSENT AGENDA

Motion to approve the Consent Agenda as amended by Councillor Zeid, seconded by Councillor Khan. So voted.

REGULAR AGENDA

9. MAYOR'S UPDATE

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

10. FIRST READING APPOINTMENTS

11. COMMUNICATIONS

12. TRANSFERS

- TRAN112_11_08_2021 Late File - Gen. Fund Free Cash \$250,000 to
Compensated Absences Reserve Fund \$250,000

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

13. SECOND READING APPOINTMENTS

14. ORDERS

- ORDR297_11_08_2021 FY22 Residential Factor
- ORDR298_11_08_2021 FY22 Tax Rate
Motion to refer ORDR297 and ORDR298 to Budget & Finance collectively by Councillor Zeid, seconded by Councillor McCauley. So voted.
- ORDR299_11_08_2021 Prior Year Bills City Solicitor
Motion to refer to Budget & Finance by Councillor Zeid, seconded by Councillor Vogel. So voted.
- ORDR300_11_08_2021 Late File - Low St and Brown School Gym Order
- ORDR301_11_08_2021 Late File - Authorizing-Acquisition-57-Low-St
- ORDR309_11_08_2021 Late File - 57 Low Street
Motion to refer ORDR300, ORDR301, and ORDR309 to Budget & Finance and COTW collectively by Councillor Zeid, seconded by Councillor Vogel. So voted.
- ORDR302_11_08_2021 Late File - Stop Sign at the Intersection of Rawson and Highland Aves.
Motion to refer to Public Safety by Councillor Zeid, seconded by Councillor McCauley. So voted.
- ORDR303_11_08_2021 Late File - Local Acceptance MGL Ch 60, Sec. 23B
Motion to refer to Budget & Finance by Councillor Khan, seconded by Councillor McCauley. So voted.
- ORDR304_11_08_2021 Late File - Evergreen Conservation Restriction
- ORDR305_11_08_2021 Late File - Evergreen-Parcel-A
- ORDR306_11_08_2021 Late File - Evergreen-Parcel-C
- ORDR307_11_08_2021 Late File - EvergreenTrail Easement
- ORDR308_11_08_2021 Late File - Evergreen Utilities Access Easement
Motion to refer ORDR304, ORDR305, ORDR306, ORDR307, and ORDR308 to Planning & Development collectively by Councillor Shand, seconded by Councillor Vogel. So voted.

15. ORDINANCES

- ODNC084_07_12_2021 Streets, Sidewalks, & Other Public Places Alterations & Maintenance 1st reading
(Moved to a date certain on 10/25/2021)
Motion to move to a date certain, November 29, 2021, by Councillor McCauley, seconded by Councillor Shand. So voted.

- ODNC097_09_13_2021 Proposed Zoning Clarifications re Public Purpose Takings 2nd reading
Motion to approve on 2nd reading by Councillor Zeid, seconded by Councillor Tontar. Roll call vote. 10 yes, 1 absent (BC). Motion passes.
- ODNC102_11_08_2021 Late File - Ch. 17 Stormwater Management Revisions
Motion to refer to Neighborhood & City Services by Councillor Khan, seconded by Councillor Wallace. So voted.

16. COMMITTEE ITEMS

Ad Hoc Committee on Economic Development

In Committee:

- ODNC098_10_12_2021 Permanent Parklets Legislation

Ad Hoc Committee on Market Landing Park and COTW

In Committee:

- COMM261_08_31_2020 Proposed Timeline, Waterfront
- ORDR227_12_14_2020 Appropriate NRA funds for RFP award
- ORDR296_10_25_2021 Additional funding the market landing park restroom facility

Budget & Finance

In Committee:

- **ORDR292 10 25 2021 Supplemental Budget #2 FY2022**
Motion to approve by Councillor Zeid, seconded by Councillor Khan. 9 yes, 1 no (SZ), 1 absent (BC). Motion passes.
- ORDR280_09_13_2021 Cutter Fire Station Loan Order
- ORDR281_09_13_2021 Authorizing Land Taking w/Waiver of Appraisal & Damages w/Bond
- ORDR277_08_30_2021 Municipal Fee Schedule Fiscal Year 2022
- ODNC094_08_30_2021 Municipal Fee Schedule
- COMM360_10_25_2021 Memo Conf. Water Main Replacement Phillips Dr.

Education

In Committee:

- COMM273_10_13_2020 Ltr of Non-Support from Mayor on Acts of 1987
- COMM329_05_24_2021 Statement of Interest, School Building Authority
- COMM358_10_12_2021 School Strategic Plan documents

General Government

In Committee:

- Councillor Zeid assumes the Chair as President Pro Tempore. Councillor Eigerman joins the Council on the floor.
- **ORDR291 10 12 2021 Authorizing Settlement between IFS and City**
Motion to approve by Councillor Eigerman, seconded by Councillor McCauley. Roll call vote. 6 no, 4 yes (JM, HS, JE, SZ), 1 absent (BC). Motion fails.
- **ORDR285 09 27 2021 Re-precincting Plan 2020**
- **ORDR294 10 25 2021 Legal Boundary Descriptions (Ward & Precincts)**
Motion to approve ORDR285 and ORDR294 collectively by Councillor Eigerman, seconded by Councillor McCauley. Roll call vote. 10 yes, 1 absent (BC). Motion passes.
- COMM325_05_10_2021 Ordinance Review Committee Report
- COMM330_05_24_2021 Code of Ordinances Edited May 2021

License & Permits

In Committee:

- ODNC047_01_27_2020 General Ordinance - Short Term Rental Units Rules
- COMM229_02_24_2020 Ltr re: Implementation of Short-Term Rental Ordinance

Neighborhoods & City Services

In Committee:

- ODNC091_08_30_2021 Street, way or grounds specifications
- COMM299_02_08_2021 Phillips Dr. Neighborhood Committee Ltr
- COMM337_07_12_2021 Central Congregational Request crosswalk painting
- ORDR288_10_12_2021 Establishing Pickleball Courts

Planning & Development

In Committee:

- **APPT285 10 25 2021 Mary E. Young 11 Jefferson Ct. Aff. Housing Trust 11/10/2023**
Motion to approve by Councillor Shand, seconded by Councillor Zeid. Roll call vote. 10 yes, 1 absent (BC). Motion passes.
- ODNC046_01_27_2020 Zoning Amendment Short Term Rental Unit (STRU)
- COMM231_03_09_2020 Ltr re: Short-Term Rental Ordinance
- COMM346_08_30_2021 Ltr. Jane Snow Coffin St. safety concerns
- ODNC092_08_30_2021 Zoning Amendment Encouraging Outdoor and Recreational Activities
- COMM338_08_09_2021 Blight at State & High, Abandoned Global Oil Service Station
- COMM351_09_13_2021 Notice of Public Hearing Pursuant 107 State St. (Oct 12, 2021 7 pm)
- COMM352_09_13_2021 ORDER Pursuant to G.L. c.139, §1 on Dangerous Building at 107 State St.
- ORDR281_09_13_2021 Authorizing Land Taking w/Waiver of Appraisal & Damages w/Bond

Public Safety

In Committee:

- **APPL054 10 25 2021 11/28/21-12/19/21 Pop Park Merrimac St. & Market Sq.**
Motion to approve by Councillor McCauley, seconded by Councillor Vogel. So voted.
- **ODNC086 08 09 2021 Loading Zone - Liberty Street**
Motion to approve on 1st reading by Councillor McCauley, seconded by Councillor Khan. 9 yes, 1 no (SZ), 1 absent (BC). So voted.
- **ODNC096 09 13 2021 Late File Codification of Parking Orders**
Motion to approve on 1st reading by Councillor McCauley, seconded by Councillor Khan. Motion withdrawn. Motion to refer back to Public Safety by Councillor McCauley, seconded by Councillor Khan. So voted.
- **ODNC099 10 12 2021 Parking Restriction Carter Street**
Motion to approve 1st reading by Councillor McCauley, seconded by Councillor Khan. Roll call vote. 10 yes, 1 absent (BC). Motion passes.
- **ODNC100 10 25 2021 Amended Parking Union St**
- **ODNC101 10 25 2021 Bus Stop Designation Low St**
Motion to approve on 1st reading ODNC100 and ODNC101 collectively by Councillor McCauley, seconded by Councillor Zeid. Roll call vote 10 yes, 1 absent (BC). Motion passes.
- APPT165_04_13_2020 Dr. Robin Blair 18 Market St. Board of Health 4/30/2023
- ORDR200_07_30_2020 List of Crosswalks Amended
- COMM283_01_27_2021 Ltr from Jim McCarthy-speed limit
- COMM334_06_28_2021 Crosswalk Rawson Ave/High St/Highland Ave
- COMM335_06_28_2021 Safety Review Rawson Ave Ltr. Daniel Blest
- COMM345_08_30_2021 Public Safety Concern, Parker Street
- COMM346_08_30_2021 Ltr. Jane Snow Coffin St. safety concerns

Public Utilities

In Committee:

- COMM290_02_08_2021 Falmouth Broadband Feasibility Study (full text in Clerk's office)
- COMM295_02_08_2021 Best Best & Krieger Small Cells Order Annual Meeting
- COMM296_02_08_2021 Natoa FCC Small Wireless Facilities Rules Compliance Guide

Rules***In Committee:***

- COMM220_01_27_2020 Proposed City Council Rule 9F
- ORDR170_02_24_2020 Amendment Council Rules 2020 (COTW)
- ORDR171_02_24_2020 Amendment to Rule 17B (COTW)
- ORDR239_02_8_2021 Council Rule 7 and 10B

17. GOOD OF THE ORDER**18. ADJOURNMENT**

Motion to adjourn at 9:16 pm by Councillor Tontar, seconded by Councillor Vogel. So voted.

COMMUNICATIONS

NEWBURYPORT SPECIAL EVENT APPLICATION

RECEIVED
CLERK'S OFFICE
NEWBURYPORT, MA

Tel. _____ Fax. _____

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

2021 NOV 15 PM 1:13

NAME OF EVENT: CULTURAL SURVIVAL BAZAAR

Date: 7/16 - 7/17/2022 Time: from 10:00 to 8:00

Rain Date: NO Time: from _____ to _____

2. Location*: IND STREET & 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: DANAE LAURA City Sponsored Event: Yes _____ No

Contact Person _____

Address: 2067 MASS AVE, CAMBRIDGE Telephone: 617-441-5400 x 15

E-Mail: DANAE@CULTURALSURVIVAL.ORG Cell Phone: _____

Day of Event Contact & Phone: 978-697-3641

5. Number of Attendees Expected: 100-200

6. MA Tax Number: _____

7. Is the Event Being Advertised? YES Where? SOCIAL MEDIA, PRESS, MAILING LIST, BANNER

8. What Age Group is the Event Targeted to? ALL AGES

9. Have You Notified Neighborhood Groups or Abutters? Yes _____ No _____, Who? Will NOTIFY BY 1ST OF JULY

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

A. Vending: Food _____ Beverages _____ Alcohol _____ Goods Total # of Vendors 45

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: N/A

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? 5
- b) How many recycling receptacles will you be providing? 3
- c) Will you be contracting for disposal of : **Trash** Yes No **Recycling** Yes No
- i. If yes, size of dumpster(s): **Trash** _____ **Recycling** _____
- ii. Name of disposal company: **Trash** _____ **Recycling** _____
- iii. If no, will you remove trash & recycling with organizers' cars or trucks? Yes No
- iv. If no, where will the trash & recycling be disposed ? _____

If no:

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

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

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

N/A Standard # N/A ADA accessible

Name of company providing the portable toilets: _____

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 harbor master 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 harbor master 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: Danae Lusk / S

Date: 11/18/21

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,

FOR STREET CLOSURE OR ANY USE OF A PUBLIC WAY

PARADE _____

ROAD RACE _____

WALKATHON _____

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

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

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

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

5. Start Time: _____ Expected End Time: _____

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

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

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

9. Formation Location & Time for Participants: _____

10. Dismissal Location & Time for Participants: _____

11. Additional Parade Information:

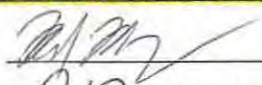
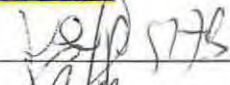
• Number of Floats: _____

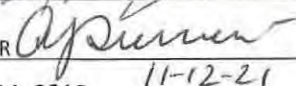
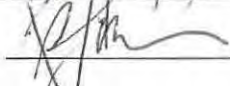
• Locations of Viewing Stations: _____

• Are Weapons Being Carried: Yes _____ No _____

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

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

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

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

DEPARTMENT APPROVAL (for Committee Member use only):

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

Approval Required _____ Date: _____ Signature _____

_____ 1. Special Events: _____

mm _____ 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: NA on site _____
Is Fire Detail Required: _____ # of Details Assigned: _____

_____ 9. Public Works: Fee for Special Events: \$45/hr DPS employee for trash handling/staging etc. may apply
Yes: \$ _____ due on MA 02 No Fee for Special Events applies
Other requirements/instructions per DPS _____

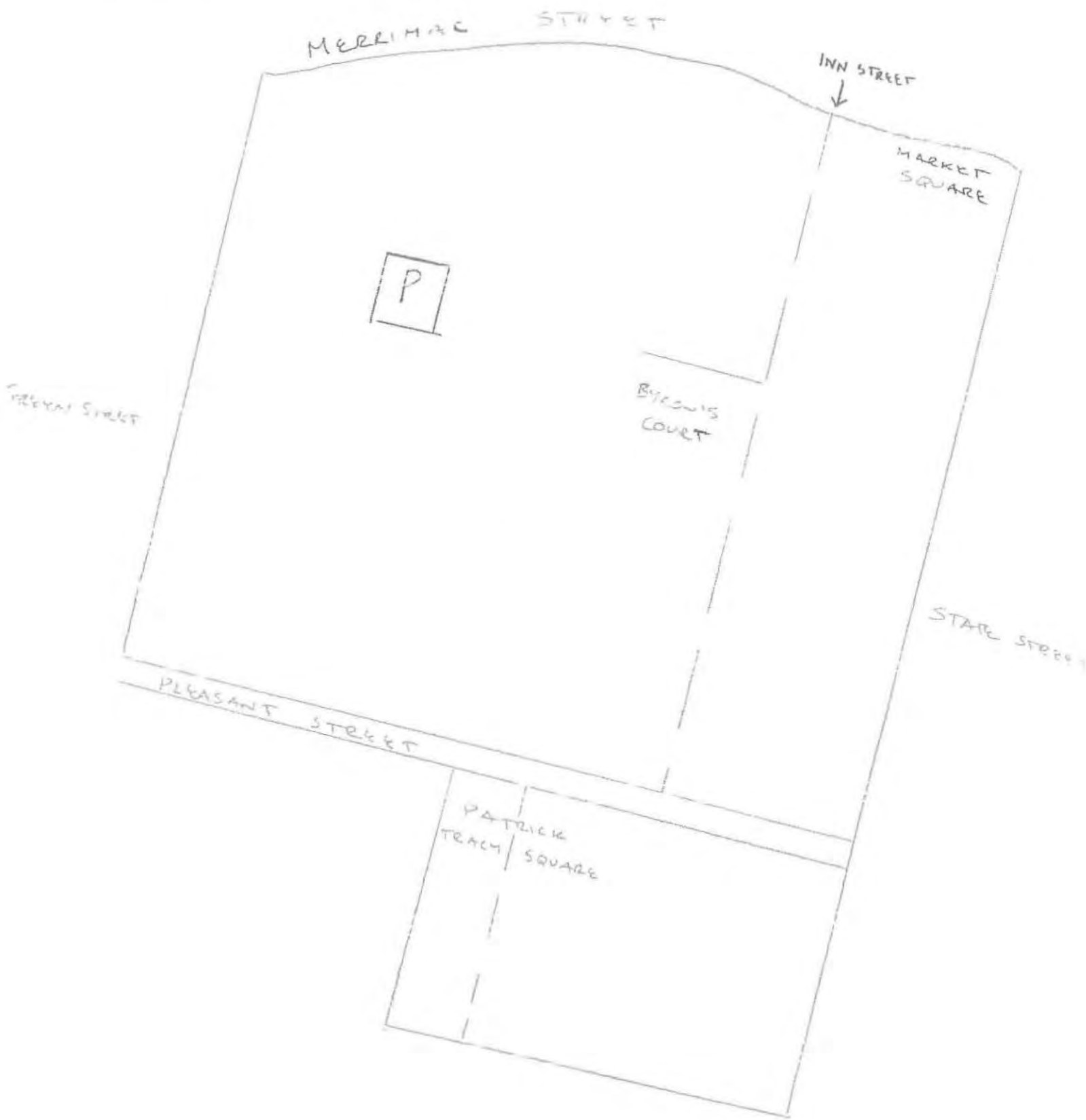
_____ 10. Parks Department: _____

_____ 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

DRAFT SITE PLAN OVERVIEW

NOT DRAWN TO SCALE

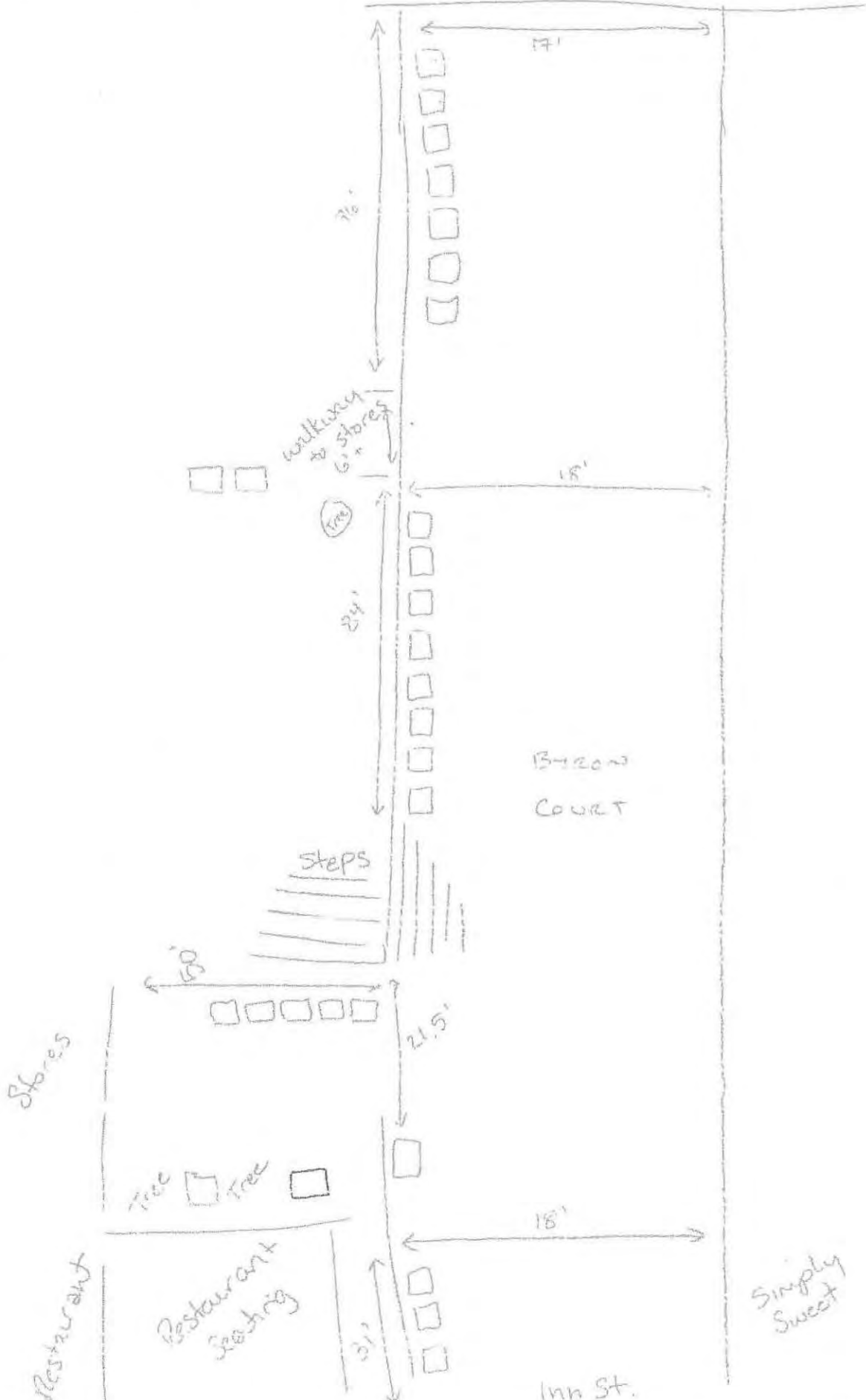


Inn St. Draft Site Plan

Loretta

Szechuan

State Street

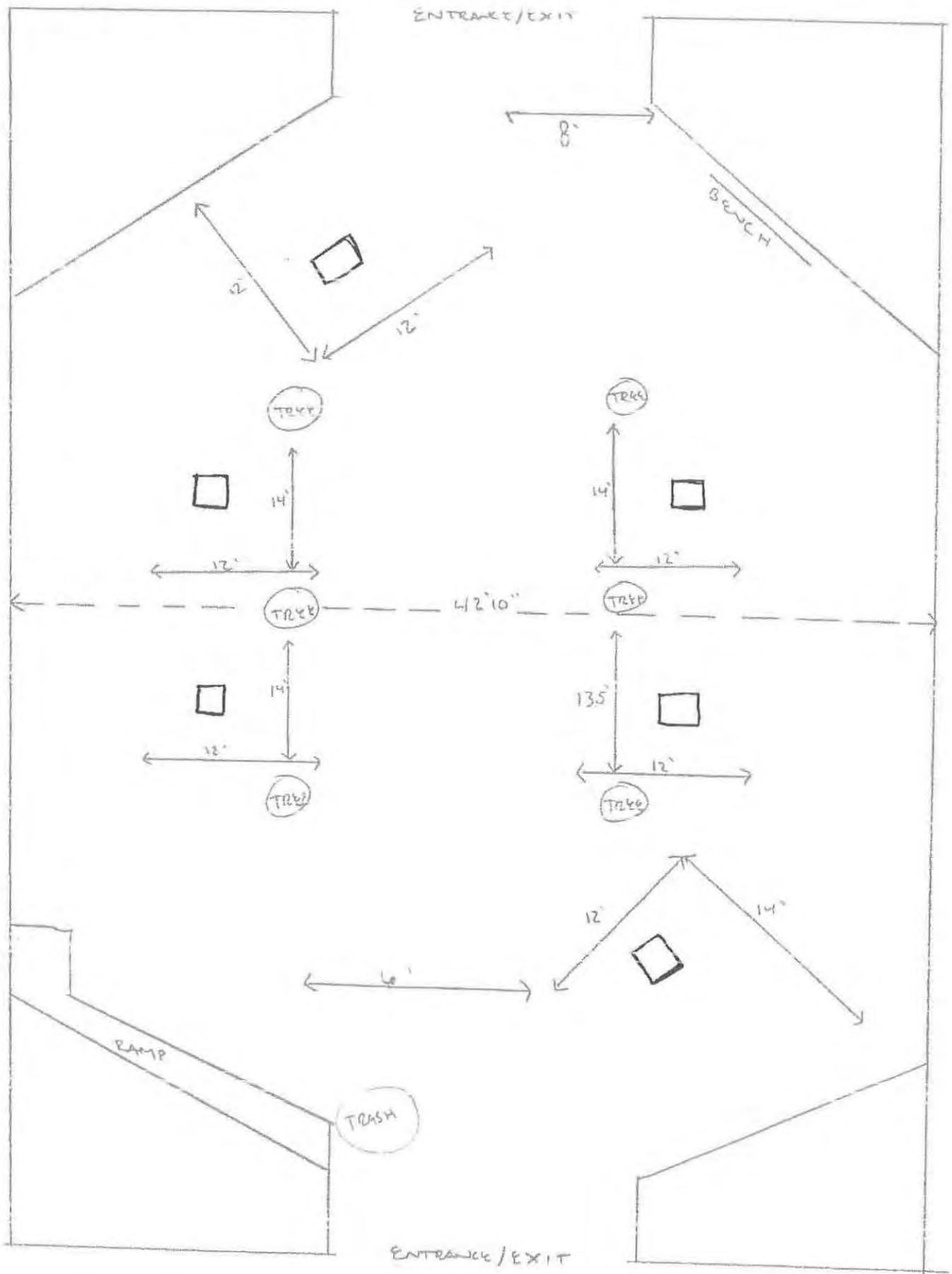


Inn St.

drawing not to scale
 25 BOOTHS SHOWN
 10x10 or 12x12 tent

PATRICK TRACY SQUARE DRAFT SITE PLAN

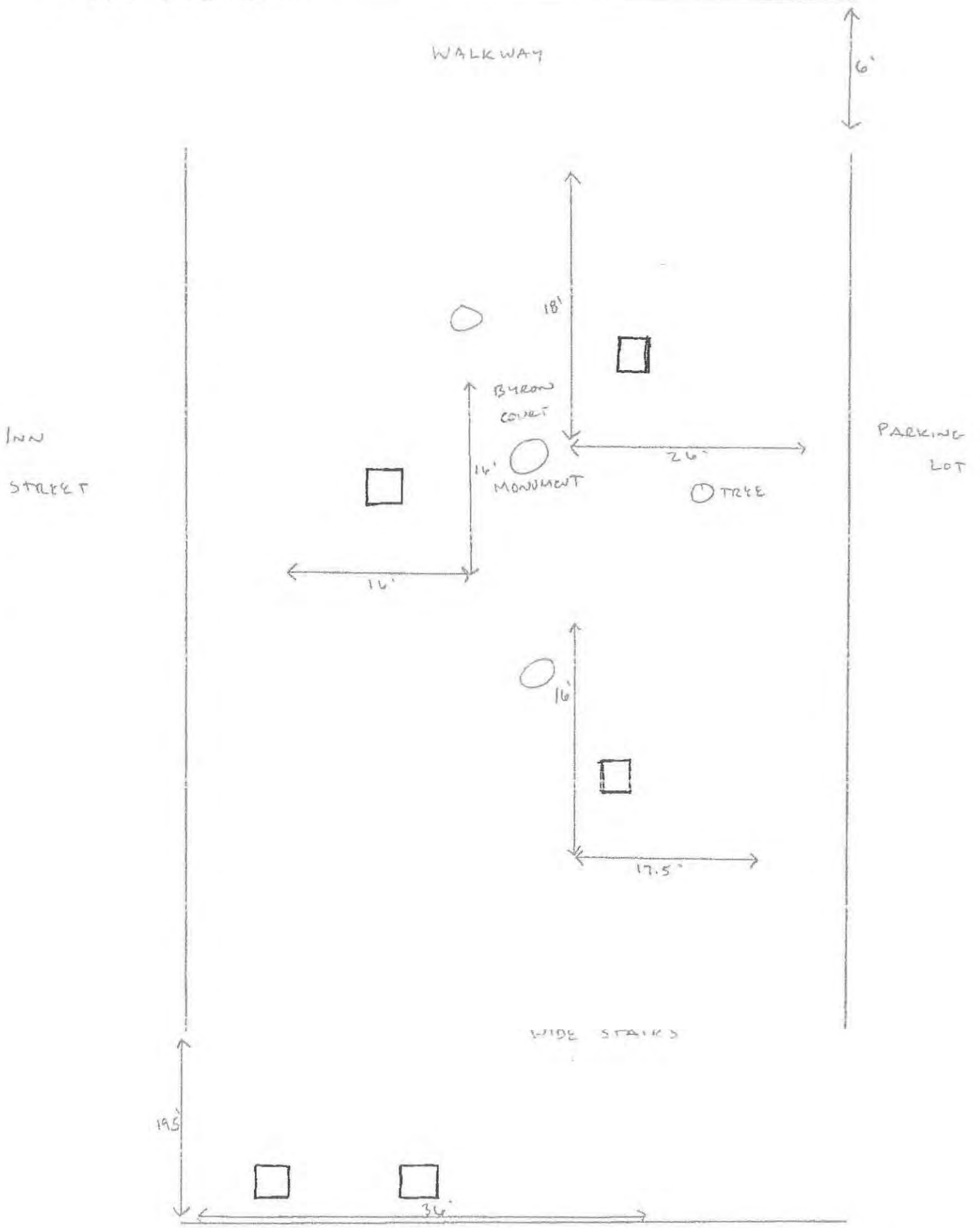
DRAWING NOT TO SCALE □ = 10x10' OR 12' x 12' TENT



6 BOOTHS SHOWN

BYRON'S COURT - DRAWING NOT TO SCALE $\square = 10 \times 10'$ OR $12 \times 12'$ TENT

DRAFT SITE PLAN



5 BOOTHS SHOWN



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

11/16/2021

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 W.T. Phelan & Company 645 Massachusetts Ave Arlington MA 02476	CONTACT NAME: Collette Creedon PHONE (A/C, No, Ext): (877) 977-1898 E-MAIL ADDRESS: collette.creedon@wtphelelan.com	FAX (A/C, No): (781) 646-2410	
	INSURER(S) AFFORDING COVERAGE		NAIC #
INSURED Cultural Survival, Inc. PO Box 381569 Cambridge MA 02238	INSURER A: Philadelphia Insurance Co.		PHLAL3
	INSURER B: The Hartford		
	INSURER C:		
	INSURER D:		
	INSURER E:		

COVERAGES

CERTIFICATE NUMBER: CL21111616588

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			PHPK2254266	05/31/2021	05/31/2022	EACH OCCURRENCE \$ 1,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:						DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS ONLY						MED EXP (Any one person) \$ 5,000
A	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> EXCESS LIAB <input type="checkbox"/> DED <input checked="" type="checkbox"/> RETENTION \$ 10,000			PHUB761483	05/31/2021	05/31/2022	PERSONAL & ADV INJURY \$ 1,000,000
	<input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS-MADE						GENERAL AGGREGATE \$ 2,000,000
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A	08WECAB2OHV	02/20/2021	02/20/2022	PRODUCTS - COMP/OP AGG \$ 2,000,000
							Professional Liability \$ 1,000,000
							COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$

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

Event: Cultural Survival Bazaar & Set-up, July 20-21 at Market Square and Inn St, Newburyport, MA. City of Newburyport is additional insureds with respect to General Liability per Form #PI-GLD-HS (10/11).
 Subject to policy terms, conditions and exclusions with written contract required.

CERTIFICATE HOLDER**CANCELLATION**

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

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Lois Honegger <loishonegger@gmail.com>

Fwd: Application Approval

1 message

Lois Honegger <loishonegger@gmail.com>
To: Lois Honegger <loishonegger@gmail.com>

Wed, Nov 17, 2021 at 12:31 PM

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

From: Danae Laura <danae@culturalsurvival.org>
Date: Wed, Nov 17, 2021 at 10:16 AM
Subject: Application Approval
To: Lois Honegger <loishonegger@gmail.com>

Hi Lois,

Thank you for sending me a copy of the completed city application for the July 2022 Cultural Survival Bazaar on July 16-17.

You are approved to sign in my stead. A COI has been provided.

Best,
Danae

—
Danae Laura
Bazaar Program Manager
Cultural Survival
617-441-5400 ext. 15

Cultural Survival partners with Indigenous Peoples around the world to defend their lands, languages, and cultures.

Visit us at www.cs.org

"Like" us on Facebook.com/CulturalSurvival

Follow us on Twitter @CSORG

On Mon, Nov 15, 2021 at 1:32 PM Lois Honegger <loishonegger@gmail.com> wrote:

Hi Danae

Would you send me an email stating that you've reviewed the city application and gave ok'd it and give me permission to sign for you. Also...and i think we've been through this before....but they need insurance binder naming Newburport as insured....

On Tue, Nov 9, 2021 at 12:15 PM Danae Laura <danae@culturalsurvival.org> wrote:

Sure thing! Talk to you then. Thanks!

—
Danae Laura
Bazaar Program Manager
Cultural Survival
617-441-5400 ext. 15

Cultural Survival partners with Indigenous Peoples around the world to defend their lands, languages, and cultures.

Visit us at www.cs.org

"Like" us on Facebook.com/CulturalSurvival

PERAC

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

COMMONWEALTH OF MASSACHUSETTS | PUBLIC EMPLOYEE RETIREMENT ADMINISTRATION COMMISSION

PHILIP Y. BROWN, ESQ., *Chairman*

JOHN W. PARSONS, ESQ., *Executive Director*

Auditor SUZANNE M. BUMP | KATHLEEN M. FALLON | KATE FITZPATRICK | JAMES M. MACHADO | RICHARD MACKINNON, JR. | JENNIFER F. SULLIVAN

MEMORANDUM

TO: Newburyport Retirement Board

FROM: John W. Parsons, Esq., Executive Director

RE: Appropriation for Fiscal Year 2023

DATE: November 12, 2021

Required Fiscal Year 2023 Appropriation: **\$5,939,784**

This Commission is hereby furnishing you with the amount to be appropriated for your retirement system for Fiscal Year 2023 which commences July 1, 2022.

Attached please find summary information based on the present funding schedule for your system and the portion of the Fiscal Year 2023 appropriation to be paid by each of the governmental units within your system.

The current schedule is due to be updated by Fiscal Year 2023.

If you have any questions, please contact PERAC's Actuary, John Boorack, at (617) 666-4446 Extension 935.

JWP/jfb
Attachments

cc: Office of the Mayor
City Council
c/o City Clerk

p:\actuarial\approp\approp23\fy23 for web\newburyport approp 23.docx



Newburyport Retirement Board

Projected Appropriations

Fiscal Year 2023 - July 1, 2022 to June 30, 2023

Aggregate amount of appropriation: **\$5,939,784**

Fiscal Year	Estimated Cost of Benefits	Funding Schedule (Excluding ERI)	ERI	Total Appropriation	Pension Fund Allocation	Pension Reserve Fund Allocation	Transfer From PRF to PF
FY 2023	\$6,771,381	\$5,939,784	\$0	\$5,939,784	\$5,939,784	\$0	\$831,597
FY 2024	\$7,099,394	\$6,236,773	\$0	\$6,236,773	\$6,236,773	\$0	\$862,621
FY 2025	\$7,443,025	\$6,548,612	\$0	\$6,548,612	\$6,548,612	\$0	\$894,413
FY 2026	\$7,803,018	\$6,876,042	\$0	\$6,876,042	\$6,876,042	\$0	\$926,976
FY 2027	\$8,180,152	\$7,219,844	\$0	\$7,219,844	\$7,219,844	\$0	\$960,308

The Total Appropriation column shown above is in accordance with your current funding schedule and the scheduled payment date(s) in that schedule. Whenever payments are made after the scheduled date(s), the total appropriation should be revised to reflect interest at the rate assumed in the most recent actuarial valuation. Payments should be made before the end of the fiscal year.

For illustration, we have shown the amount to be transferred from the Pension Reserve Fund to the Pension Fund to meet the estimated Cost of Benefits for each year. If there are sufficient assets in the Pension Fund to meet the Cost of Benefits, this transfer is optional.

Newburyport Retirement Board
Appropriation by Governmental Unit

Fiscal Year 2023 - July 1, 2022 to June 30, 2023

Aggregate amount of appropriation: **\$5,939,784**

UNIT	Percent of Aggregate Amount	Funding Schedule (excluding ERI)	ERI	Total Appropriation
City of Newburyport	97.16%	\$5,771,094	\$0	\$5,771,094
Newburyport Housing Authority	2.84%	\$168,690	\$0	\$168,690
UNIT TOTAL	100%	\$5,939,784	\$ 0	\$5,939,784

The Total Appropriation column shown above is in accordance with your current funding schedule and the scheduled payment date(s) in that schedule. Whenever payments are made after the scheduled date(s), the total appropriation should be revised to reflect interest at the rate assumed in the most recent actuarial valuation. Payments should be made before the end of the fiscal year.

*Newburyport Retirement Board
16 Unicorn Street
Newburyport, MA 01950*

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2021 NOV 24 AM 9:44

Board Members

*Joseph Spaulding, Chairman
Jeffrey Cutter, Vice-Chairman
Larry Giunta, Board Appointee
Ethan Manning, City Auditor
John Moak, Mayor Appointee*

*Laurie Burton, Executive Director
LaurieBurton@NewburyportRetirement.org
Derek Minervini
Assistant to the Executive Director
DMinervini@NewburyportRetirement.org
Telephone: (978)465-6619, FAX: (978)462 4042*

Date: November 24, 2021

To: President and Members of the City Council

From: Newburyport Retirement Board

Re: Retirement Board Expense Budget C/Y 2022

Section 36 of Chapter 306 of the Acts of 1996 states that all Retirement Boards shall adopt an annual budget and supplemental budgets as deemed necessary by said Board. Said budgets shall be funded solely from the investment income account of each system and without any further appropriation from the municipality of said Board. The law states that at least 30 days prior to the adoption of said budget, the Board shall file said budgets with the appropriate legislative body.

This Budget is provided for informational purposes only and no action needs to be taken by the Council.

The Board will vote on whether to adopt the attached 2022 proposed budget at the Board meeting on December 30, 2021.

