

CITY COUNCIL MEETING

AGENDA

December 11, 2023 7:00 pm
City Council Chambers, City Hall
60 Pleasant Street, Newburyport

Zoom details for City Council Meeting:
<https://us02web.zoom.us/j/81299990548>

Or One tap mobile:

US: +19292056099,81299990548#

Or Telephone US: +1 929 205 6099

Webinar ID: 812 9999 0548

1. **MOMENT OF SILENCE**
2. **PLEDGE OF ALLEGIANCE**
3. **CALL TO ORDER**
4. **LATE FILE - ORDR00525_12_11_2023 Grant Acceptance 911 Training Grant**
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 27, 2023

(Approve)

8. **COMMUNICATIONS**

9. **TRANSFERS**

10. **APPOINTMENTS**

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

BUDGET & FINANCE

- | | |
|------------------------|--|
| • ORDR00512_11_27_2023 | Gift Acceptance PAARI \$1,000 |
| • ORDR00513_11_27_2023 | Gift Acceptance FoNT \$15,000 |
| • ORDR00516_11_27_2023 | Gift-Acceptance-Form-MLP-MAAF \$200,000 |
| • ORDR00517_11_27_2023 | Gift-Acceptance-Form-MLP-IFS \$50,000 |
| • ORDR00518_11_27_2023 | Gift-Acceptance-Form-MLP-NBank \$40,000 |
| • ORDR00519_11_27_2023 | Holiday Parking 2023 |
| • ORDR00336_03_28_2022 | ARPA Amesbury 250K (COTW) |
| • ORDR00504_10_30_2023 | Local Acceptance of Community Impact Fee on Short Term Rentals |
| • ORDR00505_11_13_2023 | Gift Acceptance Nock Tennis Courts \$21,195.00 |
| • TRAN00153_05_08_2023 | Mayor: Multiple \$3,483,773 to Multiple \$3,483,773 revised 6/15/2023
<i>(Atkinson Common Request only all other matters adjudicated)</i> |

COMMUNITY SERVICES

- APPT00438_11_13_2023 Susan Chase 44 Oak St. Emma Andrews Lib. Comm. 12/15/2025
- APPT00439_11_13_2023 Aine Greaney Ellrott 43 Purchase St. Emma Andrews Lib. Comm. 12/15/2026
- APPT00440_11_13_2023 Elizabeth Valeriani 29 Oak St. Emma Andrews Lib. Comm. 12/15/2026
- APPT00441_11_13_2023 Virginia R. Champi 84 Purchase St. Emma Andrews Lib. Comm. 12/15/2025
- APPT00437_10_30_2023 Mary Louise Gagnon 126 Merrimac St. COA 12/1/2026
- APPT00443_11_27_2023 Jeanette Isabella 100 Water St. COA 01/01/2027
- ORDR00514_11_27_2023 Gift Acceptance City Improvement Society \$25,250
- ORDR00515_11_27_2023 Gift Acceptance Morrill Foundation \$110,000
- ORDR00474_07_10_2023 Plan Approval Bartlett Mall Improvement Project (COTW)
- ORDR00510_11_13_2023 Public Art Committee Rules and Regulations *Amended*

GENERAL GOVERNMENT

- COMM00461_02_27_2023 Brown School Gymnasium Considerations (COTW)
- COMM00468_03_13_2023 Brown School Proposal (COTW)
- ORDR239_02_08_2021 Council Rule 7 and 10B

PLANNING & DEVELOPMENT

- APPT00444_11_27_2023 Jennifer M. Bluestein 190A High St. CPC Rep from PB 12/10/2026
- COMM00494_07_10_2023 Planning Board Advisory Report STRU (COTW)
- COMM00500_08_28_2023 STRU Planning Board Final Report (COTW)
- ODNC00164_10_30_2023 Zoning-Amendment-Global-R3-Multi-Family(COTW)