Sincerely,



Derek Minervini
Assistant to the Executive Director

Proposed Administrative Budget 10/28/2021

January 1, 2022 - December 31, 2022

Administrative Office Expenses	12,500
Board Member Stipends	22,500
Conference & Travel	4,635
Contracts/Software	35,710
Education & Training	2,318
Fiduciary Insurance	4,665
Furniture & Equipment	1,000
Health Insurance Benefits	33,783
Legal	5,000
Rent	13,800
Salaries	182,643
Total Budget	318,554

Estimates C/Y 2022

Management fees	488,854
Retiree Pensions	7,949,939

Estimates C/Y 2022

Member's Deductions	2,101,371
---------------------	-----------

Asset balance as of October 31, 2021

Pension Reserve Investment Trust Asset Value	121,287,433
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Retirees	269
Active & Inactive members	585

THE COMMONWEALTH OF MASSACHUSETTS

OF

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2021 NOV 19 AM 11:28

**APPLICATION FOR A LICENSE TO BUY, SELL, EXCHANGE
OR ASSEMBLE SECOND HAND MOTOR VEHICLES
OR PARTS THEREOF**

I, the undersigned, duly authorized by the concern herein mentioned, hereby apply for a Second class license, to Buy, Sell, Exchange or Assemble second hand motor vehicles or parts thereof, in accordance with the provisions of Chapter 140 of the General Laws.

1. What is the name of the concern? RL Currie Corp.

Business address of concern. No. 6 New Pasture Road St.,
Newburyport City — Town.

2. Is the above concern an individual, co-partnership, an association or a corporation? CORPORATION

3. If an individual, state full name and residential address.

4. If a co-partnership, state full names and residential addresses of the persons composing it.

5. If an association or a corporation, state full names and residential addresses of the principal officers.

President RANDY L Currie 111 Georgetown Rd West Newbury MA

Secretary RANDY L Currie 111 Georgetown Rd West Newbury Ma

Treasurer RANDY L Currie 111 Georgetown Rd West Newbury Ma

6. Are you engaged principally in the business of buying, selling or exchanging motor vehicles? Yes

If so, is your principal business the sale of new motor vehicles? NO

Is your principal business the buying and selling of second hand motor vehicles? Yes

Is your principal business that of a motor vehicle junk dealer? NO

7. Give a complete description of all the premises to be used for the purpose of carrying on the business.

4.5 ACRES w/A PAVED AREA AS WELL AS A 10000 sq ft
CONCRETE BLOCK COMMERCIAL BUILDING FOR ADMINISTRATIVE
SALES AND REPAIRS

8. Are you a recognized agent of a motor vehicle manufacturer? NO
(Yes or No)

If so, state name of manufacturer _____

9. Have you a signed contract as required by Section 58, Class 1? NO
(Yes or No)

10. Have you ever applied for a license to deal in second hand motor vehicles or parts thereof? Yes
(Yes or No)

If so, in what city — town NEWBURYPORT

Did you receive a license? Yes For what year? 2010 - 2021
(Yes or No) APPROX

11. Has any license issued to you in Massachusetts or any other state to deal in motor vehicles or parts thereof
ever been suspended or revoked? NO
(Yes or No)

Sign your name in full Gandy L. Cruise
(Duly authorized to represent the concern herein mentioned)

Residence 111 GEORGETOWN RD
WEST NEWBURY MA 01985

IMPORTANT

EVERY QUESTION MUST BE ANSWERED WITH
FULL INFORMATION, AND FALSE STATEMENTS
HEREIN MAY RESULT IN THE REJECTION OF
YOUR APPLICATION OR THE SUBSEQUENT
REVOCAION OF YOUR LICENSE IF ISSUED.

NOTE: If the applicant has not held a license in the year prior to this application, he must file a duplicate of the
application with the registrar. (See Sec. 59)

APPLICANT WILL NOT FILL THE FOLLOWING BLANKS

Application after investigation _____
(Approved or Disapproved)

License No. _____ granted _____ 20 _____ Fee \$ _____

Signed _____

CHAPTER 140 OF THE GENERAL LAWS, TER. ED., WITH AMENDMENTS THERETO (EXTRACT)

SECTION 57. No person, except one whose principal business is the manufacture and sale of new motor vehicles but who incidentally acquires and sells second hand vehicles, or a person whose principal business is financing the purchase of or insuring motor vehicles but who incidentally acquires and sells second hand vehicles, shall engage in the business of buying, selling, exchanging or assembling second hand motor vehicles or parts thereof without securing a license as provided in section fifty-nine. This section shall apply to any person engaged in the business of conducting auctions for the sale of motor vehicles.

SECTION 58. Licenses granted under the following section shall be classified as follows:

Class 1. Any person who is a recognized agent of a motor vehicle manufacturer or a seller of motor vehicles made by such manufacturer whose authority to sell the same is created by a written contract with such manufacturer or with some person authorized in writing by such manufacturer to enter into such contract, and whose principal business is the sale of new motor vehicles, the purchase and sale of second hand motor vehicles being incidental or secondary thereto, may be granted an agent's or a seller's license; provided, that with respect to second hand motor vehicles purchased for the purpose of sale or exchange and not taken in trade for new motor vehicles, such dealer shall be subject to all provisions of this chapter and of rules and regulations made in accordance therewith applicable to holders of licenses of class 2.

Class 2. Any person whose principal business is the buying or selling of second hand motor vehicles may be granted a used car dealer's license.

Class 3. Any person whose principal business is the buying of second hand motor vehicles for the purpose of remodeling, taking apart or rebuilding the same, or the buying or selling of parts of second hand motor vehicles or tires, or the assembling of second hand motor vehicle parts, may be granted a motor vehicle junk license.

SECTION 59. The police commissioner in Boston and the licensing authorities in other cities and towns may grant licenses under this section which will expire on January first following the date of issue unless sooner revoked. The fees for the licenses shall be fixed by the licensing board or officer, but in no case shall exceed \$100. dollars. Application for license shall be made in such form as shall be approved by the registrar of motor vehicles, in sections fifty-nine to sixty-six, inclusive, called the registrar, and if the applicant has not held a license in the year prior to such application, such application shall be made in duplicate, which duplicate shall be filed with the registrar. No such license shall be granted unless the licensing board or officer is satisfied from an investigation of the facts stated in the application and any other information which they may require of the applicant, that he is a proper person to engage in the business specified in section fifty-eight in the classifications for which he has applied, that said business is or will be his principal business, and that he has available a place of business suitable for the purpose. The license shall specify all the premises to be occupied by the licensee for the purpose of carrying on the licensed business. Permits for a change of situation of the licensed premises or for addition thereto may be granted at any time by the licensing board or officer in writing, a copy of which shall be attached to the license. Cities and towns by ordinance or by-law may regulate the situation of the premises of licensees within class 3 as defined in section fifty-eight, and all licenses and permits issued hereunder to persons within said class 3 shall be subject to the provisions of ordinances and by-laws which are hereby authorized to be made. No license or permit shall be issued hereunder to a person within said class 3 until after a hearing, of which seven days' notice shall have been given to the owners of property abutting on the premises where such license or permit is proposed to be exercised. All licenses granted under this section shall be revoked by the licensing board or officer if it appears, after hearing, that the licensee is not complying with sections fifty-seven to sixty-nine, inclusive, or the rules and regulations made thereunder; and no new license shall be granted to such person thereafter, nor to any person for use on the same premises, without the approval of the registrar. The hearing may be dispensed with if the registrar notifies the licensing board or officer that a licensee is not so complying. Any person aggrieved by any action of the licensing board or officer refusing to grant, or revoking a license for any cause may, within ten days after such action, appeal therefrom to any justice of the superior court in the county in which the premises sought to be occupied under the license or permit applied for are located. The justice shall, after such notice to the parties as he deems reasonable, give a summary hearing on such appeal, and shall have jurisdiction in equity to review all questions of fact or law and may affirm or reverse the decision of the board or officer and may make any appropriate decree. The decision of the justice shall be final.

APPLICATION FOR A LICENSE TO BUY, SELL,
EXCHANGE OR ASSEMBLE SECOND HAND
MOTOR VEHICLES OR PARTS THEREOF.

APPLICANT WILL NOT FILL THE FOLLOWING BLANKS

Application No. _____

Class _____ License No. _____

Name _____

St. and No. _____

City — Town _____

Date Issued _____

Remarks _____



Boston
114 Turnpike Road
3rd Floor - 114
Westborough, Massachusetts 01581
+1 (800) 647-1113 Fax: +1 (866) 547-4882

Continuation Certificate

To be attached to and form a part of surety bond number LSF006317 (the "Bond"), cross reference bond number 5010479 for Used Dealers and Salesmen dated the 25th day of October, 2007, in the penal sum of 25,000 USD issued by The Ohio Casualty Insurance Company as surety (the "Surety"), on behalf of RL Currie Corp as principal (the "Principal"), in favor of CITY OF NEWBURYPORT, as obligee (the "Obligee").

The Surety hereby certifies that this Bond is continued in full force and effect until the 25th day of October, 2022, subject to all covenants and conditions of said Bond.

Said Bond has been continued in force upon the express condition that the full extent of the Surety's liability under said Bond, and this and all continuations thereof, for any loss or series of losses occurring during the entire time the Surety remains on said Bond, shall in no event, either individually or in the aggregate, exceed the penal sum of the Bond.

IN WITNESS WHEREOF, the Surety has set its hand and seal this 10th day of September, 2021.

The Ohio Casualty Insurance Company

(Surety)

By: Timothy A. Mikolajewski

Timothy A. Mikolajewski, Assistant Secretary



TRANSFERS



CITY OF NEWBURYPORT FY 2022

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

TRANSFER/APPROPRIATION REQUEST

NOV 23 AM 9:43

Department: Mayor's Office
Submitted by: Donna D. Holaday, Mayor **Date Submitted:** 11/29/2021

Transfer From:

Account Name:	<u>BUC BUDGET CONTINGENCY</u>	Balance:	<u>\$ 214,144.91</u>
Account Number:	<u>01132007-57805</u>	Category:	<u>\$ -</u>
Amount:	<u>\$213,963.47</u>	Trans I/O:	<u>\$ (208,124.96)</u>

Why Funds Are Available:

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

Transfer To:

Account Name:	<u>FIR SAL DEPUTY CHIEF</u>	Balance:	<u>\$ 75,892.47</u>
Account Number:	<u>01220001-51102</u>	Category:	<u>\$ 2,372,044.46</u>
Amount:	<u>\$8,606.69</u>	Trans I/O:	<u>\$ -</u>

Why Funds Are Needed:

To fund FY2021 and FY2022 cost items in the the newly settled collective bargaining agreements between the City of Newburyport and the IAFF Local 827 effective July 1, 2020 and July 1, 2021. See attached memorandum of agreement.

Transfer To:

Account Name:	<u>FIR SAL FIRE FIGHTERS</u>	Balance:	<u>\$ 1,455,825.44</u>
Account Number:	<u>01220001-51142</u>	Category:	<u>\$ 2,372,044.46</u>
Amount:	<u>\$180,926.78</u>	Trans I/O:	<u>\$ -</u>

Why Funds Are Needed:



See above.

Transfer To:

Account Name:	<u>FIR PAID HOLIDAYS</u>	Balance:	<u>\$ 86,483.42</u>
Account Number:	<u>01220001-51402</u>	Category:	<u>\$ 2,372,044.46</u>
Amount:	<u>\$24,430.00</u>	Trans I/O:	<u>\$ -</u>

Why Funds Are Needed:

See above.

Donna D. Holaday, Mayor:  Date: 11/23/21
 Ethan R. Manning, Auditor:  Date: 11/23/21

Sponsor: Charles F. Tontar, Councillor At-Large

City Council Approval:

Memorandum of Agreement between Local 827, IAFF and the City of Newburyport

Article 2, Section I: Agency Service Fee

Replace as follows: The City agrees to deduct Union dues from the Union members who voluntarily agree in writing to have their dues deducted and to mail said dues with a list of names from whom dues have been deducted to the Union. In accordance with M.G.L. 150E, the City agrees to deduct an agency fee from those who voluntarily agree to pay such fee in writing from all employees who elect to remain nonmembers and mail said fee with a list of names from whom the fee has been deducted to the Union. The Agency Fee for non-members shall be ninety percent (90%), of the weekly dues.

Article 9, Section III: Paid Holiday and Personal

Add to list of holidays: Juneteenth (effective 7/1/20) and Firefighter’s Memorial Day (effective 7/1/21)

Article 10, Section I: Wages and Differentials

Add 3rd paragraph: Employees shall receive a 3% step increase after 7 years of service, starting July 1, 2022. Employees continue to be eligible for an additional 3% step at 15 years of service.

Add 4th paragraph: As of July 1, 2021, fire department dispatchers promoted to the position of a uniformed firefighter will have a starting base salary at 100% base salary (year 2) level in Appendix A. If no dispatcher accepts the firefighter position the City will attempt to hire from the ranks of the call firefighters. If the City is unable to hire in this manner, a firefighter may be hired from the active civil service list. In this case, the entry level pay for such position will follow these steps:

Start	76% of firefighters salary
After 12 months	84% of firefighters salary
After 18 months	92% of firefighters salary
After 2 years	100% of firefighters salary

Add Section II: Calculation of Pay: Regular salaries shall be calculated in the following manner starting with the prior fiscal year’s salary appearing in Appendix A:

Step 1: Add any negotiated percentage (%) upgrade to the starting salary.

Step 2: Add any negotiated cost of living (COLA) percentage (%) to the total of Step 1.

Step 3: Add any negotiated step increase that may be based on members years of service to the total of Step 2, compounding each percentage (%) onto the next if there are multiple step increases.

Step 4: Add any EMT percentage (%), based on members EMT status, to the total of Step 3.

Step 5: Add any educational incentive percentage (%), based off of the educational pay chart in this Agreement, to the total amount of step of step 4.

Step 6: If any member of this Agreement carries another title/position (e.g. Hazardous Materials Team, EMS Coordinator) said stipend for that title/position shall be applied to the total amount of step 5.

After applying all appropriate steps, this total is the adjusted regular salary whereby all other further calculations are derived (i.e. overtime rate, holiday pay, longevity). It is to be understood that if changes are made through negotiations, such changes would be applied as outlined in this section.

Article 12, Section I: Sick Leave

Replace sub-section (d) as follows: Employees hired July 1, 2016 or later shall be eligible to buy back 50 % of their accrued sick time upon retirement up to a maximum of one hundred and twenty (120) days. This shall include all call firefighters who are members of the Newburyport Fire Department prior to July 1, 2021.

Add sub-section (e): Employees hired after July 1, 2021 shall be eligible to receive a maximum of one hundred and ten (110) days of sick leave buyback based on 50% payment for accrued sick time.

Article 12, Section II: Bereavement Leave

Add to list of family members: Domestic partner, aunt and uncle

Article 13, Section I: Clothing Allowance

Replace as follows: The clothing allowance for uniformed members of the Fire Department shall remain at \$1500.00 for the entire contract period and paid in the first pay period of July. No increase shall be provided during the term of the contract. The City shall continue to provide and maintain all protective clothing and equipment at its own expense. The foregoing amount shall be paid directly to the individual employee.

Article 21, Section I: Education Incentive

Add sentence: This section shall not apply to fire dispatchers.

Article 19, Section I: Hours

Add sentence: The Deputy Chief shall have use of a City vehicle 24 hrs/day, 7 days/week. Such use shall be in accordance with the City's Take-Home Vehicle Policy. The City shall also provide the Deputy Chief with a cell phone.

Article 21, Section IV: EMT Stipend

Replace as follows: Effective July 1, 2014, all new members of the bargaining unit will be required to possess and maintain a valid state of Massachusetts Emergency Medical Technician certificate within twelve (12) months of employment with the City. Said new members shall also be required to maintain their EMT certification at the highest level that they have attained while in the employ of the City. Any new member who fails to comply with these EMT certification requirements will be subject to discipline, including, but not limited to, termination.

Those members of the bargaining unit hired prior to July 1, 2014 who have their EMT certification and choose not to maintain their certification at the highest level that they have attained while in the employ of the City will forfeit the EMT stipend effective immediately after the expiration of their certification.

Effective July 1, 2020, all firefighters who possess and maintain a valid Emergency Medical Technician (EMT) certification will receive an increase of 4.0% to be applied according to Article 10, Section II. Said stipend will be increase to 4.5% on July 1, 2021 and to 5.0% on July 1, 2022.

The above paragraph shall not apply for dispatchers, who will be paid an annual \$250 stipend for attaining and maintaining their EMT certification, payable in the 1st pay period of December.

Effective July 1, 2021, the City shall be responsible to provide all training necessary for re-certification at the EMT or Paramedic level of certification at no cost to the firefighter. Advanced notice will be given for scheduled training. Should a firefighter miss a class for any reason, other than approved Workers Compensation, extended sick leave with a doctor's note, or bereavement leave, he/she must make it up on his/her own time.

Effective July 1, 2021 the City shall reimburse all EMT's/Paramedics all fees associated with re-certification upon presentation of receipts to the Chief of the Department.

Article 24, Section I: Miscellaneous

Add sub-section (i): All fire Department employees are required to participate in a mandatory paperless direct deposit program. The City will provide a computer, printer and all associated supplies at all stations so all employees will have online access to pay stubs.

Add sub-section (j): The City will reimburse firefighters all fees for required training and licensing upon copies of receipts presented to the Chief.

Article 26 (New Article)

Section I: Fire Dispatchers

- A. The city will maintain one (1) fire dispatcher per shift at fire headquarters at all times (For a total of four (4) dispatchers).
- B. Fire dispatchers will be hired from the ranks of call firefighters when available and qualified.
- C. Fire dispatchers will work under the supervision of the Fire Chief at fire headquarters.
- D. One (1) fire dispatcher will be assigned to each group and will work the same hours as their assigned group.
- E. The uniform policy will be the same as the firefighters.
- F. In the event that a dispatcher is out due to but not limited to, vacation, personal, sick, training or injury and one of the other three (3) dispatchers cannot be hired to fill said shift, the City will hire a full-time firefighter at his/her overtime rate as covered by Collective Bargaining Agreement.
- G. Fire dispatchers currently employed shall retain the vacation time they currently have and shall advance as per the next step of this Agreement. Any fire dispatcher hired after July 1, 2021 shall follow the vacation schedule of this Agreement.
- H. There will be no change in the hourly overtime rate for dispatchers other than the annual percentage increases provided in this Agreement.

In making the transition from the AFSCME union to the IAFF union, it is the intent of all parties to preserve the existing compensation and benefits afforded to dispatchers unless otherwise provided for in this agreement. Corrective measures to address any inadvertent errors or omissions in making this transition shall be reviewed and agreed upon by both parties to this Agreement.

Article 27 (New Article)

Section I: Light Duty

In an effort to minimize overtime due to long term illnesses and/or injuries, the City and Union agree to the creation of a light duty policy. In the case of Newburyport Fire Department such light duty position will be the position of the fire dispatcher. In the event that it is determined that a firefighter will be out for a time period greater than 90 days, but is able to return to work in a light duty position, the city may allow the firefighter to swap positions with the most senior dispatcher within the department regardless of what shift he/she is assigned, provided that the firefighter is not taking medicine which impairs his/her performance, that the firefighter's injuries/illness does not limit his/her physical abilities and that the City is not contesting his/her IOD status.

Light duty may be required unless the firefighter is certified by a licensed physician to be unable to perform limited duties. Upon notification to the Chief of such certification of total incapacity, if the Chief disagrees, he/she may, at the City's expense, and within (7) calendar days, if possible, but in any event as soon after the seven (7) days as the doctor's schedule permits, provide for an examination and a medical report from a physician. The Chief shall furnish such report to the firefighter upon receipt.

In the event that the firefighter's physician disagrees with the findings of the City's physician, the two physicians shall designate a third neutral physician, with the expertise in the medical area of the firefighter's injury/illness, who within seven (7) days of the furnishing of the City's physicians report, or as soon thereafter as the physician's schedule permits, shall determine the firefighter's fitness for light duty, and such determination shall be binding on all parties and shall not be subject to the grievance and arbitration provisions of this Agreement. The cost of the neutral physical shall be borne equally by the City and the firefighter.

In the event that a firefighter is temporarily assigned to the dispatcher position the following steps shall be followed:

Step 1 = Firefighter on light duty is temporarily assigned to the dispatching position on his/her shift

Step 2 = The senior dispatcher will be temporarily assigned to position vacated by the light duty firefighter.

Step 3 = The junior dispatcher will be assigned to wherever the dispatching vacancy exist.

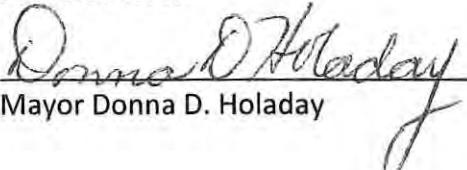
Step 4 = If and when the light duty firefighter returns to full time status all personal will return to their original shift.

If the firefighter, the City and the Union agree, the 90-day period can be waived.

Article 28, Section 1: Duration of Agreement

M.G.L. c. 150E, s. 7 limits the term of a collective bargaining agreement to three years. Given that the prior collective bargaining agreement expired on June 30, 2019 and was extended by way of a memorandum of agreement through June 30, 2020, the parties agree that the terms contained herein shall be made effective in the form of one retroactive agreement dated July 1, 2020 to June 30, 2021 followed by a signed three-year agreement dated July 1, 2021 to June 30, 2024. The terms applicable to the retroactive agreement are contained herein, unless specified, and shall be payable upon execution of the three-year agreement.

FOR THE CITY:



Mayor Donna D. Holaday

11/22/2021
Date

APPENDIX A

	Dispatcher	Firefighter	Lieutenant	Deputy Chief
FY2020	n/a	\$59,175.85	\$70,924.98	\$94,052.27
FY2021	n/a	\$60,359.37	\$72,343.48	\$95,933.32
FY2022	TBD*	\$61,566.56	\$73,790.35	\$97,851.99
FY2023	TBD*	\$63,425.87	\$76,018.82	\$100,807.12
FY2024	TBD*	\$65,664.80	\$78,702.28	\$104,365.61

*Being finalized



CITY OF NEWBURYPORT FY 2022

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

TRANSFER/APPROPRIATION REQUEST

NOV 23 11:4:18

Department: Department of Public Services

Submitted by: Anthony Furnari, DPS Director

Date Submitted: 11/29/2021

Transfer From:

Account Name:	Sewer Retained Earnings	Balance:	\$ 1,738,991.00
Account Number:	61-35920	Category:	\$ -
Amount:	\$223,000.00	Trans I/O:	\$ -

Why Funds Are Available:

The Massachusetts Department of Revenue certified Retained Earnings for the Sewer Enterprise Fund for FY2022 at \$1,738,991. These funds are available for any legal expenditure with the approval of the Mayor and a majority vote of the City Council.

Transfer To:

Account Name:	SEW MAINT-EQUIPMENT	Balance:	\$ 76,530.40
Account Number:	61440002-52406	Category:	\$ 898,761.27
Amount:	\$40,000.00	Trans I/O:	\$ -

Why Funds Are Needed:

To pay the monthly rental costs for a temporary generator at the Wastewater Treatment Facility. The Water and Sewer Commission voted unanimously to support this transfer. See attached memo.

Transfer To:

Account Name:	CIP Generator Replacement	Balance:	\$ -
Account Number:	New account	Category:	\$ -
Amount:	\$183,000.00	Trans I/O:	\$ -

Why Funds Are Needed:

To replace the failed generator at the Wastewater Treatment Facility. The Water and Sewer Commission voted unanimously to support this transfer. See attached memo.

Donna D. Holaday, Mayor:

Donna D. Holaday

Date:

Ethan R. Manning, Auditor:

Ethan R. Manning

Date:

11/23/21

Sponsor: Charles F. Tontar, Councillor At-Large

City Council Approval:



CITY OF NEWBURYPORT
DEPARTMENT OF PUBLIC SERVICES

16A PERRY WAY
NEWBURYPORT, MA 01950
TEL: 978-465-4463 EXT. 1701

ANTHONY J. FURNARI, DIRECTOR
JAMIE TUCCOLO, DEPUTY DIRECTOR/DIRECTOR OF OPERATIONS

MEMORANDUM

TO: Mayor Donna D. Holaday
FROM: Julie Spurr Knight, DPS Business Manager
DATE: November 23, 2021
SUBJECT: Sewer Generator Transfer of Funds

On July 7, 2021 the Waste Water Treatment Facility located at 115 Water Street experienced generator equipment failure. The Chief Operator at the treatment facility immediately procured a rental generator to support the functions of the treatment plant. Trouble shooting and investigation confirmed the generator required replacement. To date the sewer operating budget incurred over \$40,000 of expense to support the monthly cost of generator rental and emergency generator on call services.

An emergency procurement to purchase a replacement generator was conducted and a generator was ordered. The generator delivery and installation is expected in the month of December. The cost to purchase, deliver and install the new generator is \$183,000. The Department of Public Services is requesting a transfer from Sewer Retained earnings in the amount of \$223,000 to fund the expense to the operating budget and the cost of the generator replacement. The Water and Sewer Commission voted unanimously to transfer the funds on November 17, 2021.

**APPOINTMENTS
FIRST READING**



CITY OF NEWBURYPORT
OFFICE OF THE MAYOR
DONNA D. HOLADAY, MAYOR

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

NOV 11 AM 2:00

60 PLEASANT STREET - P.O. BOX 550
NEWBURYPORT, MA 01950
978-465-4413 PHONE
978-465-4402 FAX

To: President and Members of the
City Council
From: Donna D. Holaday, Mayor
Date: November 10, 2021
Subject: Re-Appointment

I hereby re-appoint, subject to your approval, the following named individual as a member of the Conservation Commission. This term will expire on December 15, 2024.

Stephen Moore
10 North Atkinson Street
Newburyport, MA 01950

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

PROFESSIONAL EXPERIENCE

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

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

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

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

EDUCATION

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

COMMUNITY SERVICE

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

From: scan-moores@juno.com <scan-moores@juno.com>

Sent: Monday, November 8, 2021 9:27 AM

To: NBPT Mayor <Mayor@CityofNewburyport.com>

Subject: [Ext]Reappointment to Conservation Commission

external e-mail use caution opening

Hi Donna,

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

Steve Moore



CITY OF NEWBURYPORT RECEIVED
OFFICE OF THE MAYOR CITY CLERK'S OFFICE
DONNA D. HOLADAY, MAYOR NEWBURYPORT, MA
2021 NOV 12 AM 10:29

60 PLEASANT STREET - P.O. BOX 550
NEWBURYPORT, MA 01950
978-465-4413 PHONE
978-465-4402 FAX

To: President and Members of the City Council
From: Donna D. Holaday, Mayor
Date: November 10, 2021
Subject: Appointment

I hereby appoint, subject to your approval, the following named individual as a member of the Planning Board. This term will expire on December 15, 2026.

Jamie Pennington
8 Buck Street
Newburyport, MA 01950

Jamie Pennington
8 Buck St, Newburyport, MA
617-733-1833
jpenn@alum.mit.edu

November 8, 2021

Mayor Donna Holaday
City of Newburyport
60 Pleasant Street
Newburyport, MA 01950

Via email to: dmusumeci@cityofnewburyport.com

Dear Mayor Holaday,

Following Chair Sontag's guidance and after a break from my tenure on the Newburyport ZBA, I am writing to express my interest in joining the Newburyport Planning Board. Please find my resume attached for your consideration.

I would be happy to meet or call to discuss.

Thank you,



Jamie Pennington

Jamie Pennington

8 Buck St, Newburyport, MA
617-733-1833, jpenn@alum.mit.edu

summary Multi-disciplined real estate professional, trained as an architect and with a focus on housing and portfolio management

experience **Director of Portfolio Strategy** since 2019
Director of Acquisitions and Development 2015-2019
Beacon Communities, Boston, MA

Owner since 2009
Boston Apartment Advisors

Managing Director 2009-2014
R.J. Finlay & Co., Nashua, NH

Development Manager 2005-2009
Criterion Development Partners, Dallas, TX/Waltham, MA

Project Manager 2002-2005
Raymond Property Company, Boston, MA

Early Development Work and Architectural Practice 1996-2001

- *Childs Bertman Tseckares (CBT) Architects, Boston, MA*
- *Carpenter & MacNeille Architects and Builders, Beverly Farms, MA*
- *Clark Borins/Oxbow Development, Boston, MA*
- *DiMella Shaffer Architects, Boston, MA*

teaching

- Massachusetts Institute of Technology 2003-2009
Instructor 2003-2009, Adjunct Professor 2006
- Wentworth Institute of Technology 2001
Adjunct Professor

education

- Massachusetts Institute of Technology 2002
Master of Science, Real Estate Development (MSRED)
- Montana State University 1996
Bachelor and Master of Architecture (BArch and MArch)

other

- Mentor, Mel King Institute & Project Destined since 2018
- Co-Chair, MIT Real Disruption Conference Series 2015-2017
- Member, Newburyport Zoning Board of Appeals 2006-2017
- Registered Architect, NCARB/Massachusetts since 1999



CITY OF NEWBURYPORT
OFFICE OF THE MAYOR
DONNA D. HOLADAY, MAYOR

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2021 NOV 12 AM 10:29

60 PLEASANT STREET - P.O. BOX 550
NEWBURYPORT, MA 01950
978-465-4413 PHONE
978-465-4402 FAX

To: President and Members of the City Council
From: Donna D. Holaday, Mayor
Date: November 10, 2021
Subject: Appointment

Donna D. Holaday

I hereby appoint, subject to your approval, the following named individual as a member of Commission on Disabilities. This term will expire on December 15, 2024.

Donna D. Holaday

Omni Raimo
11 Marquand Lane
Newburyport, MA 01950

OMNI P. RAIMO
11 Marquand Lane
Newburyport, MA 01950
781-775-9327
omniraimo@yahoo.com

Service and results-oriented professional credited with a strong ability to establish rapport and maintain respectful, trusting and effective working relationships with internal and external business partners. Successful leader known for effectively coaching and managing others to achieve organizational goals and objectives. Recognized ability to find the right balance between business partnership and employee advocacy to drive business initiatives and results while maintaining employee engagement. A strong track record in benefits administration and full life-cycle recruiting.

EXPERIENCE

Cotting School, Lexington, Massachusetts

Advancement and Outreach Coordinator, September 2019-present

- Maintain the donor database, entry of all gift data and donor information
- Generate targeted reports, verify data, and support the donor segmentation and cultivation activities
- Create personalized and timely acknowledgement letters to recognize gifts and provide donors with accurate receipt information
- Help draft general donor appeals at targeted times and to targeted audiences
- Support the execution of special events to connect with donors, alumni, parents and other constituents to cultivate donors and spread awareness about Cotting School
- Assist with the regular communication with parents about events and notices from the school and other partners
- Support outreach and communication in a wide variety of platforms, including: annual report, newsletters, Blog posts and other social media postings, letters, meetings and advertisements.
- Serve as a job coach for students as part of the students' educational experience
- Assist with marketing initiatives as a member of the Marketing Task Force
- Manage, maintain and create content for Cotting's Facebook, Instagram, Twitter and LinkedIn accounts

Hamilton-Wenham Regional School District, Wenham, Massachusetts

Human Resources and Benefits Administrator, March 2017-August 2019

- Coordinated and delivered key HR processes and programs to ensure high quality HR support to our internal clients across the district
- Managed and ensured success in all day-to-day human resources functions including: Recruiting/Interviewing/Hiring, background checks, onboarding and new hire orientation, COBRA, FMLA, STD and LTD, health, dental, 403b, and flexible spending account, workers compensation and unemployment administration, open enrollment, benefits administration, employee relations and primary HR contact for approximately 400 employees and retirees
- General HR Administrative functions including correspondence generation, record keeping, personnel file maintenance, HRIS entry, etc.
- Supervised one Human Resources Assistant

MiddleOak, Salem, Massachusetts

Temporary Payroll and Human Resources, May 2016-February 2017

- Recruited for payroll and human resources projects, such as audits, ACA, pension and 401k census, to help the company through the end of the year as they were merging

Cotting School, Lexington, Massachusetts

Human Resources Consultant, October 2012-August 2013

- Recruited to be the temporary Human Resources Manager during a leave of absence

Human Resources Manager, November 2007-December 2010

- Headed and ensured success in all day-to-day human resources functions including: Recruiting/Interviewing/Hiring, background checks, onboarding and new hire orientation, COBRA, FMLA, STD and LTD, health, dental, 401K, and flexible spending account, workers compensation and unemployment administration, open enrollment, employee record keeping, and acted as primary HR contact for approximately 200 employees
- Fostered successful vendor relationships
- Audited and maintained employee files and HR databases
- Resolved employee relations/conflict management issues
- Developed and updated job postings, edited manuals, training and handbooks
- Monitored benefits best practices and legal compliance
- Supervised two receptionists
- Researched and attended college job fairs for recruiting and marketing purposes
- Member of the marketing task force

Macy's, Boston, Massachusetts, 2006-November 2007

Human Resources Manager

- Oversaw all day-to-day human resources functions including: recruitment, hiring, onboarding, coaching and counseling, career development and was the primary resource for a building of approximately 400 associates and executives
- Directed succession planning and developed skill assessments per department □ Executed full life-cycle recruitment for approximately 300-450 requisitions, including job postings, candidate identification through: networking, referrals and cold calling, candidate evaluation and resume screening, interviewing, reference checks and offer negotiation
- Addressed employee relation issues, internal investigations and exit interviews and conducted touch bases
- Liaised with the employee union representative to resolve issues
- Coached and counseled employees and supervisors
- Organized the annual performance appraisal process

Macy's, Peabody, Massachusetts, 2005 to 2006

Office Manager

- Collaborated with the human resources manager and human resources pyramid to ensure proper staffing through: recruiting, interviewing and hiring sales-driven, service oriented associates, scheduling interviews, processing new hires and terminations, PeopleSoft input and maintenance, and new hire orientation
- Assessed and addressed performance issues in a timely manner
- Enhanced customer satisfaction through addressing and resolving customer issues
- Expedited all invoice payments, vouchers and other operations financial functions
- Facilitated walk-in applicant traffic, pre-screened, interviewed, and scheduled interviews
- Organized and maintained all paperwork and systems input functions

Macy's, Natick, Massachusetts, 2004 to 2005

Group Sales Manager

- Oversaw all aspects of multiple departments with an annual volume of over \$2.5 million while maintaining customer service as the top priority
- Improved employee performance through identifying areas of opportunity and coaching and counseling
- Successfully supervised a team of fifteen to twenty associates
- Recruited, interviewed, hired and developed sales-driven, service-oriented associates
- Enhanced level of customer service while demonstrating knowledge of store products and services
- Taught training classes
- Resolved employee relations issues
- Produced and delivered mid-year and annual reviews
- Planned and executed successful inventories

Mullen Advertising, Wenham, Massachusetts, 2001 to 2003

Account Coordinator-Public Relations

- Contributed to the success of my account teams through: administrative support, choosing media outlets and pitching stories, acting as the primary contact for general media and client relations, researching and organizing data to maximize our clients' media coverage, and creating media coverage clip reports
- Organized and attended client events, press events and media tours
- Supervised interns assigned to my accounts

EDUCATION, TRAINING AND CERTIFICATION

SHRM-SCP Certification, May 2016

SHRM-SCP Certification Exam Preparation Course, May 2016, Middlesex Community College, Bedford, MA

Management Development Training Program, 2004, Macys East, Braintree, MA

University of Rhode Island, B.S., Fashion Merchandising, 2001 Kingston, RI



CITY OF NEWBURYPORT
OFFICE OF THE MAYOR
DONNA D. HOLADAY, Mayor

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

NOV 16 AM 10:22

60 PLEASANT STREET - P.O. Box 550
NEWBURYPORT, MA 01950
978-465-4413 PHONE
978-465-4402 FAX

To: President and Members of the
City Council

From: Donna D. Holaday, Mayor

Date: November 16, 2021

Subject: Appointment

I hereby appoint, subject to your approval, the following named individual as a Special Police Officer with the Newburyport Police Department to assist the Police Department with traffic details.

Howard M. Adams



CITY OF NEWBURYPORT

POLICE DEPARTMENT

MARK R. MURRAY
CITY MARSHAL

4 GREEN STREET
NEWBURYPORT, MA 01950

TEL: 978-462-4411
FAX: 978-462-0396

November 12, 2021

TO: Mayor Donna Holaday
FR: City Marshal Mark Murray
RE: Special Police Appointment

Mayor,

I am requesting that Howard M. Adams, Retired Sergeant from the Newburyport Police Department, be appointed as a Special Police Officer to assist the police department with traffic details. This police department has had a long and successful program of utilizing retired officers for special work. They are well trained, understand policing and how to effectively monitor and direct traffic.

Our special police roster is limited, with older officers no longer able to continue this work. Having officers such as retired Officer Adams willing to continue is a benefit to the police department's ability to meet the demand of traffic officers.

Howard M. Adams

Thank you for your consideration in this matter. If you need any additional information please let me know.

City Marshal Mark Murray

Howard M. Adams

SUMMARY OF QUALIFICATIONS

Veteran police officer with twenty-eight years of law enforcement experience. Senior member of Newburyport Police Command Staff. Excellent communication and interpersonal skills in leading, training, supervising, and motivating employees to achieve goals and objectives for the betterment of the department. Demonstrated success in developing loyal, long-term, professional relationships with both colleagues and community members. Member of FBI Law Enforcement Executive Development Association. Graduate of Massachusetts Police Leadership Institute and The Municipal Police Academy.