PUBLIC WORKS & SERVICES

- COMM00462_02_27_2023 Ltr. From Kathleen O'Connor Ives re: drinking water concerns
- COMM00511_10_30_2023 Streets and Sidewalks Plan FY23-FY28 Update
- COMM00412_05_31_2022 Ltr Ann Jaronyk re: Traffic Safety
- COMM00459_01_30_2023 Ltr. Residents concerned with speeding on Arlington St.
- COMM00479_04_24_2023 Ward 4 Street Sidewalk Traffic Safety Priorities
- COMM00505_09_11_2023 Ltr from Kristen Hunter re Merrimac St. traffic safety progress
- ORDR00449_04_24_2023 Approving Shared Streets Grant, High Street Traffic Calming
- ODNC00103_01_10_2022 Streets, Sidewalks, and Other Public Places Alterations & Maintenance

END OF CONSENT AGENDA

REGULAR AGENDA

9. MAYOR'S UPDATE

10. FIRST READING APPOINTMENTS

11. COMMUNICATIONS

- APPL00167_12_11_2023 State Automotive Repair Second Hand Vehicle License
- APPL00168_12_11_2023 RL Currie Corp. Second Hand Vehicle License
- COMM00521_12_11_2023 Market Landing Park Maintenance Memo
- COMM00522_12_11_2023 Letter from Jared Eigerman
- COMM00523_12_11_2023 Letter from Andrew Simpson

12. TRANSFERS

13. SECOND READING APPOINTMENTS

14. ORDERS

- ORDR00520_12_11_2023 Gift Acceptance Central Congregational Church \$2000
- ORDR00521_12_11_2023 Establishing Impact Fee on Professionally-Managed Short-Term Rentals
- ORDR00522_12_11_2023 Establishing Impact Fee on Units Located within a Two- or Three-Family Dwelling That Includes the Operator's Primary Residence
- ORDR00523_12_11_2023 Dedication of Revenue from STRU Community Impact Fees
- ORDR00524EP_12_11_2023 Emergency Preamble for Whittier Building Project Letter
- ORDR00524_12_11_2023 Whittier Building Project Letter

15. ORDINANCES

16. COMMITTEE ITEMS

Budget & Finance

In Committee:

- ORDR00512 11 27 2023 **Gift Acceptance PAARI \$1,000**
- ORDR00513 11 27 2023 **Gift Acceptance FoNT \$15,000**
- ORDR00516 11 27 2023 **Gift-Acceptance-Form-MLP-MAAF \$200,000**
- ORDR00517 11 27 2023 **Gift-Acceptance-Form-MLP-IFS \$50,000**
- ORDR00518 11 27 2023 **Gift-Acceptance-Form-MLP-NBank \$40,000**
- ORDR00519 11 27 2023 **Holiday Parking 2023**
- ORDR00336 03 28 2022 **ARPA Amesbury 250K (COTW)**
- ORDR00504 10 30 2023 **Local Acceptance of Community Impact Fee on Short Term Rentals**
- ORDR00505 11 13 2023 **Gift Acceptance Nock Tennis Courts \$21,195.00**
- TRAN00153 05 08 2023 **Mayor: Multiple \$3,483,773 to Multiple \$3,483,773 revised 6/15/2023**
(Atkinson Common Request only all other matters adjudicated)

Community Services

In Committee:

- APPT00438 11 13 2023 **Susan Chase 44 Oak St. Emma Andrews Lib. Comm. 12/15/2025**
- APPT00439 11 13 2023 **Aine Greaney Ellrott 43 Purchase St. Emma Andrews Lib. Comm. 12/15/2026**
- APPT00440 11 13 2023 **Elizabeth Valeriani 29 Oak St. Emma Andrews Lib. Comm. 12/15/2026**
- APPT00441 11 13 2023 **Virginia R. Champi 84 Purchase St. Emma Andrews Lib. Comm. 12/15/2025**
- APPT00437 10 30 2023 **Mary Louise Gagnon 126 Merrimac St. COA 12/1/2026**
- APPT00443 11 27 2023 **Jeanette Isabella 100 Water St. COA 01/01/2027**
- ORDR00514 11 27 2023 **Gift Acceptance City Improvement Society \$25,250**
- ORDR00515 11 27 2023 **Gift Acceptance Morrill Foundation \$110,000**
- ORDR00474 07 10 2023 **Plan Approval Bartlett Mall Improvement Project (COTW)**
- ORDR00510 11 13 2023 **Public Art Committee Rules and Regulations *AMENDED***
- COMM00495_08_14_2023 **Ltr from Katherine Moore, Betty LaBaugh, and Brendan & Katy Banovic re: Landscaping noise and air pollution**
- ORDR00474_07_10_2023 **Plan Approval Bartlett Mall Improvement Project (COTW)**