EXPERIENCE

NEWBURYPORT POLICE DEPARTMENT, Newburyport, MA, *Police Sergeant*, 2003-2021

- Supervised patrol officers, detectives and dispatchers on a daily basis
- Responsible for all department crime reporting to the Executive Office of Public Safety
- Managed department's alcohol procedures and testing equipment, reporting directly to the Massachusetts Office of Alcohol Testing
- Domestic Violence Officer and former member of the Jeanne Geiger Crisis Center High Risk Team
- Conducted employee performance evaluations on a quarterly basis
- Trained in Critical Incident Management and School Threat Assessment.
- Massachusetts State 911 administrator
- Original member of the Citizens' Advisory Group
- Managed Motor Vehicle Compliance Program

EDUCATION

Western New England College, Springfield, MA

M.S. Criminal Justice Administration, 1997

Springfield College, Springfield, MA

B.S. Human Services, 1996



CITY OF NEWBURYPORT
OFFICE OF THE MAYOR
DONNA D. HOLADAY, MAYOR

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2021 NOV 17 AM 8:56

60 PLEASANT STREET - P.O. Box 550
NEWBURYPORT, MA 01950
978-465-4413 PHONE
978-465-4402 FAX

To: President and Members of the City Council
From: Donna D. Holaday, Mayor
Date: November 16, 2021
Re: Appointment

I hereby appoint, subject to your approval, the following named individual as a member of the Tree Commission. This term shall expire on December 15, 2024.

Paul Knowlton
37 Milk St. Unit 5
Newburyport, MA 01950

Honorable Mayor Donna Holaday
60 Pleasant Street
Newburyport, MA 01950

Dear Mayor Holaday,

I would like to become a member of the Newburyport Tree Commission.

I have been working with the Tree Commission as a volunteer assisting with Spring and Fall tree maintenance for the past two seasons.

I have been a resident of Newburyport since 1997 and I have witnessed the loss of a tremendous amount of tree cover throughout the city, so I am motivated to help repopulate the city with new healthy, diverse, and appropriately placed trees.

Although I do not have formal training in tree care I worked for four summers during college installing and maintaining trees and shrubs for commercial and residential landscapers. I am an avid perennial gardener with several mature perennial flower beds, and I would like to add my enthusiasm for all things green to the Tree Commission.

I believe I could be an asset to the Tree Commission. I am interested in working on all phases of the Tree Commission mission, especially the planning and efficient use of Tree Commission and city resources.

I hope that you agree that I could add value to the Tree Commission.

My resume is enclosed for your consideration.
Please let me know if you have any questions.

Sincerely,
Paul Knowlton
37 Milk St Unit 5
978-609-4257

PAUL J. KNOWLTON

P.O. BOX 908, NEWBURYPORT, MASSACHUSETTS 01950
(978) 609-4257 | paulknowlton0819@gmail.com

SUMMARY

Software Validation Engineer/Quality Assurance Engineer with experience in the biotech/pharmaceutical industry and the financial services industry. Expert in validating software in FDA regulated environments. Proficient in testing the proprietary software developed by two leading financial services institutions. Firsthand line experience in financial services operations roles. Proven ability to manage a heavy workload and meet deadlines. Known for strong written and oral communications skills.

EXPERIENCE

SUNOVION PHARMACEUTICALS, Marlborough, MA

July 2018-Present

Manager, Computer Systems Quality (March 2021 – Present)

Global Validation Specialist (*contract position*), Computer Systems Quality (July 2018 – March 2021)

- Execute system risk assessments for GAMP 5 Category 4 (configurable) computer systems to confirm they will support GxP business processes and to determine the impact the system will have on patient safety, product quality and data integrity.
- Author validation documentation for systems such as LabVantage LIMS, SAS Life Sciences Analytics and Oracle Empirica Solutions used for clinical development and quality activities in a pharmaceutical environment.
- Instruct system end-users as to the purpose and objectives of Computer System Validation (CSV) and Good Documentation Practices (GDP) so that they are able to correctly execute project validation test scripts.
- Lead periodic reviews of validated systems in production to ensure that they remain compliant and fit for intended use.
- Responsible for initiating corrective actions and improvements guidelines as necessary as part of the periodic review cycle.

SANOFI, Framingham, MA

September 2017-May 2018

Validation Specialist III (*contract position*), Information Technology & Solutions (ITS) - CSV and Compliance

- Developed and executed new procedures for periodic audits of user access for 16 ITS pharmaceutical manufacturing systems and 4,300 system users to ensure compliance with updated ITS SOPs.
- Corresponded extensively with and offered guidance to system user managers to review user access, verify user training and resolve all user access issues for 100% of the system users.
- Supported yearly Laboratory Equipment Requalification Assessment project to confirm compliance with newly created Sanofi Quality Control laboratory equipment requalification assessment SOPs.
- Combined and enhanced ITS SOPs and other documents from the Sanofi Framingham and Allston sites as part of the ITS Document Harmonization project and formatted the documents for migration to GEODE+.

FOUNDATION MEDICINE, Cambridge, MA

August 2016-September 2017

Sequence Principal Consultant, Process Engineering

- Teamed with project managers and software developers to deliver software change requests for Nautilus LIMS and integrated custom applications as required by FDA 21 CFR Part 820 CGMP quality system regulation (QSR) and internal SOPs.
- Scheduled meetings with project stakeholders as needed, and shepherded documentation through the QSR change control process to ensure stakeholders reviewed and approved documentation in a timely manner.
- Wrote and executed Operational Qualifications (OQs) to validate and verify that software changes met the needs of the stakeholders and complied with FDA regulations and internal requirement specifications.
- Reviewed and edited Installation Qualifications (IQs) written by software developers to confirm accuracy and adherence to good documentation practices (GDP).
- Reviewed change control and validation/verification documentation executed by team members for completeness and adherence to GDP.
- Authored non-conformance reports and test execution incident reports as needed after review of executed

- documentation, and collaborated with the compliance department to resolve issues.
- Created and updated work instructions for use by end-users in the FMI laboratories.

CASHSTAR, Portland, ME

September 2014-July 2016

Quality Assurance Engineer

- Designed, developed, and executed test plans and test scripts for desktop and mobile device testing of web-based e-Commerce and digital gifting applications.
- Leveraged proprietary testing automation software to increase productivity, and for regression testing.
- Utilized Agile/Scrum Software Development Lifecycle practices to ensure continuous process improvement.
- Participated with cross-functional team members in daily stand-ups, sprint planning meetings, and sprint retrospectives.
- Used Jira, Confluence, TestRail and BrowserStack to manage and execute project tasks, report and track issues, and to create, update and store team documentation.
- Supported monthly production deployment of system enhancements.

BIOGEN, Cambridge, MA

October 2013-September 2014

Technical Writer/Validation Analyst, IT Data Sciences

- Created and executed test plans and detailed test scripts for web applications per project timelines, and based on business requirements and technical specifications.
- Actively participated in developing business requirements and technical specifications with internal and external cross-functional team members from the beginning of the SDLC until all QA documentation was finalized.
- Published system impact assessments and project quality risk management plans for review by the quality compliance department.
- Wrote and executed installation plans and installation qualifications (IQs) to ensure successful implementation of software.
- Identified, logged, and tracked software defects until all defects were fixed or otherwise resolved.
- Utilized SharePoint and myCIMS to collaborate with cross-functional team members and to route documents for review, electronic signatures, and version control.

PAREXEL INTERNATIONAL CORPORATION, Billerica, MA

August 2006-January 2013

Software Validation Engineer, Perceptive Informatics (now PAREXEL Informatics)

- Collaborated with project managers and programmers at PAREXEL sites in the US, India, and the UK to deliver software change requests (CRs) for clinical trials on time and as demanded by clients, internal SOPs, FDA 21 CFR Part 11 and GxP regulations.
- Evaluated business requirement specification and technical specification updates to identify discrepancies with the corresponding CRs, to ensure business processes remained aligned with client needs, and to recommend process improvements.
- Created and executed test plans, test cases, IQs, and traceability matrices to confirm clinical trial CR amendments worked as intended, to regression test surrounding system functionality, and to verify Oracle database updates using Microsoft Access and a working knowledge of SQL.
- Utilized BugZero to track software defects until resolved with programmers and project management team.
- Reviewed test scripts written by validation services and project management staff to provide supervision and to verify completeness and accuracy.
- Created and updated Visio call flows per client specifications to ensure efficient CR development and timely implementation.

FIDELITY MANAGEMENT AND RESEARCH COMPANY, Merrimack, NH

2005

Quality Assurance Engineer (*contract position*), Fidelity eBusiness Group (FeB)

- Reviewed Systems Design Specifications (SDS) document to determine that it accurately defined a website enhancement using FeB conventions.
- Recommended changes and additions for the SDS to the business analyst and worked with the business analyst to resolve these items.
- Developed and executed test cases for the above enhancement to the Fidelity.com website for the On-Line Trade Exchange (OLTX) QA team.

- Published bug tracking report daily and shared it with project manager, analysts, and programmers, and managed bugs throughout the project life cycle.
- Sustained dialog via phone, email, and meetings with the above groups to exchange updates regarding bug status and open items.
- Worked with FeB development teams and production support to ensure that the third quarter suite of enhancements moved to production without incident.

PFPC GLOBAL FUND SERVICES, Lynnfield and Westborough, MA

1997-2005

Note: Bank of New York/Mellon acquired PFPC Global Fund Services from PNC Bank in 2010

Software Quality Assurance and Tester Intermediate, Advanced Output Solutions (AOS) (2002-2005)

- Executed acceptance testing and provided development and production support for PFPC and AOS largest full service mutual fund transfer agent (TA) client.
- Ensured accurate and complete data transmissions from SuRPAS systems and cooperated with systems staff to resolve data transmission issues.
- Assisted print mail operations to resolve timely production issues concerning trade confirmations, checks and periodic statements.
- Coordinated and directed medium and small size projects involving three PFPC proprietary mainframe TA systems (SuRPAS, FSR and PAR).
- Identified and documented project issues and resolved problems by working with AOS and TA programmers and operations staff.
- Maintained relationships with AOS clients via phone, fax, e mail, and on-site meetings.

Testing Systems Analyst, FSR Acceptance Testing (2000-2002)

- Carried out acceptance testing to support the design, development, implementation, and maintenance of mainframe and windows applications.
- Collaborated with BSAs, programmers, and end users to identify and evaluate requirements for testing new software and software enhancements.
- Developed test plans that ensured software changes will work as they are designed to, and do not adversely affect existing system functionality.
- Executed test cases by manually executing trades, maintaining online screens, and reviewing output to verify its completion and accuracy.
- Projects included large client conversions from competitors' TA systems, fund mergers, and online enhancements.
- Prepared weekly status reports throughout the life cycle of each project referral.

Senior Investor Services Specialist, NSCC Operations (1998-2000)

- Monitored daily NSCC transmissions and resolved rejected and exception items utilizing PFPC mainframe TA systems (PAR and FSR).
- Interacted daily with PFPC clients and broker/dealers via telephone, fax, and e mail to resolve Fund/SERV and networking problems.
- Trained new and less seasoned individual contributors to bring them up to speed and helped them resolve complex problems.
- Teamed with PFPC proprietary systems personnel to identify systems and NSCC interface breakdowns and implement solutions.
- Utilized telephone contacts at the NSCC to ensure accurate transmission of trade and networking data.

Investor Services Specialist, Control Accounting (1997-1998)

- Executed daily settlement responsibilities for PFPC clients utilizing PFPC developed Microsoft windows based software and mainframe systems.
- Reconciled demand deposit accounts using Excel and Lotus 1-2-3 spreadsheet software and Microsoft Access based programs.
- Researched and resolved issues involving shareholder accounts utilizing PFPC mainframes and internal and external contacts.

EDUCATION

Bachelor of Arts, Economics, UNIVERSITY OF MASSACHUSETTS, Amherst, MA

Paul Knowlton

01 April 2021



CITY OF NEWBURYPORT
OFFICE OF THE MAYOR
DONNA D. HOLADAY, MAYOR

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA
2021 NOV 18 PM 5:03

60 PLEASANT STREET - P.O. BOX 550
NEWBURYPORT, MA 01950
978-465-4413 PHONE
978-465-4402 FAX

To: President and Members of the City Council
From: Donna D. Holaday, Mayor
Date: November 18, 2021
Subject: Appointment

I hereby appoint, subject to your approval, the following named individual as a member of Commission on Disabilities. This term will expire on December 15, 2024.

Debbie Campbell
10 Chestnut Street
Newburyport, MA 01950

From: Debbie Campbell <schollcampbell@yahoo.com>

Sent: Monday, November 8, 2021 7:26 PM

To: Donna Holaday <DHoladay@CityofNewburyport.com>; NCODchair@gmail.com

Subject: [Ext]Commission on Disabilities

Dear Mayor Holaday,

I would like to put forth my name to volunteer to serve on the Newburyport Commission on Disabilities.

I am a Newburyport resident living at 10 Chestnut St for the past 7 years and 18 Jefferson St. for 16 years previously. I am currently employed as an Administrative Assistant at a vocational school where I have worked for 19 years.

Previous to working in the school system I worked for various organizations for 15 years that serviced people with various disabilities: Northeast Independent Living, Goodwill Industries, the State Department of Mental Health in Lawrence, the Point After Club. I have a Bachelor of Science degree in Rehabilitation Services Education from the University of Connecticut. I have done vocational evaluation, vocational counseling, ADA surveys and advocacy.

I would appreciate your consideration of my interest and experience to serve on the NOCD.

Thank you for your time and attention to this letter.

Sincerely,

Debbie Scholl Campbell

cc: Jennie Donahue

Donna Holaday

From: Debbie Campbell <schollcampbell@yahoo.com>
Sent: Thursday, November 11, 2021 9:47 AM
To: Donna Holaday; ncodchair@gmail.com
Subject: [Ext]Resume for Debbie Campbell for Commission on Disabilities

external e-mail use caution opening

Debbie Scholl Campbell
10 Chestnut Street, Newburyport, MA 10950
978-239-2250
schollcampbell@yahoo.com

23 years Administrative Assistant School Experience 1998-Present

- Essex North Shore Agricultural and Technical School, Formerly Essex Aggie since 2006
- Amesbury Middle School
- New England League of Middle Schools
- Governor Dummer Academy

18 years Human Services Work History

- Clerical Unit Coordinator, Point After Club, Mental Health and Retardation Services, Inc
- Skills Specialist, Northeast Independent Living
- Assistant Program Coordinator/Job Developer, North Shore Assoc. for Retarded Citizens, Danvers, MA
- Professional/Foster Parent, NFI, Danvers, MA
- Case Manager, DMH, Lawrence, MA
- Rehabilitation Counselor/Vocational Evaluator, Goodwill Industries, Lowell, MA
- Vocational Evaluation Counselor, EMARC, Stoneham, MA
- Group Home Relief Staff, EMARC, Melrose
- Vocational Evaluator, FAVARH, Avon, CT

Business Experience

- 1988-1989 Owner, Other Points Needlework, Newburyport, MA
- 1986-1987 Manager, State Street Candle and Mug, Newburyport, MA
- Have worked various part-time retail positions 1986 to present

Activities

- Leadership Role in AFSCME Local 245, past three years
- 7 years as a ceramic artist and 40+ years as a hobby craftsperson

1990s:

- Community Member, School Council, Cashmen Elementary School, Amesbury

- Special Needs Notifier, Amesbury Emergency Management Agency, Amesbury
- Community Access Monitor, MA Office on Disabilities, Boston

Education

Bachelor of Science Degree, Rehabilitation Services Education, University of Connecticut



CITY OF NEWBURYPORT
OFFICE OF THE MAYOR
DONNA D. HOLADAY, MAYOR

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2021 NOV 22 PM 3:50

60 PLEASANT STREET - P.O. BOX 550
NEWBURYPORT, MA 01950
978-465-4413 PHONE
978-465-4402 FAX

To: President and Members of the
City Council

From: Donna D. Holaday, Mayor

Date: November 22, 2021

Subject: Appointment

I hereby appoint, subject to your approval, the following named individual as a member of the Community Preservation Act Committee. This term will expire on February 1, 2023.

Joseph Morgan
55 Hill Street
Newburyport, MA 01950

Joseph M. Morgan
55 Hill Street
Newburyport, MA 01950
Telephone (857) 829-7088

Education: Massachusetts Institute of Technology
Bachelor of Science in Art and Design, 1979

L'Institut de L'Administration des Entreprises
Sorbonne, Paris, 1985

Professional Registration: Massachusetts Board of Architects Lic. No. 7902

Experience :

Wilson Architects (now HGA)
Boston, MA
1999 - 2019

Project manager and/or project architect and planner on diverse academic and/or research laboratories. Responsibilities include: client meetings, program, schedule, budget, basis of design documentation, code analysis and consultant coordination and contracts. Projects at WA include:

University of Delaware: Physics Building Renovation feasibility study and basis of design; New Science Building programming; masterplan for Engineering Campus.

Duke University: Campus masterplan to study phased densification and pedestrian/vehicular improvements (in conjunction with landscape concepts).

MIT MIT.nano: Project architect and planner for 40,000 sf semiconductor cleanroom and electron microscope suite and support spaces. Coordinated liaisons with engineering disciplines and MIT office of environmental health and safety.

University College Dublin, Ireland: Science Centre masterplan; renovation and additions to existing 120,000 sf chemistry building; new 135,000 sf computational and teaching labs. Contract includes basis of design and laboratory fitout construction documents.

University of Chicago: Enrico Fermi and James Franck Institute renovation studies; renovation of Jones Chemistry building to enable Searle Chemistry Lab renovation; Searle Lab Cleanroom basis of design.

Harvard University LISE (Laboratory for Interdisciplinary Science and Engineering). Project contract administration and closeout including commissioning and validation of high-performance microscopy and cleanroom suite.

Harvard University Hau Lab: 8,000 sf high performance laser lab for Department of Engineering and Applied Physics (now School of Engineering and Applied Physics).

CIC nanoGUNE, San Sebastián, Spain: laboratory planning and design for 80,000 sf nanoscience and technology building. Included construction documents for lab fitout portion of building. Separate contract for design and construction documents for 3,000 sf clean room.

Boston University Marine Program: teaching lab and synthetic seawater lab for relocation of Woods Hole scientists to BU campus.

Princeton University Yazdani Lab: 10,000 sf high-performance STM laboratory from planning through construction. Included five STM rooms of which three were vibration-isolated and one RF-shielded.

Trinity College Dublin, Ireland: 70,000 sf nano science and technology building. WA provided the basis of design and laboratory fitout construction documents.

University of North Carolina, Chapel Hill Sciences Master Plan: 500,000 sf of new space for chemistry, physics, marine sciences, materials science, computer science and math.

University of North Carolina, Chapel Hill Phase I: 140,000 sf new chemistry building and 120,000 sf new physics/marine sciences building including the Institute for Advanced Materials fitout. I served as project manager for three years during which time I coordinated all IBC code reviews with the Department of Insurance and led the site enabling, utility and site decontamination design.

University of North Carolina Chapel Hill Phase II: site enabling, phasing and utility design scope.

Duke University: phased science master plan for renovation and new construction.

Vanderbilt University School of Engineering: building envelope job captain on Featheringill and Jacobs Halls. Included new construction and renovation work.

Vanderbilt University Biosciences/Medical Research Building III: detailed laboratory fitouts.

Warner + Associates
Boston, MA
1995 - 1999

Project Manager on healthcare projects in the Boston area.

Cambridge Health Alliance Maternity Suite and Psychiatric Emergency Room

Cambridge Health Alliance Satellite Health Centers, Cambridge and Somerville

Hoskins Scott and Partners
Boston, MA
1991 - 1995

Sturdy Memorial Hospital, Attleboro, MA: project architect and job captain for clinical diagnostic lab and intensive care unit.

Cape Cod Hospital: designer for new emergency room addition and maternity and oncology addition studies. Project architect for surgeon's lounge.

Ellenzweig Associates
Cambridge, MA
1988 - 1991

University of Virginia, Charlottesville: lab designer for new chemistry building.

John Hopkins University: lab designer and envelope designer for Remson Hall renovations and additions.

Post Office Square Park, Boston: designer and detailer for park pergola and café structures.

Massachusetts College of Art: designer and detailer for renovations to jewelry, foundry, kiln and paper studios.

Harvard University Schreiber Lab: lab designer and detailer for 30-person synthetic chemistry lab in Conant and Converse chemistry buildings.

Hammer Kiefer and Todd
Cambridge, MA
1986 - 1988

West Roxbury High School, West Roxbury, MA: designer and detailer for façade renovation.

Prospect Hill Congregational Church Condominium, Somerville, MA: designer for historic renovation and adaptive reuse.

Zodiac S.A.
Paris, France 1985 - 1986

Technical manual writer for civil and defense aviation gear; industrial design of mechanical components.

Guy Naizot Associés
Paris, France 1983 - 1984

French Embassy, Riyadh, Saudi Arabia: designer

Sumner Schein
Boston, MA 1982

Arsenal Market, Watertown, MA: designer and detailer

Frank L. Hope
San Francisco, CA 1980 - 1981

Prison prototype for the State of California

Professional Organizations:

AIA/BSA, UGIM (University Government Industry Micronano)



CITY OF NEWBURYPORT
OFFICE OF THE MAYOR
DONNA D. HOLADAY, MAYOR
RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA
NOV 23 AM 11:08

60 PLEASANT STREET - P.O. Box 550
NEWBURYPORT, MA 01950
978-465-4413 PHONE
978-465-4402 FAX

Donna D. Holaday

To: President and Members of the City Council
From: Donna D. Holaday, Mayor
Date: November 23, 2021
Subject: Appointment

I hereby appoint, subject to your approval, the following named individual as a member of the Human Rights Commission. This term will expire on December 30, 2024.

Nikhil Gehani
18 Strong Street
Newburyport, MA 01950

Dear Mayor Holaday,

I would like to submit for your consideration my interest in joining the Human Rights Commission of the City of Newburyport as a volunteer commissioner. As the son of immigrants, I've experienced what it means to live in a truly inclusive community – and what it means to live in the opposite.

Growing up in the Midwest, I thought the stories my mother told me - of being the subject of racial and xenophobic verbal abuse – were relics of the past. But when I experienced it over several years and in several different manners, I realized we had much work to do.

In my professional life, I work at a nonprofit organization committed to advancing equity and opportunity in America, with a particular focus on areas such as education and economic mobility. Prior to this, I worked for organizations doing the same in sub-Saharan Africa, Asia, and Latin America. In these roles, I've learned not only how to navigate cultural differences but how to find points of overlap and similarity. It takes real, substantive action to ensure all people have the chance to build fruitful lives and live in inclusive communities.

As a Newburyport resident and parent, I'd like to help ensure that this wonderful community continues to uphold the human rights of all persons, and become a beacon of inclusivity for the surrounding region. I believe that, given my expertise in communications, branding and marketing, coupled with my commitment to diversity, inclusion and equity, I can make meaningful contribution to the Human Rights Commission as well as the City of Newburyport.

I appreciate your time and consideration.

Sincerely,
Nikhil Gehani

18 Strong Street
Newburyport, MA

Nikhil Gehani

Objective

I am passionate about using marketing and consumer strategy to help brands achieve organizational objectives. I thrive at the intersection of brand, innovation, and impact.

Experience

Key Accomplishments:

1. [Brand Building]:
Developed the Inclusive Fintech 50 brand to elevate inclusive fintech startups - in its first two years it attracted over 1,000 applications from 100+ countries.
2. [Brand Equity]:
Repositioned the MIX brand, which contributed to the nonprofit's acquisition by industry-leader Accion Int'l.
3. [New Business]:
Pitched and won \$2MM+ from General Motors to create a first-in-class website and a real-time social media marketing pilot program, BrandLive.

December 2020 – current

Associate Partner of Communications, [New Profit](#)

I lead and manage the four-person communications team at the pioneering venture philanthropy organization that invests in social entrepreneurs creating equity and opportunity in America. I oversee relationships with our creative agency and PR agency partners to create high-impact creative experiences; identify, select, and activate on-site and virtual speaking opportunities; and implement our earned media strategy. I support the social media, profile-building, and thought leadership strategies for several key leaders; work closely with the donor relations team to develop and implement stewardship efforts and new donor pitches (including the upcoming Giving Pledge Annual Gathering); secure paid media partnerships with outlets including Worth Media and Social Innovation Summit; and oversee the email, social media, website, and content programs for New Profit.

February 2018 – December 2020

Director of Marketing & Communications [MIX \(a division of Accion\)](#)

I led the communications strategy and execution for a global nonprofit focused on inclusive finance. In this role, I (1) managed the MIX brand and initiatives across owned, earned, and paid channels, (2) supported social entrepreneurs building inclusive financial services, and (3) built the profile of our team through events and articles. I learned how to create big brand impact with limited resources, how to inspire and manage team members and external vendors, and how to effectively guide and support senior leadership including our CEO, COO, and Board of Directors. I also developed the comms strategy for a major restructuring and our acquisition in June 2020 by Accion's Center for Financial Inclusion.

July 2015 – January 2018

Manager, Marketing & Comms [Microfinance Information Exchange \(MIX\)](#)

After grad school I joined a 20-year old nonprofit to rejuvenate its brand, which had gathered dust in a rapidly evolving industry. Through a major website and brand strategy redesign, I positioned MIX for its next chapter, enabling the team to develop new program lines, secure new funding partners, and build strategic partnerships. I also boosted our leadership's visibility by securing speaking and panelist roles at the United Nations General Assembly, SOCAP, European Microfinance Week, and Malaysia Fintech Week, among others. MIX and its initiatives have been featured in *NPR*, *The Economist*, *VentureBurn*, *Disrupt Africa*, *The Wall Street Journal*, and several local and regional outlets. My writing has been featured in *NextBillion*, *ImpactAlpha*, *TechCrunch*, and more ([samples](#)).

August 2013 – June 2015

Graduate Student [George Washington University](#)

I spent two years learning how startups, through innovative products, partnerships, and business models, could reduce poverty and create inclusive economies. I supplemented my coursework in International Development through internships with a startup impact investment firm, Encite Capital, a social enterprise in Kenya developed by Water & Sanitation for the Urban Poor, and the impact investing media company ImpactAlpha. Fun facts: I wrote the winning essay for the Bretton Woods Committee competition that encouraged the international financial institutions to deepen their utilization of impact investments and was the graduate speaker at GWU's Graduate Welcome Ceremony.

January 2011 – July 2013

Brand Strategist [Digitas](#)

Emerging from the Great Recession, I led the digital consumer strategy for Buick, GMC, and Owens Corning, sifting through MRI and comScore data, surfacing customer insights for creative briefs, and ensuring our efforts led to meaningful business outcomes. I led the creative team through idea generation, concept development, and execution across digital advertising, website, event activations, and online integrations. I led the strategy for General Motors' digital-first owner experience and its Investor Relations website.

March 2010 – December 2010

Social Media Data Analyst [Digitas](#)

Like most brands at the time, General Motors was relatively new to Facebook, Twitter, and YouTube. I helped our clients understand the evolving space, measure sentiment and engagement, and adapt marketing and product strategies based on deep data analysis. In this role I learned not only how to use data to generate actionable insights, but the importance of data to decision making in communications and branding.

August 2008 – February 2010

Ad Coordinator [GTB | Ogilvy](#)

In my first role out of undergrad, I supported the internal ad operations at Ford Motor Company's agency-of-record. While there, I learned how to (1) 'manage up' with different personalities, (2) succeed in a fast-paced environment, and (3) manage multiple projects with a keen eye for detail. I also picked up a mentor who helped me refine my writing skills.

Education

B.A. Marketing

Michigan State

M.A. Int'l Development

George Washington

Skills

- Strategic communications
- Digital marketing
- Brand development and management
- Presentation design
- Stakeholder engagement and communications
- Leadership and collaboration

Interests

I'm an avid commuter cyclist, Tottenham Hotspur supporter, and weekend trail runner.

I also play the drums, write short stories, and enjoy vegetable gardening.

Contact

Newburyport, MA 01950

+1 (248) 388-1630

nikhil@nikhilgehani.com

[linkedin.com/in/nikhilgehani](https://www.linkedin.com/in/nikhilgehani)

www.nikhil-gehani.com

END OF CONSENT AGENDA

BEGINNING OF REGULAR AGENDA

COMMUNICATIONS

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2021 NOV 29 AM 9:51

From: Jillian Bayko <jillianbayko@gmail.com>
Date: November 27, 2021 at 10:36:37 AM EST
To: byron@byronlanenbpt.com
Subject: Moseley Woods - Ferry Road Fence

Counselor Lane,

I am writing to request the installation of a fence along the back side of our favorite dog park. On behalf of the precious dogs we've seen lost to the dangers of Ferry Road, I want to make Moseley Woods a safer place for our beloved fur babies to run and play.

Moseley is one of the biggest reasons that I made the decision to move to Newburyport this past April. I love this city for its dog community and the number of places I have to take my dogs to run off leash. Making a visit to the park almost daily, I have made most of my local friends in those woods.

The people and dogs of Moseley love that park. It's an amazing place for dogs to play and people to make friends. Many of us have made Moseley a daily stop, so everyone takes time to get to know each other and know each dog by name. They are our "Dogs of Moseley Woods," as is the name of the Facebook group through which we connect.

Yesterday, one of our beautiful babies was lost in a tragic accident on Ferry Road. A young puppy life lost and a family that had to leave Moseley Woods without their furriest family member. The loss is devastating, and it's not the first.

If there's one thing I know the people in this community will fight for, it's our dogs. Building a simple fence would contain our dogs to their park and prevent this devastation from happening to another family in this community. In turn, it would make Ferry a safer road for drivers.

I'd like to thank you for noticing my call to action on Facebook and taking this step to get a Ferry Road fence on the agenda. I am happy to be a part of this conversation, help in any way that I can, and, if necessary, seek donations from the people that I know love their dog park more than anything.

With love for the dogs of Newburyport,

Jillian

THE COMMONWEALTH OF MASSACHUSETTS

City OF Newburyport

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

APPLICATION FOR A LICENSE TO BUY, SELL, EXCHANGE
OR ASSEMBLE SECOND HAND MOTOR VEHICLES
OR PARTS THEREOF

2021 NOV 17 AM 8:09

I, the undersigned, duly authorized by the concern herein mentioned, hereby apply for a _____ class license, to Buy, Sell, Exchange or Assemble second hand motor vehicles or parts thereof, in accordance with the provisions of Chapter 140 of the General Laws.

1. What is the name of the concern? Plum Autoworks Inc

Business address of concern. No. 71 Storey Ave St.,
Newburyport MA City — Town.

2. Is the above concern an individual, co-partnership, an association or a corporation? Corp

3. If an individual, state full name and residential address.

4. If a co-partnership, state full names and residential addresses of the persons composing it.

5. If an association or a corporation, state full names and residential addresses of the principal officers.

President Nancy J London 11 Warrenton Rd Haverhill MA 01832

Secretary " "

Treasurer " "

6. Are you engaged principally in the business of buying, selling or exchanging motor vehicles? yes

If so, is your principal business the sale of new motor vehicles? No

Is your principal business the buying and selling of second hand motor vehicles? yes

Is your principal business that of a motor vehicle junk dealer? No

7. Give a complete description of all the premises to be used for the purpose of carrying on the business.

Premises Located At 71 Storey Ave Approx Frntg
100 Ft office Bldg Consisting of 2 offices Lot is
Approx 100 Ft in depth From St

8. Are you a recognized agent of a motor vehicle manufacturer? No
(Yes or No)

If so, state name of manufacturer _____

9. Have you a signed contract as required by Section 58, Class 1? No
(Yes or No)

10. Have you ever applied for a license to deal in second hand motor vehicles or parts thereof? yes
(Yes or No)

If so, in what city — town Newburyport ma

Did you receive a license? yes For what year? Past 15 YRS
(Yes or No)

11. Has any license issued to you in Massachusetts or any other state to deal in motor vehicles or parts thereof
ever been suspended or revoked? No
(Yes or No)

Sign your name in full

John Paulsen Gen Mgr
(Duly authorized to represent the concern herein mentioned)

Residence 11 Warrenton Rd Haverhill MA
01832

IMPORTANT

EVERY QUESTION MUST BE ANSWERED WITH
FULL INFORMATION, AND FALSE STATEMENTS
HEREIN MAY RESULT IN THE REJECTION OF
YOUR APPLICATION OR THE SUBSEQUENT
REVOCATION OF YOUR LICENSE IF ISSUED.

NOTE: If the applicant has not held a license in the year prior to this application, he must file a duplicate of the application with the registrar. (See Sec. 59)

APPLICANT WILL NOT FILL THE FOLLOWING BLANKS

Application after investigation _____
(Approved or Disapproved)

License No. _____ granted _____ Fee \$ _____

Signed _____

CHAPTER 140 OF THE GENERAL LAWS, TER. ED., WITH AMENDMENTS THERETO (EXTRACT)

SECTION 57. No person, except one whose principal business is the manufacture and sale of new motor vehicles but who incidentally acquires and sells second hand vehicles, or a person whose principal business is financing the purchase of or insuring motor vehicles but who incidentally acquires and sells second hand vehicles, shall engage in the business of buying, selling, exchanging or assembling second hand motor vehicles or parts thereof without securing a license as provided in section fifty-nine. This section shall apply to any person engaged in the business of conducting auctions for the sale of motor vehicles.

SECTION 58. Licenses granted under the following section shall be classified as follows:

Class 1. Any person who is a recognized agent of a motor vehicle manufacturer or a seller of motor vehicles made by such manufacturer whose authority to sell the same is created by a written contract with such manufacturer or with some person authorized in writing by such manufacturer to enter into such contract, and whose principal business is the sale of new motor vehicles, the purchase and sale of second hand motor vehicles being incidental or secondary thereto, may be granted an agent's or a seller's license; provided, that with respect to second hand motor vehicles purchased for the purpose of sale or exchange and not taken in trade for new motor vehicles, such dealer shall be subject to all provisions of this chapter and of rules and regulations made in accordance therewith applicable to holders of licenses of class 2.

Class 2. Any person whose principal business is the buying or selling of second hand motor vehicles may be granted a used car dealer's license.

Class 3. Any person whose principal business is the buying of second hand motor vehicles for the purpose of remodeling, taking apart or rebuilding the same, or the buying or selling of parts of second hand motor vehicles or tires, or the assembling of second hand motor vehicle parts, may be granted a motor vehicle junk license.

SECTION 59. The police commissioner in Boston and the licensing authorities in other cities and towns may grant licenses under this section which will expire on January first following the date of issue unless sooner revoked. The fees for the licenses shall be fixed by the licensing board or officer, but in no case shall exceed \$100. dollars. Application for license shall be made in such form as shall be approved by the registrar of motor vehicles, in sections fifty-nine to sixty-six, inclusive, called the registrar, and if the applicant has not held a license in the year prior to such application, such application shall be made in duplicate, which duplicate shall be filed with the registrar. No such license shall be granted unless the licensing board or officer is satisfied from an investigation of the facts stated in the application and any other information which they may require of the applicant, that he is a proper person to engage in the business specified in section fifty-eight in the classifications for which he has applied, that said business is or will be his principal business, and that he has available a place of business suitable for the purpose. The license shall specify all the premises to be occupied by the licensee for the purpose of carrying on the licensed business. Permits for a change of situation of the licensed premises or for addition thereto may be granted at any time by the licensing board or officer in writing, a copy of which shall be attached to the license. Cities and towns by ordinance or by-law may regulate the situation of the premises of licensees within class 3 as defined in section fifty-eight, and all licenses and permits issued hereunder to persons within said class 3 shall be subject to the provisions of ordinances and by-laws which are hereby authorized to be made. No license or permit shall be issued hereunder to a person within said class 3 until after a hearing, of which seven days' notice shall have been given to the owners of property abutting on the premises where such license or permit is proposed to be exercised. All licenses granted under this section shall be revoked by the licensing board or officer if it appears, after hearing, that the licensee is not complying with sections fifty-seven to sixty-nine, inclusive, or the rules and regulations made thereunder; and no new license shall be granted to such person thereafter, nor to any person for use on the same premises, without the approval of the registrar. The hearing may be dispensed with if the registrar notifies the licensing board or officer that a licensee is not so complying. Any person aggrieved by any action of the licensing board or officer refusing to grant, or revoking a license for any cause may, within ten days after such action, appeal therefrom to any justice of the superior court in the county in which the premises sought to be occupied under the license or permit applied for are located. The justice shall, after such notice to the parties as he deems reasonable, give a summary hearing on such appeal, and shall have jurisdiction in equity to review all questions of fact or law and may affirm or reverse the decision of the board or officer and may make any appropriate decree. The decision of the justice shall be final.

APPLICATION FOR A LICENSE TO BUY, SELL,
EXCHANGE OR ASSEMBLE SECOND HAND
MOTOR VEHICLES OR PARTS THEREOF.

APPLICANT WILL NOT FILL THE FOLLOWING BLANKS

Application No. _____

Class _____ License No. _____

Name _____

St. and No. _____

City — Town _____

Date Issued _____

Remarks _____

SELECTMEN

MAY 18 2004

RECEIVED

Memorandum

To: Municipal Licensing Authorities of Motor Vehicle Dealers
From: William E. McVey, Deputy General Counsel
Date: May 2004
Re: Issues Relating to Class 2 Dealers under G.L. 140, Section 58

1. Purpose

The primary purpose of this Memorandum is to provide information to Cities and Towns about the amendments relative to Class 2 dealers that were made to G.L. c. 140, §58 by Chapter 422 of the Acts of 2002 (a copy of which is enclosed). The Legislature amended Section 58 to require Class 2 dealers to post and maintain a bond (or, if permitted, equivalent proof of financial responsibility, e.g., certificate of deposit or letter of credit) with the municipal licensing authority in the amount of \$25,000. The amendments also authorize the licensing of two additional types of businesses engaged in used vehicle sales. The amendment became effective almost a year ago, on March 24, 2003, but some municipalities may be unaware of it and some other issues remain to be clarified.

2. Bond Requirement

The bond requirement is only applicable to Class 2 dealers. It is not applicable to a Class 1 dealer who buys and sells used vehicles and it is not applicable to a Class 3 dealer who sells used vehicles. The bond is for the benefit of a person who purchases a vehicle from the Class 2 licensee and suffers a financial loss. The list of intended beneficiaries is contained within the Act. The bonding requirement modifies the municipal licensing process for Class 2 dealers (and affects the dealer's ability to retain the license). It also affects the RMV, since the agency is prohibited from knowingly issuing or renewing Dealer Plates if it becomes aware that a Class 2 dealer lacks the legally required bond. The RMV will revoke the General Registration and Dealer Plates when it becomes aware the dealer does not have a bond or when it is informed by a municipality that it has revoked a Class 2 license. The RMV has become aware that some municipalities are not enforcing the bond requirement and have been licensing Class 2 dealers without a bond. A municipality that fails to enforce the bond requirement faces potential liability from claimants under the bond.

3. Dealers Subject to Bond Requirement

All Class 2 dealer-licensees (no exceptions) renewing or obtaining a new license in 2004 (and in future years) are subject to the bonding requirement of \$25,000. This is true even if the dealer is not selling vehicles covered by the warranty requirements of G.L. c.90, §7N ¼. G.L. c.140, §58 (c)(1) states:

The person shall obtain a bond, or equivalent proof of financial responsibility as described in paragraph (5), and continue in effect a surety bond or other equivalent proof of financial responsibility satisfactory to the municipal licensing authority in the amount of \$25,000 executed by a surety company authorized by the insurance department to transact business in the commonwealth.

The law prohibits a city or town licensing authority from issuing or renewing a Class 2 license unless it is satisfied that a bond or the equivalent meeting the requirements of the law is in effect during the term under which the license shall be issued or renewed. Note also that if a dealer has more than one location in a City or Town and goes by a different name at the other location(s), the dealer needs a separate bond for each location

at which it uses a different name. If a dealer has locations in more than one City or Town, separate bonds must be obtained for each municipality.

4. Bond Issue Clarifications

Two issues needing clarification have recently been raised as to the bond/equivalent requirement.

(a) **Certificates of Deposit and Letters of Credit:** The first has to do with the place where certificates of deposit or irrevocable letters of credit may be deposited. Section 58 (c)(1) states, in part:

In lieu of the bond required by this section, the municipal licensing authority may allow the dealer to deposit collateral in the form of a certificate of deposit or irrevocable letter of credit, as authorized by the banking laws of the commonwealth... The collateral may be deposited with or executed through any authorized state depository designated by the commissioner...

The statute does not define "authorized state depository" but the Massachusetts Commissioner of Banks has issued an opinion to the Registrar, dated March 5, 2004, stating that "the definition covers any state or federally chartered bank or credit union with a banking office in the Commonwealth which has federal deposit insurance." The Commissioner has recommended that if a "Certificate of Deposit" is used, it should be titled:

"Commonwealth of Massachusetts, name of municipality, In Trust for (dealer) under Massachusetts General Laws chapter 140, section 58"

The Commissioner also recommends that an assignment should be executed, and that a municipality wishing to do so should contact the State Treasurer's Office to discuss the mechanics of that option. The Treasurer's Office is familiar with Certificates of Deposit and other alternative collateral since that office holds such collateral for certain licensees of the Commissioner of Banks.

(b) **Filing the Bond with Licensing Authorities:** The second issue relates to the manner in which the bond should be filed and filled out. The original of the bond needs to be filed with the City or Town when an initial Class 2 license is issued. On renewal, the licensing authority should insist on either a new original bond with power of attorney attached or an original continuation certificate showing that the existing bond is valid through the end of the next license period. Bonds may be written for more than one year so a municipality should be sure the bond covers the whole period during which the Class 2 license will be in effect. The amended statute does not specify the manner in which the bond should be filled out. However, a bond should clearly identify the parties and the purpose of the bond. For example:

Town of Willingboro, as obligee for the benefit of a person who purchases a vehicle from (name of dealer) and suffers a loss as defined by G.L. 140, Section 58.

5. Class 2 Licensee Definition Expanded

The definition of a Class 2 dealer was expanded to include two additional categories of used vehicle sellers that were not previously required to obtain a Class 2 license. A Class 2 licensee had always been defined as a person whose principal business is the buying or selling of second hand motor vehicles. The amended law allows a license to be issued even though it is not the applicant's principal business or he/she is not actually a seller. G.L. c. 140, §58 (c) now reads, in part:

(c) Class 2. A person whose principal business is the buying or selling of second hand motor vehicles, a person who purchases and displays second hand motor vehicles for resale in retail transactions, and any other person who displays second hand motor vehicles not owned by him pursuant to an agreement in which he receives compensation, whether solely for displaying the vehicles, upon the sale of each vehicle, or otherwise, may be granted a used car dealer's license

6. Comment on the Expanded Definition of Class 2 Licensee

(i) "... a person who purchases and displays second hand motor vehicles for resale in retail transactions."

This seller is a dealer of motor vehicles at retail even though it may not be his/her principal business and buys vehicles in order to sell them at retail to make a profit. A person who is selling or negotiating the casual sale of his/her own vehicle (one registered to him/her or to a spouse, another relative, a friend, etc.) is not required to obtain a Class 2 license, in the view of the RMV. Nor is a company that leases

vehicles for the use of its employees and then allows the employee to purchase the vehicle at the expiration of the lease. This provision may be applicable to a local garage or other business that purchases vehicles at auction (or from other sources) and repairs or reconditions them and offers them for sale. Any vehicles this licensee sells to a consumer will be subject to the state-mandated warranty protection of G.L. c.90, §7N¼, and the dealer must maintain or demonstrate access to repair facilities sufficient to enable him/her to satisfy the warranty repair obligations imposed by that section. The licensee must comply with the Consumer Protection Act, G.L. 93A and the Regulations of the Attorney General, and must post the required warranty notices on vehicles offered for sale. As a Class 2 licensee, this dealer is also required to maintain a Used Vehicle Record Book pursuant to G.L. 140, §62. The "authorized officers" identified in G.L. c.140, §66 (State Police, Attorney General, Chief of Police, Police Commissioner in Boston, the Selectmen of a Town, or police officers authorized by said officials) "may at any time enter upon any premises used by any person licensed under section fifty-nine for the purpose of carrying on his licensed business, ascertain how he conducts the same and examine all second hand motor vehicles or parts thereof kept or stored in or upon the premises, and all books, papers and inventories relating thereto."

(ii) "...any other person who displays second hand motor vehicles not owned by him pursuant to an agreement in which he receives compensation, whether solely for displaying the vehicles, upon the sale of each vehicle, or otherwise." This is a person who does not own the vehicles he displays on his property but he receives compensation for the display or the sale from the vehicle's owner. These are usually consignment sales and they should only involve privately owned vehicles. RMV regulations prohibit the holder of a dealer plate from offering vehicles for sale anywhere other than the licensed premises of the dealer (except for sales at recognized automobile auction facilities or at combined-dealer special sale events). Therefore, a dealer who has been issued Dealer Plates may not display other dealer's vehicles on his/her own lot or display his own vehicles on other dealers' lots. However, any licensed Class 2 dealer who has received Dealer Plates from the RMV may display vehicles for sale on the dealer's lot that are owned by a private party and held for consignment, but the vehicle must be entered in the dealer's Used Vehicle Record Book as a consignment vehicle. (The dealer cannot, however, attach its own Dealer Plate to allow a test drive of the consigned vehicle because the dealer does not own the vehicle. If a test drive is contemplated, the vehicle's owner may opt to leave his/her own valid registration plates on the vehicle if the owner's liability insurance will cover a test drive). The record keeping and inspection requirements as contained in 6.(i) (above) are applicable here also.

7. **Local Review Needed** Municipalities are urged to review the Class 2 licenses they have issued in 2004 to ensure that the bond requirement has been met for each license.

8. **A Note About Licensees Working From Home**

The RMV is aware that some municipalities have been issuing Class 2 licenses even though the applicant is doing business from his/her home. Class 2 licensees almost always apply to the RMV for Dealer Plates. The process is that the RMV asks the State Police to perform a site visit to determine if the dealer has a facility that is appropriate for the issuance of such plates. After the visit, the Trooper makes a report and recommendation to the RMV. If the licensed premises do not comply with the relevant provisions of G.L. c.90 and the Regulations of the Registrar at 540 CMR 18.00, the application for plates will be denied.

Definition of "Dealer." M.G.L. c. 90, 1, defines a "dealer" as: "any person who is engaged principally and substantially in the business of buying, selling or exchanging motor vehicles or trailers or motor vehicle bodies who maintains a facility dedicated to carrying out said business...." (Emphasis added). An applicant for General Registration Dealer Plates must be principally and substantially engaged in the business and have the required dedicated facility. Even a dealer who sells solely on a "wholesale basis" (although no such Class 2 license category exists) must have the required dedicated facility. The RMV will not issue Dealer Plates to an applicant if his/her business is located within the personal living

quarters of a residential building, whether or not the dealer or someone else actually resides there or whether no one resides there. The law regarding the issuance of dealer plates is clear and plates will not be issued even if the municipality has issued a dealer's license for that location.

Further, the regulations at 540 CMR 18.02(2)(a) were adopted under the Registrar's authority and contain the requirements that a dealer must meet to receive or retain Dealer Plates. These requirements indicate the nature of the required "facility." Generally, the following are relevant to a used vehicle dealer:

- > The dealer's business is situated within a permanent building or permanently affixed structure, including an office trailer, owned or leased by the dealer for his exclusive use and located at the address of record noted on the dealer's license issued under the provisions of M.G.L. 140, §59. Except for a dealer who exchanges vehicles or trailers solely on a wholesale basis, the dealer shall be open to the public.
- > The building, structure or office trailer must have adequate office space to conduct the business.
- > If more than one business is located within the same building or structure, the dealer shall maintain a separate and exclusive entrance, unless the multiple businesses are owned or controlled by the same principals.
- > Subject to local law, and except for a dealer who exchanges vehicles or trailers solely on a wholesale basis, the dealer shall display a permanently affixed exterior sign of sufficient size and design, to give the general public notice of the name and nature of the business.
- > The dealer must have a display area/lot to display the vehicles being offered for sale unless the dealer exchanges vehicles or trailers solely on a wholesale basis.

9. Summary

Personal living quarters cannot be the site of a Class 2 dealer's business because the law requires a dealer to maintain a facility dedicated to carrying out that business and that facility must be used exclusively for the dealer's business. It is possible that a dealer may have premises either attached to or detached from a residential building that could be deemed suitable by the RMV. The State Police site inspection may help to determine suitability. The premises would have to be separate and distinct from any personal living quarters (e.g., it would have to be a secure facility with solid floor-to-ceiling walls, adequate office space to conduct the business, direct access from the outside of the building, not be used or shared with any other person or with any portion of personal living quarters and be licensed by the municipality at that location). The licensee must post and maintain reasonable business hours so that State and local police can accomplish the required facility and record book checks when required.

10. New License Application in Draft Stage G.L. 140, §59 states, in part: ...“application for license shall be made in such form as shall be approved by the registrar of motor vehicles...” The RMV is drafting a proposed new version of an *Application for a License as a Motor Vehicle Dealer*. The purpose is to update and standardize the *Application* to include significantly more information about the applicant (including background information on all principals) so that licensing authorities are better informed before issuing or renewing a license. The RMV is willing to receive and discuss suggestions for the proposed new *Application* that local licensing officials may wish to provide. Please email me with your suggestions at: william.mcvey@state.ma.us or write to me at the above address.

Thank you. If you have any questions about this Memorandum you may email or write. You may also call me at: 617-351-9950.

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

Issued Through:

A.A. Dority Company, Inc. 2021 NOV 29 AM 9:51

CONTINUATION CERTIFICATE

The **NGM Insurance Company**, hereinafter called the Company,
hereby continues in force its **MA Used Car Dealer, Bond Number 148623**

in the sum of **Twenty-Five Thousand dollars (\$25,000.00)**

on behalf of

Plum Auto Works, Inc.

located at

71 Storey Ave
Newburyport, MA 01950

in favor of **City of Newburyport, MA**

for the term beginning **December 31, 2021** and ending on **December 31, 2022**, subject to all
covenants and conditions of said bond.

This Continuation is executed upon the express condition that the Company's liability shall
not be cumulative and shall be limited at all times by the amount of the penalty stated in the bond.

In witness whereof, the Company has caused this instrument to be signed by its duly
authorized Attorney-in-Fact and its Corporate Seal to be hereto affixed this day, November 16,
2021

NGM Insurance Company

By: 

Katie E. Connor

Attorney-in-Fact

Producer:

A.A. Dority Company, Inc.

226 Lowell Street; Suite B-4

Wilmington, MA 01887

617-523-2935

Fax: 617-523-1707

**APPOINTMENTS
SECOND READING**

SECOND READING APPOINTMENTS

- APPT286_11_08_2021 Sarah Holden 34 Toppans Ln. Housing Authority
12/1/2026

In City Council November 8, 2021:

Motion to approve the Consent Agenda as amended by Councillor Zeid, seconded by Councillor Khan.
So voted.



CITY OF NEWBURYPORT
OFFICE OF THE MAYOR
DONNA D. HOLADAY, MAYOR

60 PLEASANT STREET - P.O. Box 550
NEWBURYPORT, MA 01950
978-465-4413 PHONE
978-465-4402 FAX

To: President and Members
of the City Council

From: Donna D. Holaday, Mayor

Date: October 27, 2021

Subject: Appointment

I hereby appoint, subject to your approval, the following named individual as a member of the Housing Authority. This term will expire on December 1, 2026.

Sarah Holden
34 Toppans Lane
Newburyport, MA 01950

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2021 NOV - 1 AM 11:44

SARAH E. HOLDEN, LEED AP BD+C

34 Toppans Lane
Newburyport, MA 01950
978.335.0745(M) 480.287.8375
sholden@fishboneprojectmanagement.com

Profile

Project Management executive with over thirty years of demonstrated success in managing complex construction projects and multi-disciplinary teams while also creating a collaborative culture among team members. Demonstrated ability to manage large budgets and critical schedules.

Leadership Instills sustainability goals into projects through LEED Certification or general sustainable design. Leads teams of architects, contractors and consultants to successful project conclusion.

Complexity Managing multi-faceted 58 unit Net-Positive, Passive House rental community. Led project team to success in meeting challenging schedule for Class 1,000 Clean Room construction. Managed multi-million dollar energy conservation project through an ESCO.

Consistency Successfully managed annual facility operating budget of \$6 million and annual capital improvement budget of \$2+ million for several years. Managed reduction of more than \$400K in utility costs in one year.

Collaboration Achieved collaboration in challenging environments: worked with City, contractors, architects, engineers and non-profit clientele through challenging construction projects; managed high end corporate headquarters renovation in zero downtime environments.

Experience

Fishbone Project Management, Newburyport, MA

2003 to Present

Founder and Sole Proprietor

Fishbone Project Management represents owners during the planning, implementation and completion of relocation and construction projects.

Managed renovation and new building projects for Corporate and Non-Profit Clients consisting of leading a project team of architects, engineers, interior designers, consultants, suppliers and general contractors. Frequent site visits and full attention paid to contracts, RFI's, change orders, requests for payment, bank inspections, project meetings, punch list and project close-out.

- Managing Net Positive 58 unit rental community in Newburyport MA. Pursuing Passive House US (PHIUS) and LEED for Homes Platinum. Includes one ten room lodging house of deeply affordable SRO units.
- Management of two Affordable Housing projects in Newburyport area. Projects included one 10 unit project as a renovation and expansion to a historical building, and one 42 unit project consisting of renovation and expansion of decommissioned school (24 units) as well as 16 ground up units.

- Coordinated installation of multiple high end clean rooms for SBB Inc., including extensive drawing and certification paperwork, schedule and budgeting.
- Completed \$4M renovation and expansion to YWCA of Greater Newburyport, including challenging existing conditions, and tight budget and management of multi-discipline team.
- Completed \$2.8M renovation of corporate headquarters building in Hampton, NH, including integration of new technologies and modular furniture into existing traditional colonial style building.
- Completed several energy efficiency projects for the City of Newburyport under the Green Communities Grant Program, involving public bidding and multi-disciplinary implementation projects.

Textron Systems, Wilmington, MA

1982 to 2002

Facility Manager of 800,000sf facility

1997 to 2002

- Managed facility professionals including engineers, project and construction managers.
- Implemented annual \$2M+ capital plan, including industrial and office projects.
- Managed installation of multi-million \$ ESCO funded energy conservation project, with several ECM's and planned and installed over multi-years.
- Developed systems for budgeting, scheduling and project implementation.
- Managed Real Estate functions, including lease management and negotiation, and easement management with neighbors and Town.
- Used knowledge of building codes, ADA, environmental regulations and municipal by-laws to effectively work with government agencies.

Project Manager for 1 million+ square feet of facilities.

1982 to 1997

- Acted as Focal point for planning and design of all office, conference and common areas.
- Strengthened verbal and written communications with users, management, contractors and internal team members.
- Tracked budgets and schedules.

Education

Master of Business Administration

1991

Northeastern University, Boston, MA

Bachelor of Architecture

1982

Bachelor of Science, Urban Studies

University of Maryland, College Park, MD

Professional and Community Affiliations

LEED Accredited Professional (LEED AP, BD+C)

WBE Certified

Member of the Affordable Housing Committee, YWCA Greater Newburyport

Member of the Board of Library Trustees for the Newburyport Public Library

Member of the Board of Directors for Tinkerhaus Maker Space in Newburyport

President and Board Member of Piney Wood Cranberry Company

ORDERS

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

November 29, 2021

ORDERED:

AN ORDER RELATIVE TO PARKING DURING THE 2021 HOLIDAY SEASON:

BE IT ORDERED, that:

Collection of parking fees in all parking lots and the parking garage participating in the city's paid parking program is suspended from December 18, 2021 through December 25, 2021.

A sign will be hung on the parking kiosks stating "Free Parking- Season's Greetings from the Citizens of Newburyport".

Councillor Sharif I. Zeid

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

November 29, 2021

THAT, The CITY COUNCIL of the City of Newburyport accepts with gratitude a gift from The Mayor Gayden W. Morrill Charitable Foundation in the amount of \$110,000.00 to be expended in accordance with the foundation's Funding Directive dated October 25, 2021. This gift is accepted in accordance with M.G.L. Chapter 44, Section 53A.

Councillor Sharif I. Zeid, Chair Budget and Finance

**ROBERT D. MORRILL
8396 SW SNAPDRAGON COURT
STUART, FLORIDA 34997**

October 25, 2021

Hon. Donna D. Holaday, Mayor
City of Newburyport
60 Pleasant Street
Newburyport, Massachusetts, 01950

Re: Morrill Foundation Funding Directive

Dear Madam Mayor,

This letter is to advise the City that the trustees have reviewed the Parks Commission requests which were presented partially via Zoom due to ongoing issues with the COVID-19 pandemic at the City Hall Meeting held on September 21, 2021. The allocation is \$110,000.00.

It should be noted that the pandemic continued to impact several approved projects for 2020 as well as 2021. During my stay in Newburyport, Mrs. Reid's candor and professionalism in detailing the roadblocks brought clarity to the circumstances. Where feasible, alternate options were discussed and will be pursued.

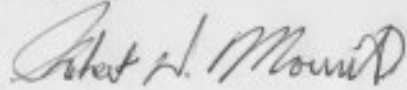
The trustees have agreed upon the following projects for 2022 with the following financial allocations.

1. Garrison's Birthplace Signage - \$2,500.00. The trustees were advised that alternative funding might be forthcoming, which might cover this project. Our desire is to assure that funding is available if needed.
2. Bartlett Mall Restoration Project - \$57,500.00 is provided for the proposed granite seating and barrier at the water's edge of Frog Pond. Should the City secure funding for Garrison's signage, the \$2500.00 will be added to the Mall seating. The total would then be \$60,000.00
3. Atkinson Common Maintenance Building - \$10,000.00. The funds will purchase and install an electric ornamental door for safety and functionality.
4. Lower Atkinson Common Pickleball Court - \$40,000.00. The project will develop 3 courts and the promotion of The Newburyport Conservancy fund should complete the project.

I know that the City Council will have to formally accept these funds at its December meeting. After notification of their acceptance to all trustees, with the original acceptance letter directed to the treasurer Mr. James Agrippa Morrill, a check will be issued next year.

In the meantime, we hope that all in Newburyport will have a wonderful Thanksgiving, a Blessed Christmas, and a safe, joyous and prosperous New Year.

Sincerely,

A handwritten signature in cursive script, appearing to read "Robert D. Morrill".

Robert D. Morrill

Cc: James Agrippa Morrill, James Astle Morrill, Mary Haslinger, Lise Reid, Kimberly Turner, Jack Grady

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

DRAFT

CERTIFIED MAIL- RETURN RECEIPT REQUESTED
FIRST CLASS MAIL

November 29, 2021

Global Companies LLC
c/o Corporation Service Company
84 State Street
Boston, MA 02109

Re: **ORDER Pursuant to G.L. c.139, §1 Adjudging 107 State Street (Assessor's Map 33, Lots 42 and 43), Newburyport, Massachusetts as a Nuisance**

Dear Property Owner:

Pursuant to G.L. c.139, §1, on October 25, 2021 and November 29, 2021, the Newburyport City Council held a public hearing to determine whether the dilapidated property located at 107 State Street (Assessor's Map 33, Lots 42 and 43), in Newburyport, Massachusetts (the "Property") is a nuisance to the neighborhood, or dangerous, and if found to be so, to prescribe its disposition, alteration or regulation. You were notified of the hearing, attended with counsel, and provided evidence regarding the Property.

As a result of reports provided by the City's various departments (incorporated herein by reference), including, without limitation, its Building Department, Office of Planning and Development, Fire Department, Department of Public Services, and Police Department, together with testimony from abutters and others living in the general vicinity of the Property, the City Council has adjudged the Property to be a nuisance to the neighborhood, or dangerous.

Specifically, the evidence presented showed that the failure to prevent unauthorized vehicular and pedestrian entry, as well as the general neglect of maintenance at the Property and of lawfully required snow and ice removal from adjacent

sidewalks through three winter seasons, all over a period of greater than three calendar years, beginning on May 7, 2018, has resulted in nuisance conditions, including without limitation:

1. dangerous trees that had fallen or could fall on neighboring properties;
2. decaying concrete and fire suppression systems with rusting supports, with no preventative measure to discourage their misuse;
3. a pole sign with electrical ballast that was not secured and may dislodge and fall to the pedestrian sidewalk;
4. the failure to maintain the former gas station service islands, requiring the City to undertake the maintenance;
5. failure to remove ice and snow from adjacent sidewalks as required, through three winter seasons;
6. failure to remove accumulated trash and debris; and
7. failure to secure the Property from unauthorized vehicular and pedestrian entry and vehicular parking, resulting in trash and debris being left at the Property, including hypodermic needles, empty liquor bottles, public urination, and suspected trespass within the existing building.

As a result, you are hereby ORDERED to

1. Maintain concrete planters at all curb cuts to prevent illegal vehicular entry and parking, as installed after initiation of the public hearing;
2. Maintain "No Parking" signs, as installed after initiation of the public hearing;
3. Secure the existing building against human trespass, weather, and animals;
4. Maintain or replace as needed all perimeter trees and six-foot high fences in compliance with those certain Landscaping Plan (Sheet No. 4) and Details (Sheet No. 5) prepared by Gale Associated, Inc., dated February 7, 1992, and filed with the City Clerk on February 11, 1992;
5. Comply forthwith with Newburyport Code Section 12-52 (Removal of snow and ice from sidewalks);
6. Maintain the grounds up to a commercially reasonable standard, including, without limitation, regular watering of plants in a manner appropriate for the specific plant species and continued maintenance of the (former gas station) pole sign;
7. Post a bond in the amount of ten-thousand dollars (\$10,000) with the City in case of failure: (a) to remove snow and ice in compliance with Newburyport Code Section 12-52 and as specified in this ORDER; and/or (b) to maintain the grounds up to a commercially reasonable standard as specified in this ORDER; and

8. File a written report with the City Clerk monthly regarding the status of the Property and its redevelopment for residential use, until such time as the Property is sold.

Your failure to comply with this ORDER will result in further action by the City without any further notice to you.

Pursuant to G.L. c. 139, §2, you may appeal this ORDER to the Superior Court within three (3) days.

Councillor Jared J. Eigerman

ORDINANCES

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

AN ORDINANCE REGARDING ALTERATION AND MAINTENANCE OF THE PUBLIC RIGHT-OF-WAY INCLUDING, BUT NOT LIMITED TO STREETS AND SIDEWALKS

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

THE Code of Ordinances, City of Newburyport, Massachusetts, is amended to add the following:

Chapter 12 – Streets, Sidewalks, and Other Public Places

Article VII – Alterations and Maintenance

Section 12-200 – Purpose.

The intent of this section to create a transparent process for street and sidewalk projects.

Section 12-201 – Definitions.

The following definitions allow to this Article VII:

- 1) **“Alteration”** shall be defined consistently with applicable U.S. Department of Justice and U.S. Department Transportation regulations to mean a change that affects or could affect the usability of all or part of a public street, sidewalk, or within the right-of-way. Alterations include activities such as construction, reconstruction, rehabilitation, resurfacing, widening, grade changes, and projects of similar scale and effect. Some examples of alterations include but are not limited to:
 - a) Street resurfacing or reconstruction, curb and sidewalk installation or reconstruction, drainage and utility installation or reconstruction;
 - b) Crosswalk changes, intersection improvements, complete streets projects or traffic calming retrofits;
 - c) Changes in signage, signals, pavement markings, or anything that changes traffic flow or on-street parking patterns done in the context of an alteration.
- 2) **“Maintenance”** shall be defined consistently with applicable U.S. Department of Justice and U.S. Department Transportation regulations to mean as activities on public streets, sidewalks, or within the right-of-way that do not significantly affect the public's access to or usability of the road. Maintenance includes smaller scale repairs such as emergency work, pavement patching, crack filling and sealing,

sidewalk or curb repairs, minor drainage and utility repairs, re-painting of existing markings, and projects of similar scale and effect. Some examples of maintenance include but are not limited to:

- a) Sidewalk or curb reconstruction as part of the city sidewalk partnership replacement program;
- b) Right-of-way, utility, trench work or driveway opening permits approved separately by the Department of Public Services;
- c) Emergency work as determined by the Director of the Department of Public Services;
- d) Changes in signage, signals, pavement markings, or anything that changes traffic flow or on-street parking patterns done in the context of a maintenance.

Section 12-202 – Approval required.

- a) Alteration of a public street, sidewalk, or right-of-way requires approval by an Order by the City Council.
- b) Maintenance of a public street, sidewalk or within the right-of-way does not require City Council approval.

Section 12-203 – Approval Process.

Prior to any alteration of a public street, sidewalk or within the right-of-way, the applicant (including, without limitation, when a City agency or officer is the applicant) shall submit in writing to the City Council the following:

- a) Scope of work, sketch, approximate project schedule, project manager;
- b) Project cost estimates and funding sources;
- c) Construction abutter notification and public communication methods;
- d) Construction staging areas, pedestrian safety, detour routes, and police details;
- e) Location of proposed curb, sidewalk, limits of paving, materials, pavement markings, crosswalks, ADA ramps, signage, traffic-calming elements, complete streets elements, and utilities (if applicable);
- f) Trees being removed or planted

Section 12-204 – Annual Reporting and Planning.

By February 1st of each year, the Department of Public Services, the Planning Department, and any other applicable city department shall submit in writing to the City Council the following information:

- a) A list of street and sidewalk projects completed in the preceding fiscal year (including funds expended broken down by source);
- b) Any request-for-proposals and bid documents generated during the preceding fiscal year;
- c) Any grant submissions or award documents generated or received during the preceding fiscal year;
- d) An up-to-date, street and sidewalk project list for the current calendar year and proposed for the next calendar year that includes approximate scope, costs, and funding sources.

Councillor Christine Wallace, Ward 4

Councillor James McCauley, Ward 5

In City Council July 12, 2021:

Motion to refer to Neighborhood & City Services by Councillor Tontar, seconded by Councillor McCauley. So voted.

In City Council October 25, 2021:

Motion to approve on 1st reading by Councillor Connell, seconded by Councillor McCauley.

Motion to amend by Councillor Wallace, seconded by Councillor McCauley to modify Sec. 12-202 1c to read: "Changes in signage, signals, pavement markings, or anything that changes traffic flow or on-street parking patterns done in the context of an alteration.", the insertion of 12-202 2c that would add "Emergency work as determined by Department of Public Services.", to add to Sec. 12-202 2d which would read: "Changes in signage, signals, pavement markings, or anything that changes traffic flow or on-street parking patterns done in the context of a maintenance.", and in Sec. 12-204 2i to replace the word "approval" with the word "review". Motion to continue to November 8th by Councillor Vogel, seconded by Councillor Connell. Motion withdrawn. Motion to refer back to Neighborhood and City Services with the condition to come out on November 8th by Councillor Connell, seconded by Councillor Vogel. Roll call vote 5 yes (BC, AK, HS, CT, BV), 6 no. Motion fails. Motion to postpone to a date certain, November 8th, by Councillor Zeid, seconded by Councillor Shand. Roll call vote 7 yes, 4 no (JD, BL, JM, JE). Motion passes.

In City Council November 8 , 2021:

Motion to move to a date certain, November 29, 2021, by Councillor McCauley, seconded by Councillor Shand. So voted.

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

August 9, 2021

AN ORDINANCE TO ADD A SERVICE AREA ON LIBERTY STREET

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

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

Sec. 13-171. – Service zones..

No person shall park a vehicle other than a commercial vehicle used exclusively for loading and unloading for a period of time longer than one-half hour between the hours of 9:00 a.m. and 4:00 p.m. excluding Sundays and holidays in the following designated service zones:

Street	Zones
<u>Liberty Street</u>	<u>The first space on the northerly side running for a distance of 25 feet beginning at the corner of State Street and Liberty Street</u>

Submitted,

Councillor Jared J. Eigerman

In City Council August 9, 2021:

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

In City Council September 13, 2021:

Motion to return to committee by Councillor Devlin, seconded by Councillor Tontar. So voted.

In City Council November 8, 2021:

Motion to approve on 1st reading by Councillor McCauley, seconded by Councillor Khan. 9 yes, 1 no (SZ), 1 absent (BC). So voted.

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

October 12, 2021

AN ORDINANCE TO LIMIT ON-STREET PARKING ON CARTER STREET

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

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

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

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

Street	Zones
<u>Carter Street</u>	<u>Beginning on the westerly side of Carter Street at the intersection of Carter St and Griffin Ct and running in a northerly direction for a distance of 30 feet.</u>

Councillor Heather Shand

In City Council October 12, 2021:

Motion to refer to Public Safety by Councillor McCauley, seconded by Councillor Shand. Roll call vote. 9 yes, 2 absent (JD, CW). Motion passes.

In City Council November 8, 2021:

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

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

October 25, 2021

AN AMENDMENT TO AN ORDINANCE TO LIMIT ON-STREET PARKING ON UNION STREET

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

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

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

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

<i>Street</i>	<i>Zones</i>
<u><i>Union Street</i></u>	<u><i>Both sides, beginning at the westerly bound of 18 Union Street and running easterly for a distance of 226 feet</i></u>

Councillor Sharif I. Zeid

In City Council November 8, 2021:

Motion to approve on 1st reading ODNC100 and ODNC101 collectively by Councillor McCauley, seconded by Councillor Zeid. Roll call vote 10 yes, 1 absent (BC). Motion passes.

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

October 25, 2021

AN AMENDMENT TO AN ORDINANCE ESTABLISHING CERTAIN BUS STOPS

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

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

Sec. 13-169. – Bus Stops; parking restricted.

(c) The following streets or portions of streets shall be designated as a bus stop:

<i>Street</i>	<i>Zones</i>
<u><i>Low Street</i></u>	<u><i>North side, beginning at the easterly side of the entrance to the Fuller Field parking lot located at 40 Low Street and running easterly for a distance of 348 feet</i></u>

Councillor Heather L. Shand

In City Council November 8, 2021:

Motion to approve on 1st reading ODNC100 and ODNC101 collectively by Councillor McCauley, seconded by Councillor Zeid. Roll call vote 10 yes, 1 absent (BC). Motion passes.