General Government

In Committee:

- COMM00461 02 27 2023 **Brown School Gymnasium Considerations (COTW)**
- COMM00468 03 13 2023 **Brown School Proposal (COTW)**
- ORDR239 02 08 2021 **Council Rule 7 and 10B**

Licenses & Permits

In Committee:

Planning & Development

In Committee:

- APPT00444 11 27 2023 Jennifer M. Bluestein 190A High St. CPC Rep from PB 12/10/2026
- COMM00494 07 10 2023 Planning Board Advisory Report STRU (COTW)
- COMM00500 08 28 2023 STRU Planning Board Final Report (COTW)
- ODNC00164 10 30 2023 Zoning-Amendment-Global-R3-Multi-Family(COTW)

Public Works & Safety

In Committee:

- COMM00462 02 27 2023 Ltr. From Kathleen O'Connor Ives re: drinking water concerns
- COMM00511 10 30 2023 Streets and Sidewalks Plan FY23-FY28 Update
- COMM00412 05 31 2022 Ltr Ann Jaronyk re: Traffic Safety
- COMM00459 01 30 2023 Ltr. Residents concerned with speeding on Arlington St.
- COMM00479 04 24 2023 Ward 4 Street Sidewalk Traffic Safety Priorities
- COMM00505 09 11 2023 Ltr from Kristen Hunter re Merrimac St. traffic safety progress
- ORDR00449 04 24 2023 Approving Shared Streets Grant, High Street Traffic Calming
- ODNC00103 01 10 2022 Streets, Sidewalks, and Other Public Places Alterations & Maintenance
- COMM00482_04_24_2023 Constructions projects at the Central Waterfront
- ODNC00152_05_08_2023 Amend Ch 13-181 Municipal Parking Facilities (COTW)

17. GOOD OF THE ORDER

18. ADJOURNMENT

LATE FILE ITEMS



CITY OF NEWBURYPORT
GRANT ACCEPTANCE FORM

Ordered, that, the City of Newburyport accepts the following grant in accordance with M.G.L. Chapter 44, Section 53A:

Date of Award:	12/7/2023	
City Department:	Police Department	
Staff Contact:	Lt. Richard Siemasko	
<i>Grant Overview</i>		
Grant Type:	State Grant	
Funding Agency:	Executive Office of Public Safety and Security (EOPSS) https://www.mass.gov/orgs/executive-office-of-public-safety-and-security	
Program Name:	FY2024 State 911 Department Training Grant Program www.mass.gov/e911	
Project Name:	E911 Approved Dispatcher Training Program	
Project Description:	Annual 911 training is required for all dispatchers and police officers, which is reimbursable through the state's 911 training grant program. This funds 31 staff at 16 hours per person.	
Award Amount:	\$11,970.00	
Payment Method:	Cost Reimbursement	
Length of Grant:	Approx. 6 months	
Start Date:	Upon execution of grant agreement	
End Date:	6/30/2024	
Award Acceptance Deadline:	12/22/2023	<input type="checkbox"/> N/A
<i>Local Match/Required Resources</i>		
Local Match (City Funds):	None	
Local Match (In-Kind):	None	
Resources Required When Grant Program Ends:	None	
<i>For Office Use Only</i>		
City Council Packet Date:	12/11/2023	
Emergency Measure?	<input checked="" type="checkbox"/> Yes – Due to this being the only meeting in December	<input type="checkbox"/> No

Councillor Sharif I. Zeid



The Commonwealth of Massachusetts
EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY
STATE 911 DEPARTMENT
151 Campanelli Drive, Suite A ~ Middleborough, MA 02346
Tel: 508-828-2911 ~ TTY: 508-947-1455
www.mass.gov/e911



MAURA T. HEALEY
Governor

TERRENCE M. REIDY
Secretary

KIMBERLEY DRISCOLL
Lieutenant Governor

FRANK POZNIAK
Executive Director

December 7, 2023

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

Dear Mayor Reardon:

The Commonwealth of Massachusetts, State 911 Department would like to thank you for participating in the **FY2024 State 911 Department Training Grant Program**.