COMMITTEE ITEMS

Committee Items- November 29, 2021

Budget & Finance

Budget & Finance

In Committee:

ORDR277_08_30_2021	Municipal Fee Schedule Fiscal Year 22
ODNC094_08_30_2021 Amended	Municipal Fee Schedule
ORDR280_09_13_2021 Amended	Cutter Fire Station Loan Order
ORDR281_09_13_2021 Amended	Authorizing Land Taking w/Waiver of Appraisal & Damages w/Bond W P&D
COMM360_10_25_2021	Memo Confirmation of Water Main Replacement Phillips Dr. ORDR252
TRAN112_11_08_2021	Gen. Fund Free Cash \$250,000 to Compensated Abs. Reserve Fund \$250,000
ORDR297_11_08_2021 Amended	FY22 Residential Factor
ORDR298_11_08_2021 Amended	FY22 Tax Rate
ORDR299_11_08_2021	Prior Year Bills City Solicitor
ORDR303_11_08_2021	Local Acceptance MGL Ch 60, Sec. 23B

ITY OF NEWBURYPORT

MUNICIPAL FEE SCHEDULE

Fiscal Year 2021-2022

Revision Date: August 30, 2021

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I. Animals

<i>Licensing of dogs and kennels</i>	<i>Fee</i>	<i>Reference</i>
Neutered males and spayed females	\$10.00	Sec. 3-27 (a)
Un-neutered males and un-spayed females	\$15.00	Sec. 3-27 (a)
Senior citizens (aged 65 and over) who show proof of age shall be entitled to a license without paying said fees for their dogs, provided, however, that any applicable late fees shall still apply.		
<i>Kennel license fees</i>	<i>Fee</i>	<i>Reference</i>
Four (4) dogs	\$10.00	Sec. 3-27 (b)
Five (5) to ten (10) dogs	\$15.00	Sec. 3-27 (b)
Eleven (11) or more dogs	\$100.00	Sec. 3-27 (b)

II. Boats, Docks and Waterways

<i>Commercial Fish Pier</i>	<i>Fee</i>	<i>Reference</i>
Five cents (\$0.05) per pound for each pound in excess of twenty thousand pounds (20,000) of fish per day	\$10.00	Sec. 4-73 (c) (2)
Annual Permit, includes use of hoist/parking	\$1,700.00	
<i>Commercial Shellfish Pier</i>	<i>Fee</i>	<i>Reference</i>
Residents License	\$100.00	Sec. 4-207
Non-Residents License	\$200.00	Sec. 4-207
Rack Fee	\$2.00 per rack	Sec. 4-207
<i>Waterways, Moorings, etc. Annual Permits</i>	<i>Fee</i>	<i>Reference</i>
Waterways, includes Dinghy up to 12 ft	\$5 per foot	4-73 (a)
Moorings	\$4 per foot	4-73 (a)
Moorings, overnight only	\$50.00	4-73 (a)
Dinghy Dock	\$250.00	4-73 (a)

<i>Rates for Central Waterfront Docks</i>	<i>Fee</i>	<i>Reference</i>
Weekday/Weekend 'Transient' Rates (3-hour increments) Under 20 ft LOA 21 to 40 ft LOA 41 to 60 ft LOA	\$10 flat fee \$20 flat fee \$30 flat fee	4-73 (a)
Weekday 'Day' Rates per foot Under 50 ft LOA 51 to 100 ft LOA Over 101 ft LOA	\$3 per foot \$4 per foot \$5 per foot	4-73 (a)
Weekend 'Day' Rates per foot Under 50 ft LOA 51 to 100 ft LOA Over 101 ft LOA	\$4 per foot \$5 per foot \$6 per foot	4-73 (a)
Dinghy up to 12 ft (up to 3 hours) Weekday Weekend	\$5.00 flat fee \$10.00 flat fee	4-73 (a)

III. Buildings and Building Regulations

<i>Building Permits</i>	<i>Fees</i>	<i>Reference</i>
First one thousand dollars (\$1,000) of cost estimate	\$100.00	Sec. 5-62
Each additional one thousand dollars (\$1,000) of estimate or part thereof.	\$200.00	Sec. 5-62
<i>Plumbing Permit Fees</i>	<i>Fees</i>	<i>Reference</i>
Permit fee	\$20.00, residential \$30.00, commercial	Sec. 5-111
Inspection fee	\$30.00	Sec. 5-111
Charge for each fixture	\$5.00, residential \$10.00, commercial	Sec. 5-111
Replacement hot water heater	\$30.00, residential \$40.00, commercial	Sec. 5-111

<i>Gas Permit Fees</i>	<i>Fees</i>	<i>Reference</i>
Permit fee	\$20.00, residential \$30.00, commercial	Sec. 5-111
Inspection fee	\$30.00	Sec. 5-111
Appliance fee	\$5.00, residential \$10.00, commercial	Sec. 5-111
Replacement hot water heater	\$30.00, residential \$40.00, commercial	Sec. 5-111
<i>Sheet Metal Permit Fees</i>	<i>Fees</i>	<i>Reference</i>
Permit fee	\$75.00, residential \$150.00, commercial	Sec. 5-113
Inspection fee:	\$30.00	Sec. 5-113
Re-inspection fee:	\$35.00	Sec. 5-113
Charge for each fixture	\$10.00	Sec. 5-113
If residential work started before a permit	\$150.00	Sec. 5-113
If commercial work started before permit	\$300.00	

<i>Electrical Permit Fees</i>	<i>Fee</i>	<i>Reference</i>
Residential New Construction	First \$50,000 = \$180.00 Each additional \$1,000.00 = \$1.00	Sec. 5-151
Residential Additions/renovations (service not included)	\$60.00 permit plus \$3 per item	Sec. 5-151
Residential Services—New, changed, or altered	Single Family Overhead = \$45.00 Single Family Underground = \$85.00 Multi Family = \$85.00 plus \$20.00 each additional unit panel, subpanel or house	Sec. 5-151
Residential Garages Added On	\$80.00, attached \$125.00, detached	Sec. 5-151
Commercial New construction - Fee is based on the projected building cost as shown on the building permit.	First \$100,000 is \$300.00 Each additional \$1,000.00 or fraction thereof is \$1.00	Sec. 5-151
Commercial Additions/renovations (service not included)	\$60.00 for the permit plus \$3 for each (service not included) plug, switch, light, appliance, special equipment, etc.= fee	Sec. 5-151
Commercial Services—New, changed, or altered	Each 200 amps or fraction thereof \$50.00 (includes 1 st panel or main circuit breaker enclosure) Each additional panel \$20.00	Sec. 5-151
Burglar/fire alarm systems	\$50.00, residential \$85.00, commercial	Sec. 5-151
Central heat or A/C	\$65.00, residential \$85.00, commercial	Sec. 5-151
Swimming pool	\$65.00, above ground \$95.00, inground	Sec. 5-151
Hot water heater replacement	\$40.00, residential \$50.00, commercial	Sec. 5-151
Utility lighting retrofit	\$65.00	Sec. 5-151
Tel/data systems	\$85.00	Sec. 5-151
Remove and reinstall for siding	\$55.00	Sec. 5-151
Gas piping grounding	\$35.00	Sec. 5-151

<i>Planning Documentation Fees</i>	<i>Fee</i>	<i>Reference</i>
Form A - Approval Not Required Form B - Preliminary Subdivision Form C - Definitive Subdivision	\$200/lot or lot line change \$100 base plus \$100 per lot \$1,000 base plus \$250/lot if Preliminary Plan was approved or \$500/lot otherwise	Sec. 5-151
Modification of a Definitive Plan	\$500 base plus \$175/lot	Sec. 5-151
Special Permit / Modification Site Plan Review - Major Project Site Plan Review - Minor Project	\$200 \$500 \$200	Sec. 5-151
Repetitive Petition	\$200	Sec. 5-151
Publication and Abutters fee	\$350 per project	Sec. 5-151
<i>Preliminary Plan, Modification of a Definitive Plan, or Modification of a Special Permit</i>	<i>Fee</i>	<i>Reference</i>
2 - 15 Lots/Units 16 - 20 Lots/Units 21 - 25 Lots/Units More than 25 Lots/Units	\$2,000 \$3,000 \$4,250 \$5,000	Sec. 5-151
Ten or fewer Parking Spaces Ten or more Parking Spaces	\$1,000 \$1,500	Sec. 5-151
<i>Initial Definitive Plan, Special Permit or Site Plan</i>	<i>Fee</i>	<i>Reference</i>
2 - 15 Lots/Units 16 - 20 Lots/Units 21 - 25 Lots/Units More than 25 Lots/Units	\$4,000 \$6,000 \$10,000 \$20,000	Sec. 5-151
Minor Site Plan Review Major Site Plan Review	\$500 \$1,500	Sec. 5-151
Ten or fewer Parking Spaces Ten or more Parking Spaces	\$2,000 \$5,000	Sec. 5-151

IV. Fire Prevention and Protection

<i>Fire Protection / Hazardous Material Permits</i>	Fee	Reference
Master box connection to the municipal fire alarm system	\$300.00 / annually	Sec. 7-4
Fire Alarm Systems (Panels)	\$50.00	Sec. 3-264
Unvented Gas Appliance	\$50.00	Sec. 3-264
Sprinkler System	\$50, residential \$100.00 commercial	
Oil Burner Installation/Repair	\$50.00	Sec. 3-264
Storage or keeping of flammables or explosives of Class A, B and C liquids:		Sec. 7-28
1 gallon to 10,000	\$50.00	
10,001 gallons to 25,000	\$100.00	
25,001 gallons to 50,000	\$200.00	
50,001 gallons and over	\$300.00	
Explosive/Fire Hazardous Material Permits		Sec. 3-264
Blasting	\$50.00	
Black Powder	\$50.00	
Combustible Fibers/Dust	\$50.00	
Fireworks	\$50.00	
Model Rockets	\$25.00	
Welding	\$50.00	
Hazardous Materials Processing	\$50.00	
<i>Smoke Detectors/CO Inspection</i>	Fee	Reference
Single Family/ Unit	\$50.00	Sec. 3-264
Any Building with 2 Units	\$100.00	
Any Building with 3-6 Units	\$150.00	
Any Building with 7 or more Units	\$500.00	
<i>Commercial Cooking/Tents Permits</i>	Fee	Reference
Commercial Cooking	\$50.00	Sec. 3-264
Tents (Commercial)		Sec. 3-264
Up to 1,999 square feet	\$0.00	

Over 2,000 square feet	\$50.00	
<i>Storage Tanks/Burners</i>	Fee	Reference
Tank Truck Permit	\$50.00	Sec. 3-264
LP Gas Storage Flammable Liquid, Solid, Gas Storage	\$50.00	Sec. 3-264
Storage Tanks Up to 1,100 Gallons Over 1,100 Gallons	\$50.00 \$100.00	Sec. 3-264
Propane Tank Installation Up to 999 Gallons Over 1,000 Gallons	\$50.00 \$100.00	Sec. 3-264
Maintain Underground Storage	\$100.00	Sec. 3-264
Removal of Tanks	\$50.00, above ground \$100.00, below ground	Sec. 3-264
<i>Miscellaneous Fire Permits</i>	Fee	Reference
Outside Burning	\$10.00	Sec. 3-264
Reports	\$10.00	Sec. 3-264
Any Permit not listed but required	\$50.00	Sec. 3-264

V. Licenses, Permits and Business Regulations

<i>Lodging house licenses</i>	Fees	Reference
Lodging houses	\$2.00	Sec. 9-1
Bed and Breakfast	\$20.00	Sec. 9-1
<i>Transient Vendor/Food Trucks License</i>	Fees	Reference
Annual notice for transient vendor license applications	\$10.00	Sec. 9-111
Transient vendors, excluding food trucks	\$1,000	Sec. 9-131
Food trucks	\$1,500	Sec. 9-131
Application processing fee for transient vendors	\$50.00	Sec. 9-131
Additional fee for notification to registered party	\$1.00	Sec. 9-131

<i>Miscellaneous license and application fees</i>	Fees	Reference
Establishments with pool and billiard tables license fee	\$5.00	Sec. 9-42
Establishments with bowling alleys license fee	\$5.00	Sec. 9-42
Pawn broker annual license fee before November 1st	\$50.00	Sec. 9-82
Pawn broker annual license fee after November 1st	\$25.00	Sec. 9-82
Hawkers/peddler License fee	\$46.00	Sec. 9-162
Application fee for Solicitor Identification Card	\$50.00	Sec. 9-170 (e)
License for retail stores to operation between 11:00pm and 5:00am	\$15.00	Sec. 9-177

VI. Parks and Recreation

	Group Hourly Rate, see Municipal Code Reference							
<i>Athletic Fields and Courts</i>	A	B*	C	D	E	F**	G**	H**
Cashman Park Ballfield	N/C	\$5.00	\$15.00	N/C	N/A	\$25.00	\$100.00	\$200.00
Perkins Park Ballfield	N/C	\$5.00	\$15.00	N/C	N/A	\$25.00	\$100.00	\$200.00
Cashman Park Soccer Field	N/C	\$5.00	\$15.00	N/C	N/A	\$25.00	\$100.00	\$200.00
Cherry Hill Soccer Field Parcel A	N/C	\$5.00	\$15.00	N/C	N/A	\$25.00	\$100.00	\$200.00
Cherry Hill Soccer Field Parcel B	N/C	\$5.00	\$15.00	N/C	N/A	\$25.00	\$100.00	\$200.00
Bradley Fuller Park Track	N/C	\$5.00	\$15.00	N/C	N/A	\$25.00	\$100.00	\$200.00
Bradley Fuller Park Infield	N/C	\$5.00	\$15.00	N/C	N/A	\$25.00	\$100.00	\$200.00
Bradley Fuller Park North Field	N/C	\$5.00	\$15.00	N/C	N/A	\$25.00	\$100.00	\$200.00
Woodman Park Multi-use Field	N/C	\$5.00	\$15.00	N/C	N/A	\$25.00	\$100.00	\$200.00
Cashman Park Tennis	N/C	\$5.00	\$15.00	N/C	N/A	\$25.00	\$100.00	\$200.00
Perkins Park Tennis	N/C	\$5.00	\$15.00	N/C	N/A	\$25.00	\$100.00	\$200.00
Bartlet Mall Basketball Courts	N/C	\$5.00	\$15.00	N/C	N/A	\$25.00	\$100.00	\$200.00
Cashman Park Basketball Court	N/C	\$5.00	\$15.00	N/C	N/A	\$25.00	\$100.00	\$200.00
G.W. Brown School Playground Basketball	N/C	\$5.00	\$15.00	N/C	N/A	\$25.00	\$100.00	\$200.00
Perkins Park Basketball Courts	N/C	\$5.00	\$15.00	N/C	N/A	\$25.00	\$100.00	\$200.00
Woodman Park Basketball Courts	N/C	\$5.00	\$15.00	N/C	N/A	\$25.00	\$100.00	\$200.00
Moseley Woods Lawn	N/C	\$5.00	\$15.00	N/C	N/A	\$25.00	\$100.00	\$200.00
Atkinson Common, Lower, Founders Field	N/C	\$5.00	\$15.00	N/C	N/A	\$25.00	\$100.00	\$200.00
Atkinson Common, Lower, Pepe Field	N/C	\$5.00	\$15.00	N/C	N/A	\$25.00	\$100.00	\$200.00

	Group Hourly Rate, see Municipal Code Reference							
<i>Athletic Fields and Courts</i>	A	B*	C	D	E	F**	G**	H**
Atkinson Common, Lower, Hawkes Field	N/C	\$5.00	\$15.00	N/C	N/A	\$25.00	\$100.00	\$200.00
Atkinson Common Tennis	N/C	\$5.00	\$15.00	N/C	N/A	\$25.00	\$100.00	\$200.00
<i>Small Parks</i>	A	B	C	D	E	F*	G*	H*
Brown Square	N/C	N/A	N/A	N/C	N/C	\$25.00	\$100.00	\$200.00
Cornelius Doyle Triangle	N/C	N/A	N/A	N/C	N/C	\$25.00	\$100.00	\$200.00
Joppa Park	N/C	N/A	N/A	N/C	N/C	\$25.00	\$100.00	\$200.00
Moulton Square	N/C	N/A	N/A	N/C	N/C	\$25.00	\$100.00	\$200.00
Washington Park (Eppa Way, Pond Street, High Street)	N/C	N/A	N/A	N/C	N/C	\$25.00	\$100.00	\$200.00
270 Water Street (Perkins Park)	N/C	N/A	N/A	N/C	N/C	\$25.00	\$100.00	\$200.00
Patrick Tracy Square (Tracy Place)	N/C	N/A	N/A	N/C	N/C	\$25.00	\$100.00	\$200.00
Newburyport Skate Park (Nock Schoolyard)	N/C	\$5.00	\$15.00	N/C	N/A	\$25.00	\$100.00	\$200.00
<i>Mid to Large Parks</i>	A	B	C	D	E	F*	G*	H*
Atkinson Common, Upper (other than athletic fields or courts)	N/C	N/A	N/A	N/C	N/C	\$25.00	\$100.00	\$200.00
Atkinson Common, Lower (other than athletic fields or courts)	N/C	N/A	N/A	N/C	N/C	\$25.00	\$100.00	\$200.00
Atwood Park/Garrison Gardens	N/C	N/A	N/A	N/C	N/C	\$25.00	\$100.00	N/A
Bartlet Mall (other than athletic fields or courts)	N/C	N/A	N/A	N/C	N/C	\$25.00	\$100.00	\$200.00
Cashman Park (other than athletic fields or courts)	N/C	N/A	N/A	N/C	N/C	\$25.00	\$100.00	\$200.00
Clipper City Rail Trail (any segments)	N/C	N/A	N/A	N/C	N/C	\$25.00	\$100.00	\$200.00
Cushing Park (other than	N/C	N/A	N/A	N/C	N/C	\$25.00	\$100.00	\$200.00

	Group Hourly Rate, see Municipal Code Reference							
<i>Athletic Fields and Courts</i>	A	B*	C	D	E	F**	G**	H**
athletic fields or courts)								
Inn Street Mall	N/C	N/A	N/A	N/C	N/A	\$25.00	\$100.00	\$200.00
March's Hill	N/C	N/A	N/A	N/C	N/C	\$25.00	\$100.00	\$200.00
Market Landing Park	[per Newburyport Waterfront Trust]							
Market Square Bullnose	N/C	N/A	N/A	N/C	N/A	\$25.00	\$100.00	\$200.00
Moseley Woods Pavilion	N/C	N/A	N/A	N/C	N/C	\$25.00	\$100.00	\$200.00

* Up to 50% of the fee may be waived in exchange for in-kind services at the sole discretion of the parks commission.

** Any charitable non-profit registered as a 501c3 may apply for a fee reduction or waiver from the parks commission. The parks commission is under no obligation to offer any reduction or waiver. Any reduction or waiver is at the sole discretion of the parks commission.

N/C = no charge, N/A = not applicable

- (1) *Group A:* City of Newburyport departments, including Newburyport Public Schools; other non-profit and for-profit education located within the city; and active duty military.
- (2) *Group B:* Recurring use by exclusively youth leagues.
- (3) *Group C:* Recurring use by organizations, including adult sports leagues.
- (4) *Group D:* Recurring use by organizations that do not charge end-users any fee to participate, including pick-up leagues.
- (5) *Group E:* Special events held by individuals or groups with up to twenty-five (25) attendees.
- (6) *Group F:* Special events held by individuals or groups with twenty-six (26) to fifty (50) attendees.
- (7) *Group G:* Special events held by individuals or groups with fifty (50) to two-hundred (200) attendees.
- (8) *Group H:* Special events held by individuals or groups with greater than two-hundred (200) attendees

For Groups B, C, and D (recurring field use), a fee to utilize the concession stand/restroom at Atkinson Common, Lower, shall be fifty dollars (\$50.00) per month. Group E, F, G, and H (special events), may request use of the restrooms for a one-time fee of one-hundred dollars (\$100.00)

VII. Streets, Sidewalks and Public Places

<i>Signs in public ways</i>	<i>Fee</i>	<i>Reference</i>
Permanent signs fee	\$150.00	Sec. 12-1.3 (c)
Temporary Signs, banners	\$25.00	Sec. 12-1.3 (d) 2c
Temporary Signs, moveable signs effective on first day of April and expiring on March 31 st	\$50.00/annually \$5.00/month, prorated for new businesses	Sec. 12-1.3 (d) 3d
A-Frame sign biennial license fee	\$100.00 per sign	Sec. 12-1.5 (f)
<i>Digging/Drain laying in public ways</i>	<i>Fee</i>	<i>Reference</i>
License fee for drain layers or utility contractors	\$500.00/annually	Sec. 12-70 (b)
Street opening permit	\$100.00	Sec. 12-70 (a)
Digging of graves and rental of lowering devices and greens in the Highland and Old Hill Cemetery	\$200.00	Sec. 12-101
Purchase of single grave in the Highland and Old Hill Cemetery	\$150.00	Sec. 12-101
<i>Parking Permits</i>	<i>Fee</i>	<i>Reference</i>
Resident Annual Permit – Paid Parking Facilities	\$15.00 \$5.00, Senior Rate	Sec. 13-180.1 (f)
Employee Quarterly Permit, All Day Parking Facilities	\$50.00	Sec. 13-180.1 (f)
Resident Monthly Pass for Titcomb Street Garage	\$60.00	Sec. 13-180.1 (f)
Non-Resident Monthly Pass for Titcomb Street Garage	\$80.00	Sec. 13-180.1 (f)
Employee Pass for Titcomb Street Garage	\$60.00	Sec. 13-180.1 (f)
<i>Parking, Hourly Fees in Lots</i>	<i>Fee</i>	<i>Reference</i>
Hourly Fee – Waterfront Trust Lot, State Street Lot, Titcomb Street Garage, NRA West and East Lot	\$1.00/hour	Sec. 13-180.1 (f)
Hourly Fee – Green Street Lot, Prince Place Lot and Hales Court Lot	\$1.50/hour	Sec. 13-180.1 (f)

<i>Plum Island Parking Lot</i>	<i>Fee</i>	<i>Reference</i>
Resident	\$10.00, Weekday \$12.00, Weekend	Sec. 13-183 a
Non-Resident	\$15.00, Weekday \$20.00, Weekend	Sec. 13-183 a

VIII. Vehicles for Hire

<i>Vehicles for hire licenses/permits</i>	<i>Fee</i>	<i>Reference</i>
Annual permit for taxicabs	\$50.00	Sec. 15-32
Fee for license for taxicabs	\$25.00	Sec. 15-32
Permit restoration after suspension or revocation	\$50.00	Sec. 15-32

IX. Water and Sewer Department

<i>Water Service Charges</i>	<i>Fee</i>	<i>Reference</i>
Emergency Call	\$400	Sec. 2-368
Water On/Off	\$50	Sec. 2-368
Water off, Meter Out Water on, Meter In	\$75	Sec. 2-368
Labor – Water	\$75	Sec. 2-368
Cut & Cap Water Service	\$400	Sec. 2-368
Water Reconnect	\$400	Sec. 2-368
Property Transfer	\$60	Sec. 2-368
Hydrant Flow Test	\$150	Sec. 2-368
Hydrant Charge	\$400	Sec. 2-368
Hydrant Charge Newbury	\$75	Sec. 2-368
Inspection	\$60	Sec. 2-368

Tap Fees	Fee	Reference
Tap 1 - 2 inch	\$400	Sec. 2-368
Tap 4 – 6 inch	\$650	Sec. 2-368
Tap 8 inch	\$800	Sec. 2-368
8 Inch or greater	\$1,200	Sec. 2-368
Connection Fees	Fee	Reference
1 Inch	\$2,500	Sec. 2-368
2 Inch	\$4,270	Sec. 2-368
4 Inch	\$7,140	Sec. 2-368
6 Inch	\$10,000	Sec. 2-368
Water Main Connections	Fee	Reference
8 Inch	\$13,000	Sec. 2-368
12 Inch	\$16,000	Sec. 2-368
16 Inch	\$20,000	Sec. 2-368

Meter Charge	Fee	Reference
5/8 Inch	Market Cost (Variable)*	Sec. 2-368
1 Inch	Market Cost (Variable)*	Sec. 2-368
Greater than 1 inch	Market Cost (Variable)*	Sec. 2-368
Meter horns fittings	Market Cost (Variable)*	Sec. 2-368
Meter Test	\$150	
Valve Repair	\$100	
Sewer Connection Fees	Fee	Reference
Cut & Cap Service	\$1,500	Sec. 2-368
Sewer Reconnect	\$225	Sec. 2-368
Property Transfer	\$60	Sec. 2-368
I/I Fee	\$300	Sec. 2-368

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

AN ORDINANCE ON APPROVED FEES AND THE CODIFYING PROCEDURE OF PUBLISHING IN A "MUNICIPAL FEE SCHEDULE"

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

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

CHAPTER 2 ADMINISTRATION

ARTICLE V DEPARTMENTS

DIVISION 4: FIRE

Sec. 2-364. Duties of fire department The fire department may in its discretion prescribe fees subject to approval by order of the city council and published in Appendix B - Municipal Fee Schedule.

CHAPTER 2 ADMINISTRATION

ARTICLE V DEPARTMENTS

DIVISION 5: DEPARTMENT OF PUBLIC SERVICES

Sec. 2-368. Board of water and sewer commissioners.

The board of water and sewer commissioners may in its discretion prescribe for the users of said water and sewer system or systems such prices, rates, annual rentals or charges based on the benefits derived therefrom as it may deem proper, subject, however, to approval by order of the city council and published in Appendix B - Municipal Fee Schedule. The board of water and sewer commissioners may grant such abatements from water and sewer rates or charges as may be lawful and necessary.

CHAPTER 3 ANIMALS

ARTICLE II DOGS

Sec. 3-27. Licensing of dogs and kennels.

- (a) All dogs six (6) months old or older must be licensed and tagged. Licensing will be done by the office of the city clerk. The owner or keeper of any dog in the city shall obtain a license for such dog by April first of each

year. The license fees for dogs shall be as established by order of the city council and published in Appendix B - Municipal Fee Schedule.

Senior citizens (aged 65 and over) who show proof of age shall be entitled to a license without paying said fees for their dogs, provided, however, that any applicable late fees shall still apply.

Any blind, deaf or mobility-impaired person who is the owner or keeper of a dog trained to guide and assist them may receive a license for such dog from the office of the city clerk, for which no fee shall be charged. Also, dogs between six (6) months and one (1) year of age, placed for training as guide dogs, may also receive a license from the office of the city clerk at no fee, provided that satisfactory evidence is presented by its owner or keeper that such dog was placed by an organization which supplies such guide dogs.

(b) Kennel license fees shall be established by order of the city council and published in Appendix B - Municipal Fee Schedule.

**CHAPTER 4 - BOATS, DOCKS AND WATERWAYS,
ARTICLE II HARBOR
DIVISION: USE REGULATIONS**

Sec. 4-73. Fees.

- (a) *Establishment.* The harbor commission shall establish fees and may amend them, from time to time, for all the facilities governed by this division. The commission shall establish fees subject to the approval by order of the city council. The fees shall be published in Appendix B - Municipal Fee Schedule.
- (c) *Fees and permits for commercial fish pier.*
- (2) Pier usage permits shall be renewed on May 1 and shall be valid for the period of one (1) year (May 1 to April 30). Applications shall be made available at city hall in the office of planning and development. All fishing vessels, businesses, corporations and individuals operating on the "fish pier" must have a minimum of one hundred thousand dollars (\$100,000.00) liability insurance and property damage as a condition of issuance of a pier use permit. Fish dealers and fuel dealers shall be required to carry additional insurance or post a bond if deemed necessary by the harbor commission. Said insurance, must name the city as an insured party. Vessels holding a pier usage permit are allowed to load and unload their trucks on the pier and unload up to twenty thousand (20,000) pounds of fish per day. A fee per pound in excess of twenty thousand (20,000) pounds shall be assessed by the harbor master subject to approval by order of the city council.

Sec. 4-207. Fees.

Licenses are subject to resident, non-resident and rack fees approved by order of the city council and published in Appendix B - Municipal Fee Schedule.

**CHAPTER 5 BUILDINGS AND BUILDING REGULATIONS
ARTICLE III BUILDING CONSTRUCTION STANDARDS**

Sec. 5-62. Fees.

The fees for building permits for buildings or structures pursuant to the state building code adopted in section 5-61 shall be pursuant to the schedule set annually by order of the city council and published in the Municipal Fee Schedule on file with the city clerk, and shall be payable to the office of the city treasurer/collector by the owner before such a permit is issued. All religious societies, churches, hospitals, charitable institutions and persons building fall-out shelters for protection in the event of enemy attacks, shall be exempted from payment of all fees under this section.

Sec. 5-111. Permit fee cost for plumbing.

The fees for plumbing permits shall be pursuant to the schedule approved annually by order of the city council and published in the Municipal Fee Schedule, on file with the city clerk.

Sec. 5-112. Permit fee cost for gas.

The fees for gas permits shall be pursuant to the schedule approved annually by order of the city council and published in the Municipal Fee Schedule, on file with the city clerk.

Sec. 5-113. Permit fee cost for sheet metal.

The fees for sheet metal permits pursuant to the schedule approved by order of the city council and published in Appendix B - Municipal Fee Schedule.

Sec. 5-151. Fee schedule.

The fees for electrical permits pursuant to the schedule approved by order of the city council and published in Appendix B - Municipal Fee Schedule.

Sec. 5-153. Permit and inspection fees.

Fees for the issuance of permits and performance of inspections by the city electrical inspector shall be established by order of the city council and published in Appendix B - Municipal Fee Schedule.

**CHAPTER 7 FIRE PREVENTION AND PROTECTION
ARTICLE I IN GENERAL**

Sec. 7-4. Annual master box connection fee.

Each fire alarm user shall, on or before July 1 of each year, remit to the city treasurer/collector a connection fee for each master box connection to the municipal fire alarm system as established by order of the city council and published in Appendix B - Municipal Fee Schedule.

Sec. 7-28. Fees.

The fee for keeping or storage of flammables or explosives, as regulated by M.G.L. ch. 148, § 13 shall be as established by order of the city council and published in Appendix B - Municipal Fee Schedule.

**CHAPTER 9 LICENSES, PERMITS AND BUSINESS REGULATIONS
ARTICLE I IN GENERAL**

Sec. 9-1. Lodging house licenses.

- (a) The license commission may grant licenses for lodging houses under M.G.L. c. 140, § 23. Such licenses shall be for the period provided in M.G.L. c. 140, § 4. A fee for such license is hereby established by order of the city council and published in Appendix B - Municipal Fee Schedule.
- (b) The license commission may grant a general license to an owner of a bed and breakfast establishment. A bed and breakfast establishment shall be defined as an owner-occupied building containing no more than ten (10) guest rooms, not including living quarters for owner occupants and having a common entrance or entrances. Common cooking facilities may be included providing that service is limited to those who are owners of the building and those rooming in the building. Said general license shall be renewed annually for a fee as established by order of the city council and published in Appendix B - Municipal Fee Schedule.

Sec. 9-42. License fee.

The fee for each license granted under this article shall be established by order of the city council and published in Appendix B - Municipal Fee Schedule. The license fee shall be payable to the city clerk for the use of the city at such time as the license is granted.

Sec. 9-82. License fee.

The fee for any license to be issued under this article shall be established by order of the city council and published in Appendix B - Municipal Fee Schedule. A reduced amount will be established for any license issued on or after November first in any year.

Sec. 9-162. Same—Fee; issuance.

Any license issued by the licensing board under section 9-157 shall be issued by and signed by the city clerk as clerk of the licensing board upon payment of a license fee as established by order of the city council and published in Appendix B - Municipal Fee Schedule. Every hawker and peddler so licensed shall be assigned a number by the licensing board, which shall keep a record of all licenses issued.

Sec. 9-170. Limitations.

- (e) The solicitor's identification card application fee shall be established by order of the city council and published in Appendix B - Municipal Fee Schedule. The identification card is not transferable. Should an applicant fail to meet the provisions of application, the fee is nonrefundable.

Sec. 9-177. License procedure.

The owner of any such retail store shall apply to the city council for a license to remain open between the hours of 11:00 p.m. and 5:00 a.m. Said application shall be available from the office of the city clerk. The city clerk shall then forward said application to the city council's committee on licenses and permits. The committee, after due deliberation, shall, make a recommendation to the city council. The city council shall have the authority to place any restrictions it deems applicable on said license. The city council shall make the final determination as to the granting of such a license. Application for renewal shall be received by the city clerk by March 1 of each year. The council in granting a license shall determine that the proposed use is in harmony with the purpose and intent of this article. The fees for a license under this section shall be established by order of the city council and published in Appendix B - Municipal Fee Schedule. The license fee, shall be payable to the City of Newburyport upon approval of an application.

**CHAPTER 11 PARKS AND RECREATION
ARTICLE I IN GENERAL**

Sec. 11-7. Fees.

- (b) *Fees and charges.* The fees and charges for reserved use of parks and playgrounds shall be approved by order of the city council and published in Appendix B - Municipal Fee Schedule.

- a. Pursuant to the section 11-4(d), the parks commission shall include in its annual report to the city council a list of all permitted activities, with relevant details such as the computed fee, discounts, and waivers, final charged fee, date of the event, and group for each.
- b. Subletting any permit to groups not named on the application is prohibited.
- c. All fees paid are non-refundable unless the scheduled event is cancelled within thirty (30) days of the event.
- d. For Groups B, C, and D (recurring field use), a fee will be assessed to utilize the concession stand/restroom at Atkinson Common, Lower, . Group E, F, G, and H (special events), may request use of the restrooms for a one-time fee.
- e. A booth or tent shall be no more than one-hundred and twenty (120) square feet in area.
- f. While longer-term special events are generally discouraged, events lasting longer than two (2) weeks may request a fee reduction from the parks commission. The parks commission is under no obligation to offer any reduction and any reduction shall be offered at the sole discretion of the parks commission.

CHAPTER 12 STREETS, SIDEWALKS AND OTHER PUBLIC PLACES
ARTICLE I IN GENERAL

Sec. 12-1.3. Signs in public ways.

(d) *Regulations for temporary signs.*

(2) *Banners.*

- c. The applicant shall pay a deposit fee to the city clerk for each banner as approved by order of the city council and published in Appendix B - Municipal Fee Schedule. Such fee shall be waived for an application filed for a city sponsored event.

(3) *Moveable signs.*

- b. A movable sign permit shall require payment of an annual fee to the city as approved by order of the city council and published in Appendix B - Municipal Fee Schedule. Each such permit shall commence on the first day of April and expire on March 31. The permit fee for new businesses opening during the annual period shall be prorated.

Sec. 12-1.5. Signage, merchandising and beautification on public ways.

- (f) To place an A-frame sign in a public way, the applicant shall first obtain a license, by submitting a written application to the city clerk as directed by that official, and pay a biennial licensing fee per A-frame sign. Such fees are approved by order of the city council and published in Appendix B - Municipal Fee Schedule.

Table 12-1.5

Proposed Object in Public Way	City Council Approval?	Permit from City Clerk?	Permit Fee	Max. Permit Duration	Max. Quantity of Object	Max. Dimensions	Permitted Locations
A-frame signs*	Not required	Required	see <u>Appendix B</u>	2 years	1 per public entrance to commercial buildings	2' W x 2' D x 4' H, and less than four (4) square feet total	Sidewalk directly adjacent to related building
Merchandise displays* (tables,	Not required	Not required	N/A	N/A	1 per primary public	8' W x 4' D x 5' H. May be	Sidewalk directly adjacent to

clothing racks, or actual merchandise only)					entrance to commercial buildings	placed in segments, but aggregate width permitted for each primary public entrance cannot [exceed] eight (8) feet	related primary public entrance, parallel to exterior wall, starting within four (4) feet of primary public entrance
Beautification items (e.g. planters)	Not required	Not required	N/A	N/A	N/A	N/A	Sidewalk directly adjacent to a lawfully occupied commercial building
* Exceptions may be granted by city council on location, size, or moveability by written request of applicant.							

CHAPTER 12 STREETS, SIDEWALKS AND OTHER PUBLIC PLACES
ARTICLE IV EXCAVATIONS

Sec. 12-70. Drain layers/utility contractors license.

- (a) The city council may license suitable and competent persons to be drain layers/utility contractors.
- (b) The fee for each drain layers/utility contractors license shall be set by order the city council and published in Appendix B - Municipal Fee Schedule.
- (c) Drain layers/utility contractors license shall be valid January 1st to December 31st for each year.

Sec. 12-71. Permission required; repair; traffic flow.

(a). Application and fee for permit.

All persons desiring to open a permanently constructed street, sidewalk or public way for any purpose whatsoever shall make applications in writing to the director of public services for a street opening permit. The applicant shall remit payment for each street opening permit required established by order of the city council and published in Appendix B - Municipal Fee Schedule..

(b). Performance bond.

Each applicant for a permit under section 12-71 and section 12-71A shall upon receiving a permit, further post with the director of public works a five thousand dollar (\$5,000.00) performance bond payable to the City of Newburyport in order to protect the city in event that after the opening work has been completed, in the final written judgment of the director of public works, the area is not properly restored by the applicant to at least comparable if not better than its condition prior to the opening. No permit is valid nor work may commence until applicant has posted the performance bond.

CHAPTER 12 STREETS, SIDEWALKS AND OTHER PUBLIC PLACES
ARTICLE V PUBLIC PLACES
DIVISION 2: CEMETERIES

Sec. 12-101. Cemetery fees established.

The schedule of fees set forth in this section shall be established by order of the city council and published in Appendix B - Municipal Fee Schedule. Fees are hereby established for services performed by the city in the Highland and Old Hill Cemeteries of the city.

**CHAPTER 13 TRAFFIC AND MOTOR VEHICLES
ARTICLE IV SPECIFIC STREET SCHEDULES
DIVISION 6: STOPPING, STANDING AND PARKING**

Sec. 13-180.1. Paid parking permits.

(f) *Cost, dates of issuance and prorations.*

(1) The annual cost of said permits shall be established by order of the city council and published in Appendix B - Municipal Fee Schedule.

(h) Hourly rates for parking lots shall be established by order of the city council and published in Appendix B - Municipal Fee Schedule.

Sec. 13-183a. Plum Island parking.

Parking rates for the Plum Island Parking lot shall be established by order of the city council and published in Appendix B - Municipal Fee Schedule. Any person who shall park a vehicle unlawfully on Plum Island shall be subject to a parking fine as noted in chapter 1, section 1-18. Handicap parking violations are specifically excluded from this section.

**CHAPTER 15 VEHICLES FOR HIRE
ARTICLE II TAXI CABS**

Sec. 15-32. Fees and terms for permits/licenses.

All permits and licenses granted under this chapter shall continue and remain in full force and effect for a period from the first day of October each year until midnight on the September 31 of the year in which said permit or license was granted. The fees for such permits are established by order of the city council and published in Appendix B - Municipal Fee Schedule.

APPENDIX B – MUNICIPAL FEE SCHEDULE

SECTION 1 – TITLE AUTHORITY AND PURPOSE

1-A – SHORT TITLE AND PURPOSE

This ordinance shall be known as the “Municipal Fee Schedule for the City of Newburyport”, herein after referred to as the “Municipal Fee Schedule”. The purpose of this ordinance is to establish municipal fees for city departments.

1-B – AUTHORITY

This ordinance is adopted pursuant to the authority granted by M.G.L. ch

SECTION 2 – MUNICIPAL FEES BY CATEGORY

2-A - ANIMALS

<u>Licensing of dogs and kennels</u>	<u>Fee</u>
<u>Neutered males and spayed females</u>	<u>\$10.00</u>
<u>Un-neutered males and un-spayed females</u>	<u>\$15.00</u>
<u>Senior citizens (aged 65 and over) who show proof of age shall be entitled to a license without paying said fees for their dogs, provided, however, that any applicable late fees shall still apply.</u>	

<u>Kennel license fees</u>	<u>Fee</u>
Four (4) dogs	\$10.00
Five (5) to ten (10) dogs	\$15.00
Eleven (11) or more dogs	\$100.00
<u>Stray Animal Fees</u>	<u>Fee</u>
Pick-up of domestic stray animal, during city hall hours	\$40.00
Pick-up of domestic stray animal, outside of city hall hours	\$50.00
Boarding of stray animal and animal shelter	\$35/day

2-B – BOATS, DOCKS AND WATERWAYS (HARBORMASTER DEPARTMENT)

<u>Commercial Fish Pier</u>	<u>Fee</u>
Five cents (\$0.05) per pound for each pound in excess of twenty thousand pounds (20,000) of fish per day	\$10
Annual Permit, includes use of hoist/parking	\$1,700
<u>Commercial Shellfish Pier</u>	<u>Fee</u>
Residents License	\$100
Non-Residents License	\$200
Rack Fee	\$2.00 per rack
<u>Waterways, Moorings, etc. Annual Permits</u>	<u>Fee</u>
Waterways, includes Dinghy up to 12 ft	\$5 per foot
Moorings	\$4 per foot
Moorings, overnight only	\$50
Dinghy Dock	\$250

<u>Rates for Central Waterfront Docks</u>	<u>Fee</u>
<u>Weekday/Weekend 'Transient' Rates (3-hour increments)</u>	
Under 20 ft LOA	\$10 flat fee
21 to 40 ft LOA	\$20 flat fee
41 to 60 ft LOA	\$30 flat fee
<u>Weekday 'Day' Rates per foot</u>	
Under 50 ft LOA	\$3 per foot
51 to 100 ft LOA	\$4 per foot
Over 101 ft LOA	\$5 per foot
<u>Weekend 'Day' Rates per foot</u>	
Under 50 ft LOA	\$4 per foot
51 to 100 ft LOA	\$5 per foot
Over 101 ft LOA	\$6 per foot
<u>Dinghy up to 12 ft (up to 3 hours)</u>	
Weekday	\$5.00 flat fee
Weekend	\$10.00 flat fee

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

<u>Building Permits</u>	<u>Fees</u>
First one thousand dollars (\$1,000) of cost estimate	\$50
Each additional one thousand dollars (\$1,000) of estimate or part thereof.	\$10
<u>Plumbing Permit Fees</u>	<u>Fees</u>
Permit fee	\$40
Inspection/Re-inspection fee	\$45
Charge for each fixture	\$10

<u>Replacement hot water heater</u>	<u>\$60, residential</u> <u>\$75, commercial</u>
<u>Gas Permit Fees</u>	<u>Fees</u>
<u>Permit fee</u>	<u>\$40</u>
<u>Inspection/Re-inspection fee</u>	<u>\$45</u>
<u>Appliance fee</u>	<u>\$5, residential</u> <u>\$10, commercial</u>
<u>Replacement hot water heater</u>	<u>\$60, residential</u> <u>\$50, commercial</u>
<u>Sheet Metal Permit Fees</u>	<u>Fees</u>
<u>Permit fee</u>	<u>\$75.00, residential</u> <u>\$150.00, commercial</u>
<u>Inspection fee:</u>	<u>\$30.00</u>
<u>Re-inspection fee:</u>	<u>\$35.00</u>
<u>Charge for each fixture</u>	<u>\$10.00</u>
<u>If residential work started before a permit</u>	<u>\$150.00</u>
<u>If commercial work started before permit</u>	<u>\$300.00</u>

<u>Residential Electrical Permit Fees</u>	<u>Fee</u>
<u>New Construction - Fee is based on the projected building cost as shown on the building permit.</u>	<u>First \$50,000 = \$180</u> <u>Each additional \$1,000 = \$1.00</u>
<u>Additions/Renovations (service not included)</u>	<u>\$60 permit plus \$3 per item, maximum allowable charge \$300</u>
<u>Garages Added On</u>	<u>\$80, attached</u> <u>\$125, detached</u>
<u>Generators</u>	<u>\$45, manual start</u> <u>\$85, automatic</u>
<u>Services—New, changed, or altered</u>	<u>Single Family Overhead = \$45</u> <u>Single Family Underground = \$85</u> <u>Multi Family = \$85 plus \$20 each additional unit, sub- or house- panel</u>
<u>Temporary Service</u>	<u>\$50</u>
<u>Solar</u>	<u>\$100 up to 10kW (>10kW use commercial solar rate)</u>
<u>Commercial Electrical Permit Fees</u>	<u>Fee</u>
<u>New construction - Fee is based on the projected building cost as shown on the building permit.</u>	<u>First \$100,000 is \$300</u> <u>Each additional \$1,000 or fraction thereof is \$1.00</u>
<u>Additions/renovations (service not included)</u>	<u>\$60.00 for the permit plus \$3 for each (service not included) plug, switch, light, appliance, special equipment, etc.= fee</u>
<u>Services—New, changed, or altered</u>	<u>Each 200 amps or fraction thereof \$50.00</u> <u>(includes 1st panel or main circuit breaker enclosure)</u> <u>Each additional panel \$20.00</u> <u>Temporary Service \$65</u>
<u>Miscellaneous Electrical Permits</u>	<u>Fee</u>
<u>Burglar/fire alarm systems</u>	<u>\$50, residential</u> <u>\$85, commercial</u>
<u>Central heat or A/C</u>	<u>\$65, residential</u> <u>\$85, commercial</u>

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

2-D- CITY CLERK (VITAL RECORDS AND CERTIFICATIONS)

<u>Vital Records and Certificates</u>	<u>Fee</u>
<u>Birth, Marriage and Death Certified Copies</u>	\$10
<u>Purchased by Mail</u>	\$12
<u>Marriage Licenses</u>	\$30
<u>Business Certificates</u>	\$35
<u>Passport Processing</u>	\$35 (By Federal)
<u>Passport Photos</u>	\$10

<u>Public Records Access</u>	<u>Fee</u>
<u>Resident Listing Books</u>	\$15
<u>Zoning Ordinances</u>	\$20
<u>Subdivision</u>	\$25

2-E– FINANCE DEPARTMENT

<u>Treasurer/Collector Fees</u>	<u>Fee</u>
<u>Municipal Lien Certification:</u>	
<u>Standard Fee</u>	\$25
<u>Land with four or more family residences</u>	\$100
<u>Commercial, Industrial or Utility</u>	\$150
<u>Farms, Forestland and other</u>	\$50
<u>Demand Fee for Motor Vehicles and Real Estate</u>	\$15
<u>Assessor Fees</u>	<u>Fee</u>
<u>Abutter's List</u>	\$5
<u>Abutter's List with Labels</u>	\$15
<u>Public Request through Vision Appraisal</u>	\$25

2-F – FIRE PREVENTION AND PROTECTION

<u>Fire Protection / Hazardous Material Permits</u>	<u>Fee</u>
<u>Master box connection to the municipal fire alarm system</u>	\$300 / annually
<u>Fire Alarm Systems (Panels)</u>	\$50
<u>Unvented Gas Appliance</u>	\$50
<u>Sprinkler System</u>	\$50 residential \$100 commercial
<u>Oil Burner Installation/Repair</u>	\$50
<u>Explosive/Fire Hazardous Material Permits</u>	

<u>Blasting</u>	\$50
<u>Black Powder</u>	\$50
<u>Combustible Fibers/Dust</u>	\$50
<u>Fireworks</u>	\$50
<u>Model Rockets</u>	\$25
<u>Welding</u>	\$50
<u>Hazardous Materials Processing</u>	\$50
<u>Smoke Detectors/CO Inspection</u>	<u>Fee</u>
<u>Single Family/ Unit</u>	\$50
<u>Any Building with 2 Units</u>	\$100
<u>Any Building with 3-6 Units</u>	\$150
<u>Any Building with 7 or more Units</u>	\$500
<u>Commercial Cooking/Tents Permits</u>	<u>Fee</u>
<u>Commercial Cooking</u>	\$50
<u>Tents (Commercial)</u>	
<u>Up to 1,999 square feet</u>	\$0.00
<u>Over 2,000 square feet</u>	\$50
<u>Storage Tanks/Burners</u>	<u>Fee</u>
<u>LP Gas Storage</u>	\$50
<u>Flammable Liquid, Solid, Gas Storage</u>	
<u>Storage Tanks</u>	
<u>Up to 1,100 Gallons</u>	\$50
<u>Over 1,100 Gallons</u>	\$100
<u>Propane Tank Installation</u>	
<u>Up to 999 Gallons</u>	\$50
<u>Over 1,000 Gallons</u>	\$100
<u>Removal of Tanks</u>	\$50, above ground \$100, below ground

<u>Miscellaneous Fire Permits</u>	<u>Fee</u>
<u>Outside Burning</u>	\$10
<u>Reports</u>	\$10
<u>Any Permit not listed but required</u>	\$50

2-G- LICENSES, PERMITS, SIGNS AND BUSINESS REGULATIONS

<u>Lodging house licenses</u>	<u>Fees</u>
<u>Lodging houses</u>	\$2
<u>Bed and Breakfast</u>	\$20
<u>Transient Vendor/Food Trucks License</u>	<u>Fees</u>
<u>Annual notice for transient vendor license applications</u>	\$10
<u>Transient vendors, excluding food trucks</u>	\$1,000
<u>Food trucks</u>	\$1,500
<u>Application processing fee for transient vendors</u>	\$50.00
<u>Additional fee for notification to registered party</u>	\$1.00

<u>Signs in public ways</u>	<u>Fee</u>
<u>Permanent signs fee</u>	\$150

Temporary Signs, banners	\$2
Temporary Signs, moveable signs effective on first day of April and expiring on March 31 st	\$50/annually \$5/month, prorated for new businesses
A-Frame sign biennial license fee	\$100 per sign

<u>Vehicles for hire licenses/permits/sales</u>	<u>Fee</u>
Annual permit for taxicabs	\$50
Fee for license for taxicabs	\$25
Taxi Driver fee	\$15
Permit restoration after suspension or revocation	\$50
Class II Auto Sales	\$75

<u>Miscellaneous license and application fees</u>	<u>Fees</u>
Establishments with pool and billiard tables license fee	\$5
Establishments with bowling alleys license fee	\$5
Pawn broker annual license fee before November 1st	\$50
Pawn broker annual license fee after November 1st	\$25
Hawkers/peddler License fee	\$46
Application fee for Solicitor Identification Card	\$50
License for retail stores to operation between 11:00pm and 5:00am	\$15
Storage or keeping of flammables or explosives of Class A, B and C liquids:	
<u>1 gallon to 10,000</u>	
<u>10,001 gallons to 25,000</u>	\$50
<u>25,001 gallons to 50,000</u>	\$100
<u>50,001 gallons and over</u>	\$200
	\$300

2-H – MUNICIPAL FACILITY USE FEE

<u>Senior/Community Center</u>	<u>Fee (see note below)</u>	<u>Reference</u>
<i><u>Weekday Rates: Monday through Thursday 8:00am – 10:00pm, Friday 8:00am – 4:00pm</u></i>		
<u>Community Room A + B + Dining Room / Kitchen</u>	\$100/hour – Private Function \$50/hour – Funds Raised	<u>By order</u>
<u>Community Room A or B</u>	\$50/hour – Private Function \$25/hour – Funds Raised	<u>By order</u>
<u>Dining Room/Kitchen</u>	\$75/hour – Private Function \$50/hour – Funds Raised	<u>By order</u>
<u>Arts & Crafts Room, Billiards Room, Board Room, Computer Lab, Exercise Equipment Room, Library, Wellness Room</u>	\$50/hour – Private Function \$25/hour – Funds Raised	<u>By order</u>
<i><u>Weekend Rates: Friday 4:00pm through Monday 7:00am</u></i>		
<u>Community Room A + B + Dining Room / Kitchen – Weekday</u>	\$150/hour – Private Function \$100/hour – Funds Raised	<u>By order</u>
<u>Community Room A or B</u>	\$100/hour – Private Function \$75/hour – Funds Raised	<u>By order</u>
<u>Dining Room/Kitchen</u>	\$125/hour – Private Function \$100/hour – Funds Raised	<u>By order</u>
<u>Arts & Crafts Room, Billiards Room, Board Room, Computer Lab, Exercise Equipment Room, Library, Wellness Room</u>	\$100/hour – Private Function \$75/hour – Funds Raised	<u>By order</u>

Note: Non-commercial, public gatherings that do not raise funds are \$0/hour on weekdays and \$50/hour on the weekends.

<u>City Hall Auditorium</u>	<u>Fee (see note below)</u>	<u>Reference</u>
<i><u>Weekday Rates: Monday through Thursday 8:00am – 10:00pm, Friday 8:00am – 4:00pm</u></i>		
<u>Auditorium</u>	\$75/hour – Private Function \$50/hour – Funds Raised	<u>By order</u>
<u>Set-up/access to reserved space prior to event</u>	\$35/hour – Private Function \$35/hour – Funds Raised	<u>By order</u>
<i><u>Weekend Rates: Friday 4:00pm through Monday 7:00am</u></i>		
<u>Auditorium</u>	\$125/hour – Private Function \$75/hour – Funds Raised	<u>By order</u>
<u>Set-up/access to reserved space prior to event</u>	\$35/hour – Private Function \$35/hour – Funds Raised	<u>By order</u>

Note: Non-commercial, public gatherings that do not raise funds are \$0/hour and \$50/hour for Auditorium and \$35/hour for Set-up/Access.

2-I- PARKING FEES (PERMITS, RATES)

<u>Parking Permits</u>	<u>Fee</u>
<u>Resident Annual Permit – Paid Parking Facilities</u>	\$15.00 \$5.00, Senior Rate
<u>Employee Quarterly Permit, All Day Parking Facilities</u>	\$50.00
<u>Resident Monthly Pass for Titcomb Street Garage</u>	\$60.00
<u>Non-Resident Monthly Pass for Titcomb Street Garage</u>	\$80.00
<u>Employee Pass for Titcomb Street Garage</u>	\$50.00
<u>Parking, Hourly Fees in Lots</u>	<u>Fee</u>
<u>Hourly Fee – Waterfront Trust Lot, State Street Lot, Titcomb Street Garage, NRA West and East Lot</u>	\$1.00/hour
<u>Hourly Fee – Green Street Lot, Prince Place Lot and Hales Court Lot</u>	\$1.50/hour
<u>Plum Island Parking Lot</u>	<u>Fee</u>
<u>Resident</u>	\$10.00, Weekday \$12.00, Weekend
<u>Non-Resident</u>	\$15.00, Weekday \$20.00, Weekend

2-J- PARKS AND RECREATION FEES

	<u>Group Hourly Rate, see Municipal Code Reference</u>							
<u>Athletic Fields and Courts</u>	<u>A</u>	<u>B</u>	<u>C</u>	<u>D</u>	<u>E</u>	<u>F**</u>	<u>G**</u>	<u>H**</u>
<u>Cashman Park Ballfield</u>	<u>N/C</u>	<u>\$5.00</u>	<u>\$15.00</u>	<u>N/C</u>	<u>N/A</u>	<u>\$25.00</u>	<u>\$100.00</u>	<u>\$200.00</u>
<u>Perkins Park Ballfield</u>	<u>N/C</u>	<u>\$5.00</u>	<u>\$15.00</u>	<u>N/C</u>	<u>N/A</u>	<u>\$25.00</u>	<u>\$100.00</u>	<u>\$200.00</u>
<u>Cashman Park Soccer Field</u>	<u>N/C</u>	<u>\$5.00</u>	<u>\$15.00</u>	<u>N/C</u>	<u>N/A</u>	<u>\$25.00</u>	<u>\$100.00</u>	<u>\$200.00</u>
<u>Cherry Hill Soccer Field Parcel A</u>	<u>N/C</u>	<u>\$5.00</u>	<u>\$15.00</u>	<u>N/C</u>	<u>N/A</u>	<u>\$25.00</u>	<u>\$100.00</u>	<u>\$200.00</u>
<u>Cherry Hill Soccer Field Parcel B</u>	<u>N/C</u>	<u>\$5.00</u>	<u>\$15.00</u>	<u>N/C</u>	<u>N/A</u>	<u>\$25.00</u>	<u>\$100.00</u>	<u>\$200.00</u>
<u>Bradley Fuller Park Track</u>	<u>N/C</u>	<u>\$5.00</u>	<u>\$15.00</u>	<u>N/C</u>	<u>N/A</u>	<u>\$25.00</u>	<u>\$100.00</u>	<u>\$200.00</u>
<u>Bradley Fuller Park Infield</u>	<u>N/C</u>	<u>\$5.00</u>	<u>\$15.00</u>	<u>N/C</u>	<u>N/A</u>	<u>\$25.00</u>	<u>\$100.00</u>	<u>\$200.00</u>
<u>Bradley Fuller Park North Field</u>	<u>N/C</u>	<u>\$5.00</u>	<u>\$15.00</u>	<u>N/C</u>	<u>N/A</u>	<u>\$25.00</u>	<u>\$100.00</u>	<u>\$200.00</u>
<u>Woodman Park Multi-use Field</u>	<u>N/C</u>	<u>\$5.00</u>	<u>\$15.00</u>	<u>N/C</u>	<u>N/A</u>	<u>\$25.00</u>	<u>\$100.00</u>	<u>\$200.00</u>
<u>Cashman Park Tennis</u>	<u>N/C</u>	<u>\$5.00</u>	<u>\$15.00</u>	<u>N/C</u>	<u>N/A</u>	<u>\$25.00</u>	<u>\$100.00</u>	<u>\$200.00</u>

	Group Hourly Rate, see Municipal Code Reference							
<u>Athletic Fields and Courts</u>	<u>A</u>	<u>B*</u>	<u>C</u>	<u>D</u>	<u>E</u>	<u>F**</u>	<u>G**</u>	<u>H**</u>
<u>Perkins Park Tennis</u>	<u>N/C</u>	<u>\$5.00</u>	<u>\$15.00</u>	<u>N/C</u>	<u>N/A</u>	<u>\$25.00</u>	<u>\$100.00</u>	<u>\$200.00</u>
<u>Bartlet Mall Basketball Courts</u>	<u>N/C</u>	<u>\$5.00</u>	<u>\$15.00</u>	<u>N/C</u>	<u>N/A</u>	<u>\$25.00</u>	<u>\$100.00</u>	<u>\$200.00</u>
<u>Cashman Park Basketball Court</u>	<u>N/C</u>	<u>\$5.00</u>	<u>\$15.00</u>	<u>N/C</u>	<u>N/A</u>	<u>\$25.00</u>	<u>\$100.00</u>	<u>\$200.00</u>
<u>G.W. Brown School Playground Basketball</u>	<u>N/C</u>	<u>\$5.00</u>	<u>\$15.00</u>	<u>N/C</u>	<u>N/A</u>	<u>\$25.00</u>	<u>\$100.00</u>	<u>\$200.00</u>
<u>Perkins Park Basketball Courts</u>	<u>N/C</u>	<u>\$5.00</u>	<u>\$15.00</u>	<u>N/C</u>	<u>N/A</u>	<u>\$25.00</u>	<u>\$100.00</u>	<u>\$200.00</u>
<u>Woodman Park Basketball Courts</u>	<u>N/C</u>	<u>\$5.00</u>	<u>\$15.00</u>	<u>N/C</u>	<u>N/A</u>	<u>\$25.00</u>	<u>\$100.00</u>	<u>\$200.00</u>
<u>Moseley Woods Lawn</u>	<u>N/C</u>	<u>\$5.00</u>	<u>\$15.00</u>	<u>N/C</u>	<u>N/A</u>	<u>\$25.00</u>	<u>\$100.00</u>	<u>\$200.00</u>
<u>Atkinson Common, Lower, Founders Field</u>	<u>N/C</u>	<u>\$5.00</u>	<u>\$15.00</u>	<u>N/C</u>	<u>N/A</u>	<u>\$25.00</u>	<u>\$100.00</u>	<u>\$200.00</u>
<u>Atkinson Common, Lower, Pepe Field</u>	<u>N/C</u>	<u>\$5.00</u>	<u>\$15.00</u>	<u>N/C</u>	<u>N/A</u>	<u>\$25.00</u>	<u>\$100.00</u>	<u>\$200.00</u>
<u>Atkinson Common, Lower, Hawkes Field</u>	<u>N/C</u>	<u>\$5.00</u>	<u>\$15.00</u>	<u>N/C</u>	<u>N/A</u>	<u>\$25.00</u>	<u>\$100.00</u>	<u>\$200.00</u>
<u>Atkinson Common Tennis</u>	<u>N/C</u>	<u>\$5.00</u>	<u>\$15.00</u>	<u>N/C</u>	<u>N/A</u>	<u>\$25.00</u>	<u>\$100.00</u>	<u>\$200.00</u>
<u>Small Parks</u>	<u>A</u>	<u>B</u>	<u>C</u>	<u>D</u>	<u>E</u>	<u>F*</u>	<u>G*</u>	<u>H*</u>
<u>Brown Square</u>	<u>N/C</u>	<u>N/A</u>	<u>N/A</u>	<u>N/C</u>	<u>N/C</u>	<u>\$25.00</u>	<u>\$100.00</u>	<u>\$200.00</u>
<u>Cornelius Doyle Triangle</u>	<u>N/C</u>	<u>N/A</u>	<u>N/A</u>	<u>N/C</u>	<u>N/C</u>	<u>\$25.00</u>	<u>\$100.00</u>	<u>\$200.00</u>
<u>Joppa Park</u>	<u>N/C</u>	<u>N/A</u>	<u>N/A</u>	<u>N/C</u>	<u>N/C</u>	<u>\$25.00</u>	<u>\$100.00</u>	<u>\$200.00</u>
<u>Moulton Square</u>	<u>N/C</u>	<u>N/A</u>	<u>N/A</u>	<u>N/C</u>	<u>N/C</u>	<u>\$25.00</u>	<u>\$100.00</u>	<u>\$200.00</u>
<u>Washington Park (Eppa Way, Pond Street, High Street)</u>	<u>N/C</u>	<u>N/A</u>	<u>N/A</u>	<u>N/C</u>	<u>N/C</u>	<u>\$25.00</u>	<u>\$100.00</u>	<u>\$200.00</u>
<u>270 Water Street (Perkins Park)</u>	<u>N/C</u>	<u>N/A</u>	<u>N/A</u>	<u>N/C</u>	<u>N/C</u>	<u>\$25.00</u>	<u>\$100.00</u>	<u>\$200.00</u>
<u>Patrick Tracy Square (Tracy Place)</u>	<u>N/C</u>	<u>N/A</u>	<u>N/A</u>	<u>N/C</u>	<u>N/C</u>	<u>\$25.00</u>	<u>\$100.00</u>	<u>\$200.00</u>
<u>Newburyport Skate Park (Nock Schoolyard)</u>	<u>N/C</u>	<u>\$5.00</u>	<u>\$15.00</u>	<u>N/C</u>	<u>N/A</u>	<u>\$25.00</u>	<u>\$100.00</u>	<u>\$200.00</u>
<u>Mid to Large Parks</u>	<u>A</u>	<u>B</u>	<u>C</u>	<u>D</u>	<u>E</u>	<u>F*</u>	<u>G*</u>	<u>H*</u>
<u>Atkinson Common, Upper (other than athletic fields or courts)</u>	<u>N/C</u>	<u>N/A</u>	<u>N/A</u>	<u>N/C</u>	<u>N/C</u>	<u>\$25.00</u>	<u>\$100.00</u>	<u>\$200.00</u>
<u>Atkinson Common, Lower (other than athletic fields or courts)</u>	<u>N/C</u>	<u>N/A</u>	<u>N/A</u>	<u>N/C</u>	<u>N/C</u>	<u>\$25.00</u>	<u>\$100.00</u>	<u>\$200.00</u>
<u>Atwood Park/Garrison Gardens</u>	<u>N/C</u>	<u>N/A</u>	<u>N/A</u>	<u>N/C</u>	<u>N/C</u>	<u>\$25.00</u>	<u>\$100.00</u>	<u>N/A</u>
<u>Bartlet Mall (other than athletic fields or courts)</u>	<u>N/C</u>	<u>N/A</u>	<u>N/A</u>	<u>N/C</u>	<u>N/C</u>	<u>\$25.00</u>	<u>\$100.00</u>	<u>\$200.00</u>
<u>Cashman Park (other than athletic fields or courts)</u>	<u>N/C</u>	<u>N/A</u>	<u>N/A</u>	<u>N/C</u>	<u>N/C</u>	<u>\$25.00</u>	<u>\$100.00</u>	<u>\$200.00</u>
<u>Clipper City Rail Trail (any segments)</u>	<u>N/C</u>	<u>N/A</u>	<u>N/A</u>	<u>N/C</u>	<u>N/C</u>	<u>\$25.00</u>	<u>\$100.00</u>	<u>\$200.00</u>
<u>Cushing Park (other than athletic fields or courts)</u>	<u>N/C</u>	<u>N/A</u>	<u>N/A</u>	<u>N/C</u>	<u>N/C</u>	<u>\$25.00</u>	<u>\$100.00</u>	<u>\$200.00</u>
<u>Inn Street Mall</u>	<u>N/C</u>	<u>N/A</u>	<u>N/A</u>	<u>N/C</u>	<u>N/A</u>	<u>\$25.00</u>	<u>\$100.00</u>	<u>\$200.00</u>
<u>March's Hill</u>	<u>N/C</u>	<u>N/A</u>	<u>N/A</u>	<u>N/C</u>	<u>N/C</u>	<u>\$25.00</u>	<u>\$100.00</u>	<u>\$200.00</u>

<u>Athletic Fields and Courts</u>	<u>Group Hourly Rate, see Municipal Code Reference</u>							
	<u>A</u>	<u>B*</u>	<u>C</u>	<u>D</u>	<u>E</u>	<u>F**</u>	<u>G**</u>	<u>H**</u>
Market Landing Park	[per Newburyport Waterfront Trust]							
Market Square Bullnose	N/C	N/A	N/A	N/C	N/A	\$25.00	\$100.00	\$200.00
Moseley Woods Pavilion	N/C	N/A	N/A	N/C	N/C	\$25.00	\$100.00	\$200.00

* Up to 50% of the fee may be waived in exchange for in-kind services at the sole discretion of the parks commission.

** Any charitable non-profit registered as a 501c3 may apply for a fee reduction or waiver from the parks commission.

The parks commission is under no obligation to offer any reduction or waiver.

Any reduction or waiver is at the sole discretion of the parks commission.

N/C = no charge, N/A = not applicable

- (1) Group A: City of Newburyport departments, including Newburyport Public Schools; other non-profit and for-profit education located within the city; and active duty military.
- (2) Group B: Recurring use by exclusively youth leagues.
- (3) Group C: Recurring use by organizations, including adult sports leagues.
- (4) Group D: Recurring use by organizations that do not charge end-users any fee to participate, including pick-up leagues.
- (5) Group E: Special events held by individuals or groups with up to twenty-five (25) attendees.
- (6) Group F: Special events held by individuals or groups with twenty-six (26) to fifty (50) attendees.
- (7) Group G: Special events held by individuals or groups with fifty (50) to two-hundred (200) attendees.
- (8) Group H: Special events held by individuals or groups with greater than two-hundred (200) attendees

For Groups B, C, and D (recurring field use), a fee to utilize the concession stand/restroom at Atkinson Common, Lower, shall be fifty dollars (\$50.00) per month. Group E, F, G, and H (special events), may request use of the restrooms for a one-time fee of one-hundred dollars (\$100.00)

2-K- PLANNING DEPARTMENT FEES

<u>Documentation Fees</u>	<u>Fee</u>
Form A - Approval Not Required	\$200/lot or lot line change
Form B - Preliminary Subdivision	\$100 base plus \$100 per lot
Form C - Definitive Subdivision	\$1,000 base plus \$250/lot if Preliminary Plan was approved or \$500/lot otherwise
Modification of a Definitive Plan	\$500 base plus \$175/lot
Special Permit / Modification	\$200
Site Plan Review - Major Project	\$500
Site Plan Review - Minor Project	\$200
Repetitive Petition	\$200
Publication and Abutters fee	\$350 per project
<u>Preliminary Plan, Modification of a Definitive Plan, or Modification of a Special Permit</u>	<u>Fee</u>
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
Ten or fewer Parking Spaces	\$1,000
Ten or more Parking Spaces	\$1,500
<u>Initial Definitive Plan, Special Permit or Site Plan</u>	<u>Fee</u>
2 - 15 Lots/Units	\$4,000
16 - 20 Lots/Units	\$6,000
21 - 25 Lots/Units	\$10,000
More than 25 Lots/Units	\$20,000
Minor Site Plan Review	\$500

<u>Major Site Plan Review</u>	<u>\$1,500</u>
<u>Ten or fewer Parking Spaces</u>	<u>\$2,000</u>
<u>Ten or more Parking Spaces</u>	<u>\$5,000</u>

2-L- POLICE DEPARTMENT FEES

<u>Records Request</u>	<u>Fee</u>
<u>Per page mailed or faxed</u>	<u>\$1</u>
<u>Per page walk-in</u>	<u>\$0.50</u>
<u>Per report up to 6 pages</u>	<u>\$5.00</u>

<u>Firearms License</u>	<u>Fee</u>
<u>License fee for firearms</u>	<u>\$100.00</u>
<u>Police Details Administrative Fee</u>	<u>10%</u>

2-M- HEALTH DEPARTMENT FEES

<u>Day Camps and Funeral Directors</u>	<u>Fee</u>
<u>Administrative Determination of Applicability</u>	<u>\$75</u>
<u>Bed & Breakfast License</u>	<u>\$60</u>
<u>Body Art Practitioner (tattoo/piercing)</u>	<u>\$20</u>
<u>Body Art Establishment</u>	<u>\$200</u>
<u>Day Camp for Children</u>	<u>\$100</u>
<u>Day Care Service for Children</u>	<u>\$50</u>
<u>Certificate of Compliance</u>	<u>\$50</u>
<u>Document Preparation Fee</u>	<u>\$25, first page</u> <u>\$2 each add'l page</u>
<u>Disposal Works Installers Exam</u>	<u>\$10</u>
<u>Burial Permit</u>	<u>\$10</u>
<u>Funeral Directors</u>	<u>\$50</u>
<u>General License / Permit</u>	<u>\$100</u>
<u>Housing Section 8 Inspection</u>	<u>\$50</u>
<u>Special Inspection</u>	<u>\$75</u>

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

<u>Food Service Establishment – Plan Review</u>	<u>Fee</u>
<u>Plan Review (Construction)</u>	<u>\$150</u>
<u>Plan Review (Food Establishment)</u>	<u>\$150</u>
<u>Plan Review (Mobile Food)</u>	<u>\$75</u>
<u>Plan Review (Mobile Food Kitchen)</u>	<u>\$150</u>
<u>Plan Review (Residential Kitchen)</u>	<u>\$75</u>
<u>Food Service Establishment - Permits</u>	<u>Fee</u>
<u>Permit Fee</u>	<u>\$230</u>
<u>- Each Seat (Max of \$450)</u>	<u>\$5/seat</u>

<u>Frozen Dessert</u>	\$25
<u>Milk & Ice Cream</u>	\$10
<u>Mobile Food</u>	\$165
<u>Mobile Food Kitchen Annual</u>	\$350
<u>Catering Establishment</u>	\$100
<u>Retail Food</u>	\$230
<u>Residential Kitchen</u>	\$230
<u>Seasonal Establishment</u>	\$165
<u>Re-Inspections (Additional)</u>	\$35
<u>Temporary Food Events</u>	<u>Fee</u>
<u>One- or Two-Day Event</u>	\$100
<u>Three or More Day Event</u>	\$50/day
<u>Pop Up Event</u>	\$25 / \$50
<u>Refundable Deposit</u>	<u>Fee</u>
<u>Cooking Event Organizer</u>	\$500
<u>Non-Cooking</u>	\$100

<u>Solid Waste Hauler Permit</u>	<u>Fee</u>
<u>First Vehicle</u>	\$250
<u>Each Additional Vehicle</u>	\$50

<u>Septage / Fats, Oils, Grease / Other Offal Substances Hauler Permit</u>	<u>Fee</u>
<u>First Vehicle</u>	\$250
<u>Each Additional Vehicle</u>	\$50

<u>Pools, Stables, Skating Rinks, Tobacco, Tanning Establishments</u>	<u>Fee</u>
<u>Skating Rink</u>	\$100
<u>Swimming Pool</u>	\$110
<u>Special Purpose Pool</u>	\$110
<u>Stable (Barn Fee)</u>	\$25 \$5 per horse
<u>Tanning Establishment</u>	\$100
<u>Tobacco</u>	\$100

2-N- PUBLIC WAYS FEES (DEPARTMENT OF PUBLIC SERVICES – HIGHWAY)

<u>Permits for Public Ways (Streets, Sidewalks)</u>	<u>Fee</u>
<u>License fee for drain layers or utility contractors</u>	\$500/annually
<u>Street opening, trench permit</u>	\$100 excavation fee plus \$2/sq-ft
<u>Sidewalk permit</u>	\$100
<u>Curb Cut</u>	\$100 application, DPS review
<u>Electricity Access Permit</u>	\$25 per day, \$300 per month
<u>Right of Way (ROW) Occupancy (dumpster, staging)</u>	\$50 per week
<u>Special Events (trash, staging)</u>	\$45/hr/employee

<u>Burials and Cremations Permits</u>	<u>Fee</u>
<u>Digging of graves and rental of lowering devices and greens in the Highland and Old Hill Cemetery</u>	\$200
<u>Purchase of single grave in the Highland and Old Hill Cemetery</u>	\$150
<u>Full burials</u>	\$550 (Summer)

	\$750 (Winter)
Cremations	\$200
Additional Fee for Weekend Burial/Cremations	\$300
Pauper Burial	\$50

2-O- RECYCLING AND SOLID WASTE

Yard Waste Facility and Landscaper Permit	Fee
Under 65 years of age, First Vehicle	\$20
Second Vehicle	\$10
Over 65 years of age	\$5
Replacement Sticker	\$0.00
Landscaper Permit	\$250
Curbside Bulk Waste Stickers	Fee
Any furniture item	\$5
Mattress (trash)	\$20
Mattress (recycled)	\$15

Recycling Center Fees – Appliances	
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
Recycling Center Fees – Electronics	
Copier Machine - \$5 (<30lbs), \$25 (>30lbs)	Televisions (CRT <32") - \$10 (10-19"), \$15 (20-31"),
Computer (CPU Tower) - \$5	Televisions (CRT >32") - \$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 (laserjet)	TV (Projection) - \$30 <= 200lbs, \$0.22/lb > 200 lbs
Printer over 30lbs - \$25	VCR/DVD - \$2
Recycling Center Fees – Miscellaneous	
Mattresses - \$15 (recycling), \$20 (curbside)	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 FEES (DEPARTMENT OF PUBLIC SERVICE – WATER AND SEWER)

Water Consumption Usage Rates	Fee
First 3,000 cu-ft for Residential and Non-residential	\$5.94/100 cu-ft
3,001 cu-ft and over for Residential and Non-residential	\$6.69/100 cu-ft
Residential Service Charge – Meters 1" or smaller	\$25/quarter
Residential Service Charge – Meters larger than 1"	\$125/quarter
Non-Res Service Charge – Meters 1" or smaller	\$30/quarter
Non-Res Service Charge – Meters larger than 1"	\$125/quarter
Sewer Usage Rates	Fee
First 3,000 cu-ft	\$9.84/100 cu-ft
3,001 cu-ft and over	\$10.60/100 cu-ft
Customer Service Charge – All customers	\$25/quarter \$30/quarter (Newbury)
Customer Service Charges	Fee
Emergency Call	\$400
Water On/Off	\$50

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

Councillor Afroz K. Khan, At Large

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

September 13, 2021

THAT, \$5,930,000 is appropriated to pay costs of design, bidding, construction administration, owner's project manager/clerk of the works, construction, furnishing, and outfitting of an approximately 6,800 square foot new Cutter West End Fire Station, substantially similar to the plans prepared by Winter Street Architects dated March 2021 and presented in concept form to the Council on August 9th, 2021, including the payment of all costs incidental and 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. Any premium received upon the sale of any bonds or notes approved by this order, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with M.G.L. c. 44, §20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

Councillor James J. McCauley, Chair Public Safety

Councillor Sharif I. Zeid, Chair Budget and Finance

In City Council September 13, 2021:

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

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

Introduced September 13, 2021

AN ORDER TO AUTHORIZE ACQUISITION OF LAND IN CONNECTION WITH RECONSTRUCTION OF THE CUTTER WEST END FIRE STATION AND TO APPROPRIATE FUNDS FOR THE SAME

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

THAT the City Council of the City of Newburyport by virtue of and in accordance with the authority of the provisions of Chapter 79 of the Massachusetts General Laws, as amended, and of any and every other power and authority which is hereunto in any way enabling, adopts this Order of Taking to acquire the fee in that certain real estate depicted as "Lot A," on the plan entitled "Plan of Land in Newburyport, Massachusetts, Surveyed for City of Newburyport, 153 Storey Avenue & 1 Lt. Leary Drive," prepared by Winter GEC, LLC, dated September 14, 2021, having an area of 7,535 square feet (the "Taking Parcel"), for public safety purposes, including the construction of a municipal fire station, and to authorize the City Council President to execute an Order(s) of Taking to effectuate the purposes of this vote; and

THAT upon the recording of such order, in reliance upon and subject to the conditions set forth in a certain Waiver of Appraisal and Damages titled "Friendly Taking of Parcel of Land Located at 1 Lieutenant Leary Drive – Waiver of Appraisal and Damages" and executed by said Owners and the City of Newburyport on October 22nd, 2021, on file with the City Clerk, compensation in the amount of Four Hundred Thousand Dollars (\$400,000.00), be paid to the Owners of said property as full compensation for all damages sustained by them as a result of said taking; and

THAT, Four-Hundred-Thousand Dollars (\$400,000.00) is appropriated to pay the compensation indicated above, including the payment of all costs incidental and 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. Any premium received upon the sale of any bonds or notes approved by this order, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied

to the payment of costs approved by this vote in accordance with M.G.L. c. 44, §20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

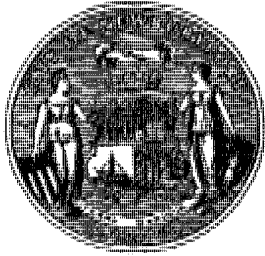
Councillor Jared J. Eigerman

Councillor James J. McCauley

Councillor Sharif I. Zeid

In City Council September 13, 2021:

Motion to refer to Budget & Finance and Planning & Development by Councillor Zeid, seconded by Councillor Devlin. So voted.



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

ANTHONY J. FURNARI, DIRECTOR
 JAMIE TUCCOLO, DEPUTY DIRECTOR/DIRECTOR OF OPERATIONS

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

MEMORANDUM

DATE: October 15, 2021

TO: Richard Jones, City Clerk
 Members of the City Council

FROM: Jon-Eric White, City Engineer *JEW*

COPY: Mayor Donna D. Holaday
 Water and Sewer Commission
 Anthony J. Furnari, DPS Director
 Diane Gagnon, Assistant Engineer

SUBJECT: Philips Drive Neighborhood Roadway Improvements Project
ORDER 252 – CONFIRMATION OF WATER MAIN REPLACEMENT

This memo is in response to the subject City Council Order 252 (attached for reference) requesting that I provide to the City Council via the City Clerk (A) a final report [confirming the need to replace the water mains as part of the subject project], and, (B) a final plan defining the scope of the Water Line project with a cost estimate.

My final conclusion is that all of the water mains and services in the subject roadway project – specifically Philips Drive, Drew Street, Sullivan Drive, and Ryan Road – should be replaced in their entirety for reasons outlined herein.

We hired one of our engineering consultants, Environmental Partners, Inc., to assist me with an evaluation of the existing piping network. Their final evaluation and recommendation memo is attached. They recommend replacing the water mains in their entirety. We also discussed this at our previous two Water and Sewer Commission meetings and the Commission members support replacing these mains and services. They are concerned that the vibrations from the roadway construction equipment will cause the older cast iron pipe to break.

Background:

Contractors had to remove a lot of ledge when they installed the underground utilities back in the 1960's and '70's. We suspect that the majority of the water main in Sullivan Drive was laid directly on ledge with little to no bedding based on discussions with the Water Division crews. This resulted in a handful of water breaks over the years at that location.

My understanding is that the majority of the other water breaks over the years were on the older, Type L copper service connections. This type of copper was too thin and not very durable so the industry replaced it with a better-quality Type K copper tubing. Even before we decided to replace the entire main, we always intended to replace the water services as part of this Project because of the poor quality copper.

There were two main reasons for replacing the mains in their entirety: 1) two hydrant flow tests performed earlier this year revealed just-above-the-minimum (500 gallons per minute @ 20 psi) firefighting flow rates, and; 2) vibratory roller roadway construction equipment will likely crack the brittle cast iron pipe or disturb it enough to cause a break in the future after paving has been completed.

Evaluation:

We hired Xcel Fire Protection, Inc., to flow test five hydrants and surprisingly, the results ranged between 2,100 gpm and 3,000 gpm at 20 psi residual pressure (ISO's baseline pressure requirement). Therefore, the existing pipe is capable of providing 4-6 times the flow rates needed to fight fires. Insufficient flow rates are a primary reason for water main replacement. Those pressures and flow rates are reason enough to justify *keeping* the water mains in place.

Although the existing mains provide ample flows today, I wanted to cut into the pipes and do some forensics on the pipe after being in service for 60 years. If there were signs of imminent pipe failure or the probability that it won't survive another 20 years (common roadway pavement life), then I would have recommended to replace it.

Before sending out crews to cut into the pipe, I took a hard look at the design Plans to see what the impact construction will have on the existing cast iron pipe. Cast iron is brittle and can crack if an impact to it is great enough, which is the primary reason why they invented ductile iron pipe, it's more durable. Water mains are typically 4'-5' deep to stay clear of the frost zone in the soil. At this depth, I do not believe that vibratory rollers used in roadway paving operations will cause pipe failure but I am certain that what *will* cause damage to the existing pipe would be ledge-removal operations (impact drilling, hoe ramming) in order to install the new drainage system. Ledge removal is highly anticipated on this Project and this will most definitely cause a problem to the existing cast iron pipe.

While that is reason enough to replace the pipe, what solidified my decision was the mere fact that we will have dozens of conflicts between the new drainage system and the existing water mains. This problem is greatly exacerbated with the fact that we do not know where the water mains are in the street. We do not have record, as-built Plans of the existing underground utilities so we have little confidence that we can even design a new system that will not have a physical impact on them.

One can argue that if we are about to impact the water main at a certain location in order to install a drainage structure or drainage pipe, then just relocate a portion of the water main at that location. The problem with this is that we have thousands of feet of gravity drainage pipe and dozens of new structures, as well as an existing sewer system in the roadways, so we'll end up cutting into the water

pipe in dozens of spots. Even if we put the Project out to bid and created payment items to cover the cost of the contractor to replace these segments of water main, it will likely result in over-runs that could be quite costly. And living with a patchwork of new and old piping segments is the least desirable situation. That will likely lead to breaks or leaks in the future and force us to cut into the new pavement.

This decision to replace all of the pipe eliminated the need to cut into them to evaluate their condition.

As for the pipe sizes, we do not need 8-inch diameter on all roads, just in Philips Drive and the connection to Hoyt's Lane. The side streets can be 6-inch so this will provide us with some cost savings. Attached is an updated cost estimate. Some quantities have changed as well as some unit prices because we are using the latest bid prices available.

I will attend the Council meeting when this is discussed to answer any questions that may arise.

CITY OF NEWBURYPORT



IN CITY COUNCIL

May 24, 2021

ORDERED:

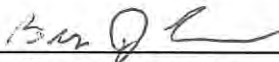
THAT, subject to the conditions shown below, a grand total of \$4,389,000 from various sources is appropriated to the Phillips Drive Neighborhood Roadway, Drainage, and Water line Improvements Project. The funding sources are shown as follows:

THAT, at the recommendation of the American Rescue Plan Ad Hoc Committee, \$1,000,000 is further appropriated to pay Costs of the Phillips Drive Neighborhood Drainage Improvements and Roadway Reconstruction related thereto from the City's allocation of the Coronavirus State and Local Fiscal Recovery Funds.

THAT, \$1,575,000 is appropriated to pay costs of the Phillips Drive Neighborhood Roadway and Drainage Improvements Project including the payment of all costs incidental and 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. Any premium received upon the sale of any bonds or notes approved by this order, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with M.G.L. c. 44, §20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount. While all notes and bonds issued under this loan order shall be general obligations of the City, it is the intent that the debt service on such notes and bonds be paid from General Fund revenues.

THAT, \$1,814,000 is appropriated to pay costs of the Phillips Drive Neighborhood Water Line Project including the payment of all costs incidental and 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. Any premium received upon the sale of any bonds or notes approved by this order, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with M.G.L. c. 44, §20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount. The appropriation referenced in this paragraph shall not be considered valid until such time as

the City Engineer provides to the City Council via the City Clerk (A) a final report including, at minimum, , an analysis of the pipe condition and (B) a final plan meeting the City Engineer's approval defining the final planned scope of the Water Line project with a detailed cost estimate along with information about all alternatives considered. While all notes and bonds issued under this loan order shall be general obligations of the City, it is the intent that the debt service on such notes and bonds be paid from Water Enterprise Fund revenues.


 Councillor Byron J. Lane

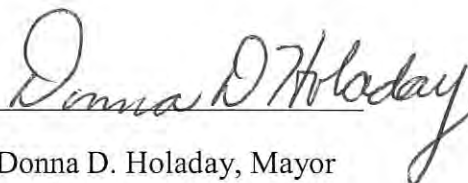

 Councillor Charles F. Tontar

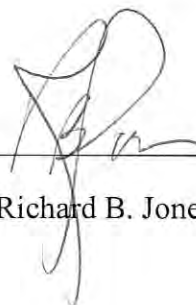
In City Council May 24, 2021:

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

In City Council August 30, 2021:

Motion to approve by Councillor Zeid, seconded by Councillor Lane. Motion to amend as presented by Councillor Zeid, seconded by Councillor McCauley. Motion to delete the last sentence beginning with the words "The appropriation..." ending with the word "...considered" by Councillor Tontar, seconded by Councillor Lane. A friendly amendment to the standing motion to amend as presented to strike "from the General Fund" and to strike "from" and to insert "with the intent to use" after the words "and related thereto" was accepted by Councillors Zeid and Lane. Friendly amendment by Councillor Khan to strike only the words of the last sentence between "a series...locations" and "determined...inspection" accepted by Councillors Tontar and Lane. Roll call on the Motion to Delete. 11 yes. Motion passes. Roll call on the Motion to Amend. 11 yes. Motion passes. Roll call on the Motion to Approve. 11 Yes. Motion passes.

Approve: 
 Donna D. Holaday, Mayor

Attest: 
 Richard B. Jones, City Clerk

Date: 10/4/2021

MEMORANDUM

Date: October 15, 2021

To: Newburyport Department of Public Services
Water and Engineering Divisions

From: Ryan J. Allgrove, PE

Cc: Eric A. Kelley, PE, Environmental Partners
Edward H. Ye, Environmental Partners

Subject Phillip Drive Fire Flow Analysis – Findings and Recommendations

Background

The City of Newburyport (City) is currently designing stormwater infrastructure and roadway improvements in the Phillips Drive neighborhood including Phillips Drive, Drew Street, Sullivan Drive and Ryan Road. The improvements will involve utility trench excavation and full-depth pavement restoration for most of the neighborhood. In order to take advantage of the cost efficiencies associated with performing construction for multiple utilities under the same project, the City is assessing the need for replacement of the water distribution system or select elements of it within the project area. The neighborhood's water distribution system (pipes, valves, and hydrants) are approximately 60 years old and originally installed when the neighborhood was developed.

Hydrant Flow Test Results

The Newburyport Department of Public Services (DPS) requested Environmental Partners (EP) oversee hydrant flow testing completed by Xcel Fire Protection, Inc. (Xcel) to document hydraulic conditions in the Phillips Drive neighborhood. A total of five hydrant flow tests were conducted on September 8, 2021. The field test reports prepared by Xcel are included as Attachment A. Table 1 summarizes the main findings of the tests:

Table 1: Hydrant Flow Testing Results

Test #	Flow Hydrant	Read Hydrant	Test Flow (gpm)	Available Flow @ 20 psi Residual Pressure (gpm)
1	Drew Street / Phillips Drive West	Hoyt's Lane	1062	2144
2	Sullivan Drive	Drew Street / Phillips Drive East	1062	2797
3	Ryan Road Dead End	Ryan Road/ Phillips Drive	1163	2994
4	Phillips Drive North	William Hall Drive	1187	2276
5	Turkey Hill/Storey Ave	#175 Storey Ave	950	2923

Hydrant Flow Test Analysis

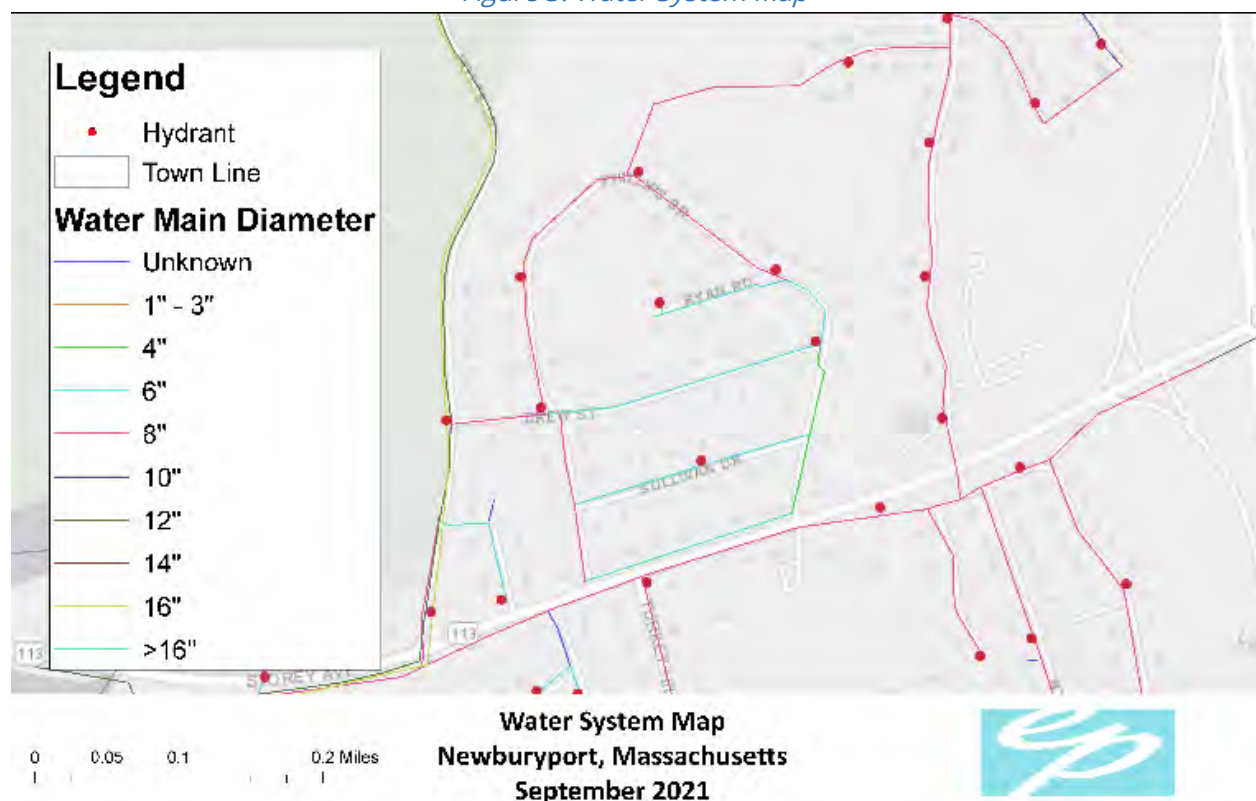
Upon the completion of the hydrant flow testing, EP reviewed the results and field data provided by Xcel. Based on the *Guide for Determination of Needed Fire Flow* provided by the Insurance Services Office, Inc. (ISO), the Newburyport water system can provide fire flows typically considered adequate for similar residential areas. The typical distance between buildings in the Phillips Drive neighborhood exceeds 30 feet. From the test results, the range of approximately 2,100 gpm to 3,000 gpm far exceeds the 500 gpm need for buildings more than 30 feet apart. Fire flow requirements for the neighborhood should be confirmed by the Fire Department.

Table 2: ISO Needed Fire Flows for One and Two Family Dwellings

Distance Between Buildings	Needed Fire Flow
More than 30 feet	500 gpm
21-30 feet	750 gpm
11-20 feet	1,000 gpm
0-10 feet	1,500 gpm

Figure 1 illustrates the existing Phillips Drive neighborhood water system map based upon GIS mapping records. The City's GIS mapping is inconsistent with field observations from the City's valve turning observations. These inconsistencies are addressed further in the recommendations.

Figure 3: Water System Map



While the Phillips Drive neighborhood exceeds the recommended ISO fire flows, based on other water distribution system conditions reported by DPS (e.g. leak/repair history, insufficient pipe bedding, valve turning results), uncertainty regarding the interior condition (e.g. lined vs. unlined cast iron) of water mains within the Phillips Drive neighborhood, EP recommends DPS consider the following water main improvements:

- Remove and replace the entire Phillips Drive neighborhood water distribution system due to concerns regarding history of leaks and repairs, presence of shallow bedrock (e.g. Sullivan Drive), uncertainty in pipe size (e.g. potential 4-inch main on Phillips Drive east) and cement lining, and potential utility conflicts identified between proposed drainage improvements and existing water mains. Based on the flow testing that was performed, 6-inch side street water mains can provide fire flow typically considered adequate in similar residential areas. EP recommends the following pipe sizes for the water main improvements:
 - Drew Street (Between Hoyt's Lane and Phillips Drive west) and Phillips Drive east/west: 8-inch cement lined ductile iron (CLDI)
 - Drew Street (Between Phillips Drive east and west), Sullivan Drive, and Ryan Road: 6-inch CLDI
- Consider sequencing the pavement restoration work to allow time for the utility trenches to settle and potential leaks from existing water mains to develop before final pavement installation. The pavement reclamation, vibratory compaction, and utility excavation

(including rock) may affect the integrity of the existing water mains, valves, hydrants and services.

- Provide a water main connection point for future use in connecting to the transmission main on Storey Avenue to provide a third connection to loop Phillips Drive neighborhood to the system for improved flow and redundancy. The connection of Phillips Drive to Storey Avenue could be considered for when the existing Storey Avenue water main is programmed for replacement, which will require permitting with Massachusetts Department of Transportation.

**PHILIPS DRIVE NEIGHBORHOOD ROADWAY AND DRAINAGE IMPROVEMENTS
NEWBURYPORT, MASSACHUSETTS
ENGINEER'S ESTIMATE
95% DESIGN
October 15,2021
PREPARED BY BSC GROUP
BSC PROJECT NO. 89923.00**

Item No	Description	Unit of Measure	Unit Price	Total Quantity	Total	Drainage	Roadway/Sidewalk	Waterline
101.	CLEARING AND GRUBBING	A	\$30,000.00	0.25	\$7,500.00	\$7,500.00		
120.	EARTH EXCAVATION	CY	\$30.00	100.00	\$3,000.00	\$3,000.00		
121.	CLASS A ROCK EXCAVATION	CY	\$150.00	100.00	\$7,500.00		\$7,500.00	
129.	SIDEWALK REMOVAL	SY	\$30.00	1875.00	\$56,250.00		\$56,250.00	
142.	CLASS B TRENCH EXCAVATION	CY	\$40.00	1366.00	\$54,640.00	\$27,320.00		\$27,320.00
144.	CLASS B ROCK EXCAVATION	CY	\$150.00	100.00	\$15,000.00			\$15,000.00
145.	DRAINAGE STRUCTURE ABANDONED	EA	\$500.00	15.00	\$7,500.00	\$7,500.00		
146.	DRAINAGE STRUCTURE REMOVED	EA	\$700.00	13.00	\$9,100.00	\$9,100.00		
153.	CONTROLLED DENSITY FILL - TYPE 1E	CY	\$150.00	169.99	\$25,498.17	\$25,498.17		
170.	FINE GRADING AND COMPACTING	SY	\$4.20	2000.00	\$8,400.00		\$8,400.00	
181.	DISPOSAL OF UNREGULATED SOIL	CY	\$76.00	100.00	\$176.00	\$176.00		
201.	CATCH BASIN	EA	\$4,500.00	35.00	\$157,500.00	\$157,500.00		
202.	MANHOLE	EA	\$5,000.00	32.00	\$160,000.00	\$160,000.00		
206.	DROP INLET, TYPE A	EA	\$4,500.00	9.00	\$40,500.00	\$40,500.00		
206.5	WATER QUALITY UNIT	EA	\$15,000.00	2.00	\$30,000.00	\$30,000.00		
220.7	SANITARY STRUCTURES ADJUSTED	EA	\$500.00	24.00	\$12,000.00		\$12,000.00	
252.118	18 INCH CORRUGATED PLASTIC PIPE FLARED END	EA	\$1,350.00	1.00	\$1,350.00	\$1,350.00		
252.12	12 INCH CORRUGATED PLASTIC (POLYETHYLENE) PIPE	FT	\$100.00	745.00	\$74,500.00	\$74,500.00		
252.130	30 INCH CORRUGATED PLASTIC PIPE FLARED END	EA	\$1,500.000	1.00	\$1,500.00	\$1,500.00		
252.15	15 INCH CORRUGATED PLASTIC (POLYETHYLENE) PIPE	FT	\$95.00	2405.00	\$228,475.00	\$228,475.00		
252.18	18 INCH CORRUGATED PLASTIC (POLYETHYLENE) PIPE	FT	\$107.50	505.00	\$54,287.50	\$54,287.50		
252.24	24 INCH CORRUGATED PLASTIC (POLYETHYLENE) PIPE	FT	\$140.000	460.00	\$64,400.00	\$64,400.00		
252.30	30 INCH CORRUGATED PLASTIC (POLYETHYLENE) PIPE	FT	\$180.000	110.00	\$19,800.00	\$19,800.00		
252.36	36 INCH CORRUGATED PLASTIC (POLYETHYLENE) PIPE	FT	\$200.00	410.00	\$82,000.00	\$82,000.00		
269.06	6 INCH SLOT-PERFORATED CORRUGATED PLASTIC PIPE (STUB)	EA	\$500.00	40.00	\$20,000.00	\$20,000.00		
269.10	10 INCH SLOT-PERFORATED CORRUGATED PLASTIC PIPE (SUBDRAIN)	FT	\$110.00	2885.00	\$317,350.00	\$317,350.00		
302.06	6 INCH DUCTILE IRON WATER PIPE (RUBBER GASKET)	FT	\$115.00	1495.00	\$171,925.00			\$171,925.00
302.08	8 INCH DUCTILE IRON WATER PIPE (RUBBER GASKET)	FT	\$140.00	6780.00	\$949,200.00			\$949,200.00
309.	DUCTILE IRON FITTINGS FOR WATER PIPE	LB	\$7.50	3500.00	\$26,250.00			\$26,250.00
347.075	3/4 INCH COPPER TUBING TYPE K	FT	\$59.00	2025.00	\$119,475.00			\$119,475.00
350.08	8 INCH GATE VALVE AND GATE BOX	EA	\$2,500.00	23.00	\$57,500.00			\$57,500.00
350.09	6 INCH GATE VALVE AND GATE BOX	EA	\$2,000.00	8.00	\$16,000.00			\$16,000.00
363.075	3/4 INCH CORPORATION COCK	EA	\$475.00	76.00	\$36,100.00			\$36,100.00
376.	HYDRANT	EA	\$5,500.00	8.00	\$44,000.00			\$44,000.00
384.	CURB STOP	EA	\$650.00	76.00	\$49,400.00		\$90,000.00	\$49,400.00
402.	DENSE GRADED CRUSHED STONE FOR SUB-BASE (SIDEWALKS AND ROADWAY BLENDING)	CY	\$72.00	1250.00	\$90,000.00			
403.	RECLAIMED PAVEMENT FOR BASE COURSE AND/OR SUB-BASE	SY	\$3.750	16050.00	\$60,187.50		\$60,187.50	
443.	WATER FOR ROADWAY DUST CONTROL	MGL	\$75.00	100.00	\$7,500.00		\$7,500.00	
450.41	SUPERPAVE BASE COURSE - 25.0 (SBC - 25.0)	TON	\$100.00	1800.10	\$180,010.00		\$180,010.00	
470.	HOT MIX ASPHALT BERM	TON	\$275.00	150.14	\$41,287.40		\$41,287.40	
472.	TEMPORARY ASPHALT PATCHING (2 INCH APPLICATION)	TON	\$200.00	576.30	\$115,260.00	\$115,260.00		
482.3	SAWCUTTING ASPHALT PAVEMENT	FT	\$2.88	22600.00	\$65,088.00	\$32,544.00		\$32,544.00
697.1	SILT SACK	EA	\$180.00	44.00	\$7,920.00		\$7,920.00	
697.	SEDIMENTATION FENCE	LF	\$10.00	3000.00	\$30,000.00		\$30,000.00	
701.2	CEMENT CONCRETE WHEELCHAIR RAMP	SY	\$100.00	53.33	\$5,333.33		\$5,333.33	
702.	HOT MIX ASPHALT SIDEWALK	TON	\$225.00	314.93	\$70,858.13		\$70,858.13	
703.	HOT MIX ASPHALT DRIVEWAY	TON	\$225.00	77.11	\$17,350.20		\$17,350.20	
748.	MOBILIZATION	LS	\$100,000.00	1.00	\$100,000.00	\$32,330.00	\$33,330.00	\$33,330.00
751.	LOAM BORROW	CY	\$58.00	1000.00	\$58,000.00			\$58,000.00
756.	NPDES STORMWATER POLLUTION PREVENTION PLAN	LS	\$5,000.00	1.00	\$5,000.00	\$5,000.00		
765.	SEEDING	SY	\$2.00	6500.00	\$13,000.00		\$13,000.00	
832.	WARNING - REGULATORY AND ROUTE MARKER - ALUMINUM PANEL (TYPE A)	EA	\$150.00	8.00	\$1,200.00		\$1,200.00	
847.1	SIGN SUPPORT (NOT GUIDE) AND ROUTE MARKER WITH 1 BREAKAWAY POST ASSEMBLY - STEEL	EA	\$250.00	8.00	\$2,000.00		\$2,000.00	
850.01	POLICE DETAIL	HRS	\$60.00	2400.00	\$144,000.00	\$57,600.00	\$28,800.00	\$57,600.00
859.	REFLECTORIZED DRUM	DAY	\$100.00	280.00	\$28,000.00		\$28,000.00	
860.1	CROSS WALK WHITE LINE (PAINTED)	EA	\$5.00	250.00	\$1,250.00		\$1,250.00	
860.112	12-INCH REFLECTORIZED WHITE LINE (PAINTED)	FT	\$4.00	1400.00	\$5,600.00		\$5,600.00	
SUBTOTAL =					\$3,976,921.23	\$1,574,490.67	\$765,776.56	\$1,635,644.00
CONTINGENCY (10%) =					\$397,692.12 ###	\$157,449.07	\$76,577.66	\$163,564.40
TOTAL (Rounded to nearest 1,000) =					\$4,375,000.00	\$1,732,000.00	\$843,000.00	\$1,800,000.00



**CITY OF NEWBURYPORT
FY 2022**

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

TRANSFER/APPROPRIATION REQUEST

Department: Mayor's Office
Submitted by: Donna D. Holaday, Mayor **Date Submitted:** 11/8/2021

Transfer From:

Account Name:	<u>General Fund - Free Cash</u>	Balance:	<u>\$ 2,684,068.00</u>
Account Number:	<u>01-35910</u>	Category:	<u>\$ -</u>
Amount:	<u>\$250,000.00</u>	Trans I/O:	<u>\$ -</u>

Why Funds Are Available:

The Massachusetts Department of Revenue certified Free Cash for FY2022 at \$2,684,068. These funds are available for any legal expenditure with the approval of the Mayor and a vote of the City Council.

Transfer To:

Account Name:	<u>Compensated Absences Reserve Fund</u>	Balance:	<u>\$ 12,131.23</u>
Account Number:	<u>8270-49700</u>	Category:	<u>\$ -</u>
Amount:	<u>\$250,000.00</u>	Trans I/O:	<u>\$ -</u>

Why Funds Are Needed:

To fund the payment of accrued liabilities for compensated absences, such as sick leave and vacation time, that are contractually obligated to be paid upon an employee's separation from the City. An appropriation of \$175,000 was made at the end of FY2021, of which only \$12,131 remains due to a higher than anticipated number of retirements.

Donna D. Holaday, Mayor: *Donna D. Holaday* Date: 11/8/21
 Ethan R. Manning, Auditor: *E.R. Manning* Date: 11/8/21
 Sponsor: Charles F. Tontar, Councillor At-Large

City Council Approval:

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

November 8, 2021

THAT, all property within the City of Newburyport be taxed equally and that the method to determine this percentage of the local tax levy to be assessed by each class of property is established by the adoption of a **Residential Factor of 1.0** for **Fiscal Year 2022** in the City of Newburyport.

Councillor Sharif I. Zeid, Chair Budget and Finance

In City Council November 8, 2021:

Motion to refer ORDR297 and ORDR298 to Budget & Finance collectively by Councillor Zeid, seconded by Councillor McCauley. So voted.

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

November 8, 2021

THAT, the City of Newburyport **Tax Rate for Fiscal Year 2022** will be **\$12.01** for all classes of property.

Councillor Sharif I. Zeid, Chair Budget and Finance

In City Council November 8, 2021:

Motion to refer ORDR297 and ORDR298 to Budget & Finance collectively by Councillor Zeid, seconded by Councillor McCauley. So voted.

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

November 8, 2021

THAT the City Council of the City of Newburyport authorizes the payment of the following prior year bills in accordance with M.G.L. Chapter 44, Section 64:

Department	Vendor	Amount
City Solicitor	KP Law (May 2021)	\$13,135.96
	Total:	\$13,135.96

Councillor Sharif I. Zeid, Chair Budget and Finance

In City Council November 8, 2021:

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

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

November 8, 2021

THAT, the City Council of the City of Newburyport votes to accept the provisions of M.G.L. c.60, §23B relative to a fee schedule for the issuance of municipal lien certificates by the collector of taxes.

Councillor Afroz K. Khan

In City Council November 8, 2021:

Motion to refer to Budget & Finance by Councillor Khan, seconded by Councillor McCauley. So voted.

November 29, 2021
Planning & Development

In Committee:

ODNC092_08_30_2021 Amended- Zoning Amendment Encouraging Outdoor
and Recreational Activities

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

AN ORDINANCE TO AMEND CERTAIN PROVISIONS OF THE NEWBURYPORT ZONING ORDINANCE, INCLUDING USE TABLE, LIST OF ALLOWABLE USES, DIMENSIONAL TABLE, AND PARKING REQUIREMENTS.

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

WHEREAS, The Newburyport City Council works to encourage outdoor and recreational activities, and

WHEREAS, there are limited areas within the City to provide for the development, creation or expansion of said outdoor activities uses.

THEREFORE, LET IT BE ORDAINED THAT Sections V-D (Table of Use Regulations), V-E (List of Allowable Uses), VI-A (Dimensional Controls) and VII-B (Parking Requirements) be amended and revised, pursuant to Section XII-B (Adoption and Amendment) to read as follows, with deletions ~~stricken through and bold~~ and additions **double underlined and in bold** as follows:

Section V-D – Table of Use Regulations

USE	NUM	CON	HSR-A, HSR-B	R-1	R-2	R-3	B-1	B-2	B-3	I-1	I-1B	I-2	M	WMD	WMU
Country club <u>Outdoor Health and Recreational Facility (j)</u>	305	NP	NP	SP <u>NP</u>	NP <u>SP</u>	NP	NP	NP	NP	SP <u>NP</u>	SP <u>NP</u>	SP <u>NP</u>	NP	NP	NP
<u>Indoor Health and Recreational Facility (j)</u>	406	NP	NP	NP	NP	SP	P	P	P	NP	NP	NP	NP	NP	SP(e)

Add a footnote (j) as follows:

(j) The Planning Board shall act as the designated Special Permit Granting Authority (SPGA) for this use. Indoor Health and Recreational Facility (use #406) and Outdoor Health and Recreational Facility (use #305) may be located on one parcel of land, where such uses are legally existing, allowed as-of-right or by Special Permit.

Section V-E – List of Allowable Uses

(Amended Version Dated: 10/29/2021)
 Amended at Joint PB&PD meeting: 11/3/2021

Country club Outdoor Health and Recreational Facility	305	Country club, Outdoor Recreational and Health Facility, including but not limited to tennis, swimming, riding, golf, or other similar outdoor recreation facility. <u>Such facilities may also be enclosed for portions of the year by a retractable or mobile temporary enclosure system (which shall be treated as a Structure building for the purposes of setbacks requirements) by approval by the Special Permit Granting Authority (SPGA).</u>
Indoor Health and Recreational Facility	406	Enclosed facilities which include exercise or health clubs and recreational organizations.

Section VI-A – General Regulations (Table of Dimensional Requirements)

Use	Num.	District	Lot Area	Street Frontage	Height	% Lot Cov.	Open Space	Front	Side	Rear
Country club Outdoor Health and Recreational Facility	305	R2	130196, 02000 (4.5 acres)	200	30	10 30 (n)	NA	50	50	50
Indoor Health/ and Recreational Facility	406	B-1	20,000	90	35	30	NA	20	20	20
	406	B-2	10,000	60	40	100	NA	0	0	0
	406	B-3	20,000	90	40	60	NA	20	20	20
	406	WMU	10,000	60	40	30	NA	20	20	20

~~(n) The Planning Board may, in their discretion, owing to the use of temporary enclosure systems, waive this requirement and permit a larger lot coverage as part of the Special Permit hereunder.~~

Section VII-B – Parking Requirements

USE	NUM	PARKING REQUIREMENT
Country club Outdoor Health and Recreational Facility	305	1 per 2 employees plus 1 per company vehicle 1 per 5300 square feet of air-conditioned gross floor area (GFA) 3 per court 1000 sq ft of court area 1 per 300 sq ft of surface pool area Parking requirements shall be cumulative for all uses on the lot
Indoor Health/ and Recreational Facility	406	For health club 1 per 100 square feet of gross floor area (GFA) For indoor tennis club or similar facility 3 per court and 1 per 300 square feet of air-conditioned GFA 1 per 1000 square ft of court area 1 per 300 sq ft of other indoor recreational areas Parking requirements shall be cumulative for all uses on the lot

James J. McCauley, Ward 5 City Councillor

In City Council August 30, 2021:

Motion to refer ODNC092_08_30_2021 to Planning & Development, by Councillor Zeid, seconded by Councillor Connell. Roll call vote. 11 yes. Motion passes.

Committee Items-November 29, 2021

Public Safety

In Committee:

ODNC096_09_13_2021

Codification of Parking Orders

CITY OF NEWBURYPORT



 IN CITY COUNCIL

ORDERED:

Introduced September 13, 2021

Amended in committee on 11/4/21

**AN ORDINANCE TO CODIFY ORDERS OF THE CITY COUNCIL REGARDING
STOPPING, STANDING AND PARKING, AND MAKE FURTHER CORRECTIONS**

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 Sections 13-29 – Snow emergencies, 13-168 – Parking restricted on certain streets, 13-169 – Bus stops; parking restricted, 13-171.1 – Pick-up and drop-off areas, 13-172 – Taxicab stands, 13-174 – Parking limited—Generally, 13-175 – Same—Two hours, 13-176 – Same—One hour, 13-176.1 – Same—Thirty minutes, 13-176.2 – Same—Fifteen minutes, 13-179 – Handicapped parking, 13-180 – Resident parking, 13-180.1 – Paid parking permits, 13-183a – Plum Island parking, and 13-184 – Handicapped parking regulations, all of Division 6 – Stopping, Standing and Parking, of Article IV. – Specific Street Schedules, of Chapter 13 – Traffic and Motor Vehicle, and by adding new Section 13-185 to Division 6 – Stopping, Standing and Parking, of Article IV. – Specific Street Schedules, of Chapter 13 – Traffic and Motor Vehicles, to read as follows, with deletions ~~double-stricken-through and italicized~~, and additions double-underlined and italicized:

Sec. 13-29. – Snow emergencies.

Upon the declaration of a snow emergency by the Director of the Department of Public Services~~superintendent of the department of public works~~, no parking shall be allowed on any street or way in the city unless specifically allowed by order of the City Council. The ~~directors~~director~~superintendent~~, upon such declaration, shall cause notice of the snow emergency to be given by posting notice on the city's website, as well as radio broadcast or other suitable media. Upon the declaration of the end of the snow emergency by the ~~directors~~director~~superintendent~~, parking shall be allowed on any street or way in the city. Provided, however, that this section shall not be construed to permit parking where it is specifically prohibited by the provisions of this chapter:

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

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

Street	Restriction
...	...
<u>Birch Street</u>	<u>On the southerly side, for its entirety.</u>
...	...
<u>Charter Street</u>	<u>On the northeasterly side, for its entirety.</u>
...	...
Cherry Street	<u>On the westerly side Both sides from the intersection of Route 1 <u>Bypass</u> north and continuing approximately <u>four hundred and fifty-two (452)</u>452 feet in a northerly direction, and on the easterly side for its entirety.</u>
Center Street	<u>On the westerly side from Water Street to Middle Street.</u>
...	...
<u>Crow Lane</u>	<u>No parking during prescheduled, licensed events at Woodman Park on the northerly side starting a point two hundred and fifty-seven (257) feet east of Storeybrook Drive and running easterly to a point three hundred and ninety-four (394) feet from said drive, and on the southerly side starting at a point three hundred and fifty-one (351) feet east of Storeybrook Drive and running easterly to a point four hundred and thirty-six (436) feet from said drive.</u>
...	...
<u>Fair Street</u>	<u>On the westerly side for a distance of forty-seven (47) feet running in a southerly direction from the intersection of Middle Street.</u>
<u>Fair Street</u>	<u>On the westerly side at the intersection of Essex Street for a distance of twenty (20)</u>

	<u>feet running in a northerly direction.</u>
...	...
<u>Fruit Street</u>	<u>On the westerly side from a point one hundred and sixty-two (162) feet north of High Street for a distance of nine (9) feet.</u>
...	...
Green	East side from High Street to a point 135 feet north of High Street.
Green	East side from a point 50 feet south of Harris Street to a point 75 feet north of Harris Street.
...	...
<u>Golden Street</u>	<u>On both sides for a distance of six (6) feet at the end of certain pathways maintained by the Newburyport Housing Authority, as marked on the street surface.</u>
...	...
Harris	Southwesterly side from Park Street in a northwesterly direction for a distance of 100 feet.
Harris	South side from Green Street to a point 35 feet east of Green Street.
Harris	North side from Green Street to a point 30 feet west of Green Street.
Harris	South side from Park Street to a point 110 feet east of Park Street (Bus stop).
<u>Harrison Street</u>	<u>On both sides from a point two hundred and ten (210) feet northerly of the intersection of Purchase Street to Purchase Street No parking on easterly side from a point 100 feet west of Water Street to Water Street.</u>
...	
<u>High Street</u>	<u>On the northerly side for a distance of forty (40) feet from Kent Street running in an easterly direction; and twenty (20) feet from Kent Street running in a westerly direction.</u>
<u>High Street</u>	<u>On the northerly side beginning at a point one hundred and eighty (180) feet east of</u>

	<u>Ashland Street and running for a distance of thirty five (35) feet.</u>
...	...
<u>Johnson Street</u>	<u>On the westerly side from a point three hundred and forty-two (342) feet northerly of Low Street to a point three hundred and sixty-nine (369) feet northerly of Low Street, and on the easterly side from a point three hundred and forty (340) feet north of Low Street to a point three hundred and sixty-nine (369) feet northerly of Low Street, to accommodate a crosswalk across Johnson Street at this location.</u>
...	...
<u>Howard Street</u>	<u>On the southwesterly side beginning at Chapel Street and running southeasterly for a distance of one hundred and thirty (113) feet</u>
...	...
<u>Liberty Independent Street</u>	<u>On the southeasterly side from Water Street to Liberty Street, and both sides from Liberty Street to Middle Street</u>
<u>Lime Street</u>	<u>On the northwesterly side from Water Street to Milk Street</u> Between School and Purchase Streets.
Lime	Southwesterly side of Lime Street from Water to School Streets.
Lime	Northeasterly side from Prospect Street to Milk Street.
Lime	Southwesterly side of Lime Street from School Street to Milk Street.
...	...
Merrimac Street	On the south <u>westerly</u> side from the intersection of Boardman Street for a distance of 40 <u>forty (40)</u> feet in an <u>the</u> southeasterly direction <u>and for a distance of</u>

	<u>thirty-nine (39) feet in the northwesterly direction.</u>
...	...
<u>M Street</u>	<u>On both sides, starting a point three hundred and seven (307) feet from the intersection of Old Point Road and running southwesterly for a distance of one hundred and eighty (180) feet.</u>
...	...
<u>North Atkinson Street</u>	<u>No parking from 7:00 am to 9:00 am and from 2:00 pm to 4:00 pm on school days only, on the northwesterly side starting at the intersection of High Street and running southwesterly for a distance of nine hundred and twenty-five (925) feet, and on the southeasterly side starting a point eighty-five (85) feet southwesterly of the intersection of High Street and running northeasterly to the intersection with High Street.</u>
...	...
<u>Park Street</u>	<u>On the southeasterly East side from High Street to Harris Street.</u>
Park	East side from High Street to Pond Street
...	...
<u>Pike Street</u>	<u>On the easterly side for its entirety, and on the westerly side from the southwesterly lot line of 10 Pike Street (Map 008, Lot 013) to Water Street</u>
...	...
<u>Plum Island Turnpike</u>	<u>On the southwesterly side at the driveway to the Parker River National Wildlife Refuge Visitor Center, located at 4 Plum Island Turnpike (Map 032, Lot 002), and running northwesterly from such driveway for a distance of two hundred (200) feet.</u>
...	...
<u>Salem Street</u>	<u>On the southeasterly side, for its entirety.</u>

...	...
<u>Simmons Drive</u>	<u>On the northerly side starting at point five hundred and seventy-four (574) feet from the intersection of North Atkinson Street and running in an easterly direction for a distance of ten (10) feet, with the intention to restrict parking in front of the walkway to 13 Simmons Drive (Map 040, Lot 082).</u>
...	...
<u>State Street</u>	<u>On the northwesterly side starting at the intersection of Prince Place and running northeasterly past 88 State Street (Map 001, Lot 016) and 84-86 State Street (Map 001, Lot 015 A/I) for a distance of forty-three (43) feet.</u>
<u>State Street</u>	<u>On the easterly side starting at the northerly edge of the driveway at 143A State Street (Map 034, Lot 018) and extending northeasterly for a distance of ten (10) feet.</u>
...	...
<u>Water Street</u>	<u>On both the northerly and southerly sides starting at the intersection of Fair Street and running in an easterly direction for a distance of twenty-six (26) feet, to accommodate a crosswalk six (6) feet in width across Water Street.</u>
<u>Union Street</u>	Both sides, beginning at the westerly bound of 18 Union Street and running easterly for a distance of 226 feet
...	...

Sec. 13-169. – Bus stops; parking restricted.

...

(c) The following streets or portions of streets shall be designated as a bus stop:

Street	Extent
State Street	Westerly side from Harris Street to the entrance of the <u>municipal</u> parking lot at the corner of Harris and State Streets.
Water Street	Northerly side opposite Charles Street

	within an area designated by the City Engineer for a distance of 80 feet
Merrimac Street	Southeasterly side beginning at a point 25 feet from Titcomb Street and running westerly for a distance of 60 feet.

Sec. 13-171. - Service zones.

No person shall park a vehicle other than a commercial vehicle used exclusively for loading and unloading for a period of time longer than one-half hour between the hours of 8:00 a.m. and 6:00 p.m. excluding Sundays and holidays in the following designated service zones:

EXPAND

Street	Extent
Ashland	Easterly side from a point 25 feet from the intersection of High Street to a point 75 feet from the intersection of High Street.
Green Street	Westerly side adjacent to 26 Green Street for a distance of 60 feet.
Liberty Street	<u>The first space on the northerly side running for a distance of 25 feet beginning at the curb extension at the corner of State Street and Liberty Street</u>
Green Street Lot	Alter size of existing service zone on easterly side to <u>60</u> feet allowing for appropriate space for existing handicapped parking sites.
Pleasant	Northerly side from a point XXX feet from Inn Street.
State St.	Easterly side from a point 421 feet north of Parker Street to a point 481 feet north of Parker Street..
State St.	Westerly side opposite Threadneedle Alley for a distance approximately 75 feet in the southerly direction.
Warren St.	Easterly side from a point 100 feet west of the intersection of Merrimac Street to a point 140 feet west of the intersection of Merrimac Street.

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

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

~~(b)(2)~~ A designated area consisting of one (1) parking space on the ~~easterly~~East side of Summer Street at the entrance to St. Paul's Episcopal church, 35 Summer Street (Map 046, Lot 036), for the express purpose of allowing vehicles to stop temporarily for pick-up and drop-off of persons. There is a twenty-five dollar (\$25.00) fine for violation of this section.

<u>Merrimac</u>	At 42 Merrimac Street northerly for a distance of 60 feet.

Sec. 13-174. – Parking limited–Generally.

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

Street	Extent
Atkinson Common (in front of)	From a point approximately seventy-five (75)75 feet west of Plummer Avenue along front of Atkinson Common northeasterly <u>northwesterly</u> side of High Street and thence along Moseley Avenue to Chase Street between the hours of 8:00 p.m. and 6:00 a.m.
Carter Street	Carter Street on the easterly side from High Street to a point seventy-five (75)75 feet north of the intersection <u>corner</u> of Eagle Street and Carter Street during school hours.
Green	For longer than 15 minutes on the northwesterly side of 31 Green Street for 1 space.
<u>Greenleaf Street</u>	Northeasterly side from Pond Street to Auburn Street between the hours of 8:00 p.m. and 6:00 a.m.
Hale Street	At the entrances to Little River nature trails between dusk and dawn. Dusk and dawn are defined as civil twilight, respectively.
Harris	For longer than 15 minutes on the northerly side 2 parking spaces in front of 2 Harris Street (Newburyport Health Center). This limitation to be effective only as long as Newburyport Health Center is located at 2 Harris Street.
High	Southwesterly side from Auburn Street for a

	distance of 100 feet west, between the hours of 8:00 a.m. to 4:00 p.m. on any day except Saturdays, Sundays and holidays.
High <u>Street</u>	One-hour parking <u>only</u> , northerly side from Broad Street to Oakland Street, between the hours of 8:00 a.m. to 6:00 p.m.
High <u>Street</u>	For a period of no longer than <u>fifteen (15)</u> minutes on the northerly side from a point <u>twenty (20)</u> 20 feet east of Ashland Street to a point <u>sixty (60)</u> 60 feet east of Ashland Street.
High <u>Street</u>	South side from Toppans Lane to a point <u>one hundred and seventy (170)</u> 170 feet in a westerly direction, while school is in session, 7:00 a.m. to 3:30 p.m.
Highland Avenue	One-hour parking, northeasterly side from Rawson Avenue in a southeasterly direction towards Toppans Lane for a distance of <u>five hundred and twenty-five (525)</u> 60 feet between the hours of 8:00 a.m. to 8:00 p.m.
Low <u>Street</u>	Northeasterly <u>Westerly</u> side from a point commencing at the <u>southeasternmost driveway</u> entrance to the <u>Rupert A. Nock Middle School and Edward G. Molin Upper Elementary School</u> and continuing <u>northwesterly</u> for approximately <u>three hundred (300)</u> 300 feet between the hours of 7:00 a.m. and 4:00 p.m., weekdays only.
Low <u>Street</u>	Southwesterly <u>Easterly</u> side from a point commencing across from the <u>Rupert A. Nock Middle School and Edward G. Molin Upper Elementary School</u> driveway closest to Hale Street and continuing <u>southeasterly</u> for approximately <u>three hundred (300)</u> 300 feet between the hours of 7:00 a.m. and 4:00 p.m. weekdays only.
<u>Merrimae</u>	One-hour parking, for longer than 1 hour between the hours of 7:00 a.m. and 5:00 p.m. during weekdays on both sides between Warren Street and Oakland Street.
<u>Merrimae</u>	Both sides, between Broad and Tyng Streets, during the period from 4:45 p.m. to 5:15 p.m. weekdays.
<u>Prospect</u>	On the north side beginning at a point 160 feet east of Lime Street and continuing east

	<i>for 70 feet between the hours of 8:00 a.m. and 4:00 p.m. when school is in session.</i>

Sec. 13-175. – Same–Two hours.

No person shall park a vehicle for longer than two (2) hours between the hours of 8:00 a.m and 8:00 p.m. May 1st to September 30th and between the hours of 8:00 a.m. and 6:00 p.m. October 1st to April 30th except Sundays and holidays in the following described streets or parts thereof:

Street	Extent
Ashland Street	Both sides in a northerly direction from High Street, east side to Stanley Avenue, west side to a point at the northern boundary of property known as 36 Ashland Street (<u>Map 068, Lot 143</u>) 8:00 a.m. to 8:00 p.m.
	<i>Its entire length</i>
Dawes Street	Both sides from Ashland Street to end of property at 16 Dawes Street (<u>Map 068, Lot 133</u>) 8:00 a.m.—6:00 p.m.
	<i>Its entire length.</i>
Garden Street	Both sides from State Street to Otis Place.
	From Harris Street to Merrimac Street.
	From Pleasant Street to Merrimac Street
High Street	Northerly side from Ashland Street for a distance northwesterly of approximately <u>one hundred and thirty-five (135)</u> 135 feet.
<u>Merrimac Street</u>	<u>On the northerly side from Somerby Landing easterly for a distance of two hundred (200) feet to the crosswalk</u> Northwest side from west corner of Market Landing to the east side of Riverside Park.
<u>Merrimac Street</u>	<u>On the northerly side from the intersection with McKay's Wharf Way and running westerly for one hundred and eighty (180) feet.</u>

<i>Middle</i>	From State Street to Federal Street.
	Its entire length.
<i>Otis Place</i>	Both sides.
	Westerly side from Liberty Street to Water Street
<u>Pleasant Street</u>	From State Street to Green Street both sides, exclusive of existing thirty minute, <u>one hour, service zone, handicapped</u> parking restrictions and northerly side in front of City Hall.
<i>Prospect</i>	Southerly side from State Street to Fruit Street.
<u>State Street</u>	From Market Square to Garden Street, both sides.
<i>Unicorn</i>	Both sides from Pleasant Street to municipal parking lot.
<u>Water Street</u>	Northerly side from <u>intersection of</u> Fair Street to a point <u>three hundred and thirty-five (335)</u> 335 feet westerly of Fair Street.
Water Street	Southerly side from Market Square <u>Elbow Lane easterly</u> to Center Street.

Sec. 13-176. – Same–One hour.

No person shall park a vehicle for longer than one (1) hour in the following described streets or parts thereof:

Street	Extent
<u>Atkinson Street</u>	On the northwesterly side, and also on the southeasterly side 30 feet from Strong Street.
Beacon Avenue	Northeastbound and southwestbound drivers on Beacon Avenue at Oak Street.
<u>Buck Street</u>	Westerly side from High Street to Washington Street.
<u>Center Street</u>	Between Middle and Liberty Street in an

	easterly direction.
Congress <u>Street</u>	Southerly side from Olive Street to Buck Street, and northerly side from Olive Street to Kent Street.
Dove <u>Street</u>	Easterly and westerly sides from Munroe Street to Merrimac Street.
Eagle <u>Street</u>	Southerly and northerly sides from Kent Street to Carter <u>Charter</u> Street.
Franklin <u>Street</u>	Southerly side of Franklin Street from Purchase Street to Water Street.
Garden Street	Both sides from State Street to Otis Place.
High <u>Street</u>	Northerly sides from Carter Street to Broad Street.
Highland Avenue	Northeasterly and southwesterly sides from a distance of 125 [feet] to a distance of 500 feet from Toppans Lane.
Lime	Westerly side from Water to School Streets.
Lime	Southeasterly side from Prospect Street to Purchase Street.
Market	Westerly side from Birch Street to Washington Street.
Merrill <u>Street</u>	Easterly and westerly sides from Congress Street to Merrimac Street.
Merrimac <u>Street</u>	Southerly side and northerly side between Titcomb and Green Streets.
Merrimac <u>Street</u>	Southwesterly side, beginning at the point at which the northwesterly side of Strong Street intersects Merrimac Street and ending at a point on the southwesterly side of Merrimac Street, 213 feet northwest of the point of beginning.
Merrimac <u>Street</u>	Northerly side, commencing at the corner of Summer Street and proceeding in an easterly direction for a distance of 300 feet.
Ocean <u>Street</u>	Southerly and northerly sides from Warren Street to Carter Street.

Pleasant Street	North-Southerly from Hale’s Court to the Post Office driveway
Summit Place	Northwesterly side from High Street for a distance of approximately 500 feet.
Warren <u>Street</u>	Easterly side from Munroe Street to Merrimac Street, and westerly side from Eagle Street to Merrimac Street.
Washington	Northerly side from a point approximately 150 feet west of Green Street to a point approximately 195 feet west of Green Street.
Washington <u>Street</u>	Southerly side from Olive Street to Kent Street, and northerly side from Olive Street to Buck Street.
Water <u>Street</u>	Northeasterly side of Water Street from Federal Street to Ship Street.

Sec. 13-176.1. - Same—Thirty minutes.

No person shall park a vehicle for longer than thirty (30) minutes in the following described streets or parts thereof:

Street	Extent
Green <u>Street</u>	Easterly Post office side, from <u>United States Postal Service</u> end of post office driveway to intersection of Pleasant Street.
Pleasant Street	South side from the <u>United States Postal Service driveway</u> Office Driveway to Green Street.
Pleasant <u>Street</u>	Northerly side, <u>two (2)</u> 3 spaces in front of City Hall.
Pleasant	Southwesterly side from Unicorn Street to Green Street.
Water Street	From a point <u>twenty (20)</u> 20 feet east of Independent Street to the westerly edge of the Water Street entrance to <u>the parking lot at 54 Water Street (Map 016, Lot 063)</u> the Tannery parking lot and <u>no parking at</u>

	<u>anytime</u> between <u>said Water Street entrance</u> and <u>the exit from said parking lot.</u>
--	--

Sec. 13-176.2. - Same—Fifteen minutes.

No person shall park a vehicle for longer than fifteen (15) minutes in the following described streets or parts thereof:

Street	Extent
<i>Liberty Street</i>	<i>Two (2) spaces on the southerly side located at the intersection of State Street.</i>
<i>Merrimac Street</i>	<i>One (1) space on the northerly side directly in front of 226 Merrimac Street <u>so long as such parcel is occupied by a retail use, during those hours that such retail use is open for business.</u></i>
<i>Pleasant Street</i>	<i>One (1) space on the northerly side directly in front of 92 Pleasant Street (Map 047, Lot 33A) <u>so long as such parcel is occupied by a food service use, during those hours that such food service use is open for business.</u></i>

Sec. 13-179. – Handicapped parking.

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, or such spaces as created by order of the City Council for a limited period, as designated by signs and symbols:

Beacon Avenue:

One space on the southerly side in an easterly direction at the entrance to Perkins Playground.

Boardman Street:

One (1) space at 17 Boardman, end unit.

Green Street municipal parking lot:

Two (2) van accessible spaces in the southeast corner .

Two (2) spaces in the northwest corner at the end of the building known as One Merrimac Street.

One (1) van accessible space in the northeast corner at the end of the building known as One Merrimac Street.

One (1) space, southwest corner

Green Street:

Westerly side, one (1) space at the handicapped ramp entrance to City Hall.

Westerly side, one (1) space at the handicapped ramp entrance to the police station.

Westerly side, two (2) spaces adjacent to the Immaculate Conception Church.

~~*Parking-Hale's Court Lot:*~~

One (1) space southeast corner of lot adjacent to the kiosk.

Harris Street:

One (1) space at intersection of State Street on north side adjacent to library children's room.

Liberty Street:

One (1) space on the northerly side east of the driveway at 23 Liberty Street.

Lime Street

One (1) space at 70 Lime Street until June 30, 2025.

One (1) space on Lime St, on the corner of Water St., at the vicinity 100 Water Street until June 30, 2025 but may be extended by the Parking Clerk administratively upon presentation of documentation by any resident showing a continued need.

One (1) space on Ship St on the westerly side in the vicinity of 23 Ship St. until June 30, 2025 but may be extended by the Parking Clerk administratively upon presentation of documentation by any resident showing a continued need.

Lower Custom House Way:

One (1) space at the southerly and proximate to Water Street.

Merrill Street:

One (1) space in front of 12 Merrill Street.

Otis Place

One (1) space in front of 21 Otis Place.

Pike Street:

Two (2) spaces on the east side adjacent to the Salvation Army building.

Pleasant Street:

One (1) space in front of 16 Pleasant Street.

Two (2) spaces in front of City Hall at 60 Pleasant Street.

The first space after the driveway leading from the U.S. Post Office Building.

Plum Island Point Parking Lot:

Five (5) handicapped spaces.

Pop Crowley Way parking lot at Cashman Park Playground:

One (1) space in the parking lot on the northerly side of Pop Crowley Way meaning and intending said space to be the last space before the Way turns and runs in a southeasterly direction.

Purchase Street:

One (1) space in front of the Emma Andrews Library at 77 Purchase Street.

Prince Place Municipal Parking Lot:

Two (2) spaces at the northern end of lot.

Market Landing Park:

Three (3) spaces northwest corner along the berm for the boardwalk, after the entrance to the lot from Waterfront Trust Lot.

Two (2) spaces in the southeast corner abutting walkway and pop-up park.

One (1) space south side of the lot, first parking space upon entering the lot on the west side.

Three (3) spaces along the boardwalk on the north side of the lot.

Two (2) spaces on the east side and one (1) on the west side of the egress/walkway for the boardwalk.

One (1) space south side of the lot, first parking space upon entering the lot on the west side.

State Street:

On the westerly side of State Street at the corner of Pleasant Street.

Adjacent to TD Bank.

State Street:

One (1) space at intersection of Harris Street adjacent to library main entrance walkway.

State Street:

One (1) space on the west side of State Street; said space is the first legal space on the south side of the Market Square nubbin.

State Street Parking Lot:

Two (2) van accessible spaces at the northeast corner of the municipal lot.

Summit Place:

One (1) space on the southerly side starting at a point 437 feet east of Toppans Lane and extending easterly for a distance of twenty (20) feet.

Titcomb Street:

One (1) space on the east side adjacent to the Garrison Inn.

Unicorn Street:

Two (2) side by side van accessible spaces located on the southeast end of Unicorn, adjacent to Pleasant Street.

Waterfront Trust Lot

Two (2) van accessible spaces northwest corner, first 2 spaces entering the lot from Merrimac Street.

One (1) space northeast side adjacent to handicap ramp to sidewalk.

Sec. 13-179.1. – Temporary handicapped parking permit.

The city clerk may, from time to time, in the sole judgment of that office permit a temporary handicapped parking space for the use of a resident at their home for a period not to exceed forty-five (45) days, when:

(a)~~(e)~~ Limitations.

...

(b)~~(d)~~ Findings of the city clerk.

...

~~(c)(e)~~ Enforcement. This section shall be enforced in the same manner as all handicapped parking spaces.

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:

~~(12)~~ 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 1 through April 30, and between 8:00 a.m. and 8:00 p.m. Monday—Saturday from May 1 through September 30, excepting Sundays and holidays throughout the year, and unless a parking permit authorized by this section has been validly issued for the parked vehicle.

~~(23)~~ Resident only parking zones shall mean a residential district where curbside parking on public highways is restricted to vehicles of residents that properly display a parking permit authorized by this section.

~~(34)~~ Inn Street Mixed-Use Area shall mean the contiguous area generally bounded by Market Square to the northeast, State Street to the southeast, Pleasant Street to the southwest, and the Inn Street Mall to the northwest, and including all parcels within Assessor's Block 4, with the exception of Assessor's Parcels 4-1, 4-1-A, 4-2 (Inn Street Playground), and 4-30 (Inn Street Mall itself).

(b) Posting of residential parking permit signs.

...

(c) Issuance of residential parking permits.

...

(2) Limited eligibility. Notwithstanding anything in this Code to the contrary, ~~no~~ residential parking permit shall be issued to a household with access to two (2) or more off-street parking spaces located at or adjacent to the lot where such household resides, such as within a private or shared garage or driveway, shall be issued no more than two (2) vehicle parking permits. ~~Reserved.~~

...

- (4) Whenever the *Parking Clerk or their parking clerk or his* designee shall find that the applicant qualifies under the provisions of this section for a residential parking permit and that the vehicle registration and license show the same address, they shall issue to the applicant one (1) residential parking permit for the vehicle described in the application.

...

(d) *Renewal and transfer of permits.*

- (1) Upon submission of evidence to the Parking Clerk that the ~~parking clerk that he or she is still qualified for a residential parking permit, a~~ holder of a valid permit for the previous year remains eligible for a residential parking permit, such holder shall be entitled to a new residential parking permit for the current year.
- (2) Upon ~~surrender of a holder's his or her existing residential parking permit and~~ completion of a new application, the holder of a valid residential parking permit shall receive a new parking permit to be transferred to another qualifying vehicle.

...

- (f) *Visitor parking permits.* The Parking Clerk ~~parking clerk~~ shall also coordinate the issuance of one (1) ~~portable~~ visitor parking permit ~~placards~~ per household which shall be used by visitors of the residents of the zone. Visitor permits will not be replaced if lost. The visitor permit shall be used only while visitors are actually visiting the household to which the permits are issued. ~~The permit must be fully visible and readable from the exterior of the vehicle. Such placards are to be displayed on the front dashboard, directly above the steering mechanism of the vehicle. Such placards shall be returned to the resident at the conclusion of the visit.~~ Any abuse in the use of a visitor parking permit ~~placard~~ shall result in the revocation of the permit by the parking clerk.

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

- (1) *Zone 1:* Includes the following streets between State Street, *Water Street, Federal Street and Fair Street, and High Street:*

Center Street, on the easterly side from Liberty Street to Middle Street.

Charter Street, on the southwesterly side for its entirety.

Essex Street, on both sides for its entirety.

Fair Street, on the southeasterly side from Water Street to Prospect Street, and on the northwesterly side the southwesterly edge of the driveway at 2 Fair Street (Map 008, Lot 028) to Prospect Street.

Fruit Street, on both sides for its entirety.

Garden Street, on both sides for its entirety.

Independent Street, on the northwesterly side from Water Street to Liberty Street.

Liberty Street, on both sides from Fair Street to Independent Street, and on the southwesterly side only from Independent Street to Federal Street.

Middle Street, on the southwesterly side from State Street to Federal Street.

Orange Street, on both sides for its entirety.

Otis Place, on both sides for its entirety.

Pike Street, on the westerly side from Liberty Street to the southwesterly lot line of 10 Pike Street (Map 008, Lot 013).

Prospect Street, on the southerly side from State Street to Federal Street.

Spring Street, on both sides for its entirety.

Temple Street, on the southwesterly side from State Street to Federal Street.

(2) Zone 2: Includes the following streets between State Street, Merrimac Street, Boardman Street, and High Street~~Fair and Federal:~~

Birch From Market Street to Summer Street, northerly side

Court From High Street to Washington Street, southeasterly side

~~Green From Harris Street to Merrimac Street~~

Green From High Street to Merrimac Street, both sides~~From Washington Street, except westerly side to Loading Zone in front of 26 Green Street~~

Harris ~~From Green Street to State Street, both sides~~ on the northeasterly side for its entirety

Market From ~~High~~Washington Street to Merrimac Street, both sides

Park ~~From High Street to Harris Street~~ on the northeasterly side for its entirety

Pleasant From property at 66 Pleasant Street to Summer Street, both sides

Summer side From property at 31 Summer Street to Merrimac Street, easterly side

Titcomb From Merrimac Street to Washington Street, both sides

~~Washington From Green Street to Winter~~Market Street, both sides~~northwesterly side~~

Washington Street, on the northerly side running in a westerly direction from Green Street to Market Street, and on the southerly side running in a westerly direction from Court Street to Market Street.

~~Washington~~ From Court Street to Market Street, Southeasterly side

Winter From Washington Street to High Street, westerly side

~~Birch Street, on the northerly side for its entirety.~~

~~Green Street, on the northwesterly side from Washington Street to the service zone at 26 Green Street (Map 047, Lot 003).~~

~~Harris Street, on the northeasterly side for its entirety.~~

~~Market Street, on both sides from Washington Street to Merrimac Street.~~

~~Park Street, on the northwesterly side for its entirety.~~

~~Pleasant Street, on both sides from Titcomb Street to Summer Street exclusive of 15-minute restrictions.~~

~~Summer Street, on the easterly side for its entirety.~~

~~Titcomb Street, on both sides for its entirety.~~

~~Washington Street, on the northerly side running in a westerly direction from Green Street to Market Street, and on the southerly side running in a westerly direction from Court Street to Market Street.~~

~~Winter Street, on the northwesterly side from Washington Street to High Street.~~

~~Middle Street.~~

~~Temple Street.~~

~~Spring Street.~~

(3) Zone 3:

Arlington From Highland Avenue, both sides to northerly end of those properties known as #23 and #24 on each side of street respectively

Ashland Beginning at the lower end of Ashland Court and proceeding northerly on the westerly side of Ashland Street to a point of six (6) feet north of the property line between 2 Ashland Street and 345 Merrimac Street

Ashland Beginning at the lower corner of Ashland Court and proceeding northerly on the easterly side of Ashland Street and Merrimac Street

Bricher All

Cherry All

Ferry In front of property known as 1 Ferry Road, southerly side

Hill All

- Lafayette From Highland Avenue, both sides in a northerly direction from Washington Street for a distance of one hundred (100) feet
- State Beginning at 184 State Street and proceeding southerly to the end of said State Street on the westerly side

~~Arlington Street, on both sides from Highland Avenue to the northerly end of those properties known as #23 and #24 on each side of the street respectively.~~

~~Bricher Street, on both sides for its entirety.~~

~~Cherry Street, on the westerly side from Bricher Street to a point four hundred and fifty two (452) feet northerly of the intersection with the Route 1 Bypass.~~

~~Ferry Road, on the southerly side in front of 1 Ferry Road (Map 070, Lot 010).~~

~~Hill Street, on both sides for its entirety.~~

~~Lafayette Street, on both sides from Highland Avenue for a distance of two hundred and fifty (250) feet.~~

~~a. Fair Street, on the easterly side between Liberty Street and Water Street, and on the westerly side, between Liberty Street and southerly edge of driveway at 2 Fair Street.~~

~~(4) Zone 4: Includes the following streets or portions thereof designated:~~

~~a. Arlington Street, both sides from Highland Avenue to the northerly end of those properties known as #23 and #24 on each side of the street respectively.~~

~~b. Lafayette Street, both sides from Highland Avenue to the northerly end of those properties known as #18 and #25 on each side of the street respectively.~~

~~c. Cherry Street.~~

~~d. Hill Street.~~

~~e. Bricher Street.~~

~~f. Titeomb Street, both sides from the way known as Brown Square to Washington Street.~~

~~g. Green Street, on the west side running in a northerly direction from Washington Street for a distance of one hundred (100) feet.~~

~~h. Washington Street, on the north side running in a westerly direction from Green Street for a distance of one hundred twenty (120) feet.~~

~~i. Pleasant Street, both sides from the property at 66 Pleasant Street to Titeomb Street.~~

~~j. Winter Street, beginning at the corner of Washington Street and proceeding southerly on Winter Street to High Street.~~

~~k. State Street, beginning at 184 State Street and proceeding southerly to the end of said State Street on the westerly side.~~

(h) Designation of four-hour residential parking permit zones.

(1) Includes the following streets or portions thereof designated:

State Street, on the westerly side from the intersection of ~~Parker Street~~ ~~Route 1 and State Street~~ and continuing in a northerly direction approximately one thousand, two hundred and fifty (1,250) feet.

(i) Resident only parking.

(1) Includes the following streets or portions thereof designated:

Ashland Street, on the westerly side from Ashland Court and proceeding northerly to a point six (6) feet northerly of the property line between 2 Ashland Street (Map 068, Lot 157) and 345 Merrimac Street (Map 068, Lot 028).

Ashland Street, on the easterly side from Merrimac Street to 19-21 Ashland Street (Map 067, Lot 022 A/B).

~~Ashland Street~~

~~Beginning at the lower corner of Ashland Court and proceeding northerly on the westerly side of Ashland Street to a point six (6) feet north of the property line between 2 Ashland Street and 345 Merrimac Street.~~

~~Beginning at the lower corner of Ashland Court and proceeding northerly on the easterly side of Ashland Street to Merrimac Street.~~

(j) Inn Street Mixed-Use Area. A bona fide hardship exists for residents of the Inn Street Mixed-Use Area caused by unique or special conditions there that preclude designation of a residential parking permit zone incorporating any of the adjacent streets, which are commercial in nature. Notwithstanding anything in this ~~Section 13-180~~ section to the contrary, the ~~Parking Clerk or their parking clerk or his~~ designee shall issue residential parking permits for use within the Green Street Parking Lot (Assessor's Parcel 3-28) ~~to by~~ no more than four (4) households that reside within the Inn Street Mixed-Use Area.

(1) Applicants under this subsection (j) may apply, and renew or transfer such permits pursuant to subsections (c) and (d), respectively, but shall remain ineligible always for visitor parking permits pursuant to subsection (f).

(2) A parking permit under this subsection (j) shall not guarantee or reserve a parking space within the Green Street Parking Lot, nor shall it excuse the permit holder from observance of any traffic or parking regulation other than the time limit on parking, or from having to move all vehicles from the Green Street Parking Lot as ordered by the ~~City~~ during a declared snow emergency.

(3) It shall be a violation of this section to use a parking permit issued under this subsection in any residential parking permit zone.

- (4) ~~The sticker is to be placed on the front windshield, driver's side, lower left corner.~~
- (5) The Parking Clerk or their parking clerk or his shall issue parking permits under this subsection on a first-come, first-served basis, or by lottery if more than four (4) complete applications are filed on the same day.

Sec. 13-180.1. – Paid parking permits.

Preamble . Resident parking permits may be issued to residents of Newburyport and employee parking permits to Downtown ~~Employees~~ Business employees and employers.

(a) *Definitions*. As used in this section:

- (1) Paid municipal parking facilities ~~parking lots~~: Green Street Lot, Harris Street Lot, Prince Place Lot, Market Landing Park East Lot, Market Landing Park West Lot, Somerby Landing Lot, Titcomb Street Garage, and Hales Court Lot pursuant to the City's license from the United States Postal Service ~~Central Business District Lot, State Street Lot, Tracey Place Lot, Newburyport Redevelopment Authority East Lot, Newburyport Redevelopment Authority West Lot, Waterfront Trust Lot.~~
- (2) All day municipal parking facilities ~~parking lots~~: Prince Place Lot, Market Landing Park East Lot, Market Landing Park West Lot, Titcomb Street Garage, and Hales Court Lot pursuant to the City's license from the United States Postal Service ~~Tracey Place Lot, Newburyport Redevelopment Authority East and West Lots.~~
- (3) *Resident*: A person who is sixteen (16) years of age or older, licensed to operate a motor vehicle in the Commonwealth of Massachusetts, and resides ~~permanently~~ primarily in the City of Newburyport.
- (4) *Senior Resident*: A person who is sixty-five (65) years of age or older, licensed to operate a motor vehicle in the Commonwealth of Massachusetts, and resides ~~permanently~~ primarily in the City of Newburyport.
- (5) *Downtown Employee*: An ~~employer or~~ employee of a Downtown Business.
- (6) *Downtown Business*: A business duly licensed by the City of Newburyport and located in the area bounded by High Street, Federal Street, the Merrimack River and Boardman Street ~~Winter Street~~.

(b) *Posting of paid parking permit*.

- (1) The permit is to be placed on or linked electronically to the state registration number for the vehicle pursuant to regulations issued by the parking clerk.

(c) *Issuance of resident and employee paid parking permits*.

- (1) A resident or downtown employee may apply for a one-year parking permit for one (1) or more vehicles by completing and signing an application designed to provide the following information:

...

e. For downtown employees, such parking permits may be issued on a quarterly basis (i.e. for a period of three months).

- (2) For all permit applicants, whenever the Parking Clerk or their parking clerk or his designee shall find that the applicant qualifies under the provisions of this section 13-180.1 for a paid parking permit, ~~they~~ he shall issue to the applicant one (1) paid parking permit for the one (1) vehicle described in the application.

...

(e) *Use of parking permits.*

(1) A parking permit shall not guarantee or reserve a parking space nor shall it excuse the observance of any traffic or parking regulation, including but not limited to time restrictions, other than the requirement to pay the hourly parking fee for use of paid municipal parking facilities~~paid parking lots~~ with the exception of the Somerby Landing Lot and the Titcomb Street Garage~~Waterfront Trust Lot~~.

(2) The parking permit does not excuse the holder from moving all vehicles from public ways, private ways open to public travel, and municipal parking facilities~~public streets~~ during a declared snow emergency.

(3) A downtown employee paid parking permit is only valid in the designated spaces in the all-day municipal parking facilities~~parking lots of the Tracey Place lot, Newburyport Redevelopment Authority East Lot and Newburyport Redevelopment Authority West Lot~~.

(4) Resident parking permits are valid in all the paid municipal parking facilities~~paid parking lots~~ with the exceptions of the Somerby Landing Lot and the Titcomb Street Garage~~Waterfront Trust Lot~~.

(f) *Fees*~~Cost~~, *dates of issuance and prorations.*

(1) The fees for annual cost of said permits shall be established by order of the City Council, but, except for the fee paid by senior residents, such fees shall be no less than five dollars (\$5.00) per vehicle per permit ~~city council~~.

(2) The issuance date of said permits~~the annual permits~~, discount incentive programs, amnesty periods, temporary parking permits and any proration of the permit cost shall be pursuant to regulations promulgated by the Parking Clerk~~parking clerk~~.

Sec. 13-181. – Municipal parking facilities~~Parking lots.~~

(a) No person shall park a vehicle between the hours of 8:00 a.m. to 8:00 p.m. (6:00 p.m. from January 1st through March 31st) ~~6:00 p.m.~~ Monday through Saturday, and Sunday between the hours of noon to 6:00 p.m. in the following described municipal parking facilities~~lots~~ without first satisfying the payment required by the City of Newburyport.

(1) Prince Place~~Tracey Place~~ Lot.

- (2) Harris Street~~State Street~~ Lot.
- (3) Green Street Lot~~Central Business District~~ Lot.
- (4) Market Landing Park East Lot~~Newburyport Redevelopment Authority East Lot~~.
- (5) Market Landing Park West Lot~~Newburyport Redevelopment Authority West Lot~~.
- (6) Somerby Landing Lot~~Waterfront Trust Lot~~.
- (7) Titcomb Street Garage.
- (8) Hales Court Lot pursuant to the City's license from the United States Postal Service.

(b) In order to facilitate turn-over of parking spaces, no person shall park a vehicle for a period of time longer than three (3) consecutive hours between the hours of 8:00 a.m. to 6:00 p.m. Monday through Saturday, and Sunday between the hours of noon to 6:00 p.m. in the following described lots.

- (1) Harris Street~~State Street~~ Lot.
- (2) Green Street Lot~~Central Business District~~ Lot.
- (3) Somerby Landing Lot~~Waterfront Trust Lot~~.
- (4) Hales Court Lot pursuant to the City's license from the United States Postal Service.

A person whose vehicle remains in one of the above-listed lots beyond the three (3) consecutive hour time limit will be subject to fines for violation of this section as provided in Section 1-18 of this Code, even if payment is made for additional time.

- (c) No campers or other vehicles designed to accommodate sleeping shall park in any municipal parking facility~~lot~~ described in subsection (a) above from 8:00 p.m. to 7:00 a.m. daily.-
- (d) In the case of a declared snow emergency, vehicles may remain in any lot described in subsection (a) above for the duration of the declared snow emergency and for twelve (12)~~twenty-four (24)~~ hours after the declaration of the end of the snow emergency without paying a parking fee. At the end of the declared snow emergency, any vehicle entering a paid parking lot without a paid parking permit shall pay the required parking fee.
- (e) Four (4) spaces on the westerly side of the Green Street Lot~~Central Business District Lot~~ shall be designated for police vehicles only, and the time limit and payment requirement shall not apply to police vehicles parked in these designated spaces.
- (f) The area known as Unicorn Street with the adjacent parking spaces shall be regulated as part of the Green Street Lot~~become part of the Central Business District Lot~~.
- (g) No person shall park a vehicle for longer than one (1) hour in the four (4) spaces on the westerly side of the Somerby Landing Lot~~Waterfront Trust Lot~~ immediately

adjacent to the easterly side of the Brown's Wharf building (Map 48, Lot 25) and in the four (4) spaces at the northerly end of said lot adjacent to the boardwalk.

...

Sec. 13-183a. -- Plum Island parking.

Any person who shall park a vehicle unlawfully on Plum Island shall be subject to a parking fine of fifty dollars (\$50.00). Handicap parking violations are specifically excluded from this section.

Sec. 13-184. – Handicapped parking regulations.

...
b. The penalty for a violation made under this section is one hundred dollars (\$100.00) for the first offense and two hundred dollars (\$200.00) for each subsequent offense; and the vehicle may be removed in accordance with section 22D. This penalty is not a surchargeable offense under section 113B of chapter 175.

Councillor Jared J. Eigerman

Councillor Afroz K. Khan

In City Council November 8, 2021:

Motion to approve on 1st reading by Councillor McCauley, seconded by Councillor Khan.
Motion withdrawn. Motion to refer back to Public Safety by Councillor McCauley, seconded by Councillor Khan. So voted.

- (4) Market Landing Park East Lot~~Newburyport Redevelopment Authority East Lot.~~
- (5) Market Landing Park West Lot~~Newburyport Redevelopment Authority West Lot.~~
- (6) Somerby Landing Lot~~Waterfront Trust Lot.~~
- (7) Titcomb Street Garage.
- (8) Hales Court Lot pursuant to the City's license from the United States Postal Service.

(b) In order to facilitate turn-over of parking spaces, no person shall park a vehicle for a period of time longer than three (3) consecutive hours between the hours of 8:00 a.m. to 6:00 p.m. Monday through Saturday, and Sunday between the hours of noon to 6:00 p.m. in the following described lots.

- (1) Harris Street~~State Street~~ Lot.
- (2) Green Street Lot~~Central Business District~~ Lot.
- (3) Somerby Landing Lot~~Waterfront Trust Lot.~~
- (4) Hales Court Lot pursuant to the City's license from the United States Postal Service.

A person whose vehicle remains in one of the above-listed lots beyond the three (3) consecutive hour time limit will be subject to fines for violation of this section as provided in Section 1-18 of this Code, even if payment is made for additional time.

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