For your files, attached please find a copy of the executed contract and the final approved Personnel Cost Worksheet for your grant. Please note your contract start date is **December 7, 2023** and will run through June 30, 2024. Please keep in mind that there shall be no reimbursement for costs incurred prior to the effective date of the contract and all goods and services **MUST** be received on or before June 30, 2024.

Reimbursement requests should be submitted to the Department within **thirty (30) days** of the date on which the cost is incurred. We have made the request for payment forms available on our website www.mass.gov/e911. For any questions related to this process, please contact Angela Pilling at 508-821-7305. Please note that funding of reimbursement requests received more than one (1) month after the close of the fiscal year under which costs were incurred cannot be guaranteed.

If, in the future, you would like to make any changes to the authorized signatory, the contract manager, add personnel, or to request approval for trainings, please e-mail those proposed changes to 911DeptGrants@mass.gov. Grantees are strongly encouraged to submit final, year-end budget modification requests on or before March 31, 2024.

Sincerely,

Frank P. Pozniak
Executive Director

cc: FY2024 Training Grant File

FY 2024 TRAINING GRANT

COMMONWEALTH OF MASSACHUSETTS ~ STANDARD CONTRACT FORM



This form is jointly issued and published by the Office of the Comptroller (CTR), the Executive Office for Administration and Finance (ANF), and the Operational Services Division (OSD) as the default contract for all Commonwealth Departments when another form is not prescribed by regulation or policy. The Commonwealth deems void any changes made on or by attachment (in the form of addendum, engagement letters, contract forms or invoice terms) to the terms in this published form or to the Standard Contract Form Instructions and Contractor Certifications, the Commonwealth Terms and Conditions for Human and Social Services or the Commonwealth IT Terms and Conditions which are incorporated by reference herein. Additional non-conflicting terms may be added by Attachment. Contractors are required to access published forms at CTR Forms: <https://www.mass.comptroller.org/forms>. Forms are also posted at OSD Forms: <https://www.mass.gov/lists/osd-forms>.

CONTRACTOR LEGAL NAME: City of Newburyport (and d/b/a): <u>Newburyport Police Department</u>		COMMONWEALTH DEPARTMENT NAME: State 911 Department MMARS Department Code: EPS	
Legal Address: (W-9, W-4): 66 Pleasant St. Newburyport, MA 01950		Business Mailing Address: 151 Campanelli Drive, Suite A, Middleborough, MA 02346	
Contract Manager: Richard Siemasko	Phone: (978) 462-4411	Billing Address (if different):	
E-Mail: rsiemasko@newburyportpolice.com	Fax: (978) 462-3960	Contract Manager: Cindy Reynolds	Phone: 508-821-7299
Contractor Vendor Code: VC6900192119		E-Mail: 911DeptGrants@mass.gov	Fax: 508-947-1452
Vendor Code Address ID (e.g. "AD001"): AD <u>001</u> (Note: The Address ID must be set up for EFT payments.)		MMARS Doc ID(s): CT EPS GRNT	
<input checked="" type="checkbox"/> NEW CONTRACT		<input type="checkbox"/> CONTRACT AMENDMENT	
PROCUREMENT OR EXCEPTION TYPE: (Check one option only) <input type="checkbox"/> Statewide Contract (OSD or an OSD-designated Department) <input type="checkbox"/> Collective Purchase (Attach OSD approval, scope, budget) <input checked="" type="checkbox"/> Department Procurement (includes all Grants - §15 CMR 2.00) (Solicitation Notice or RFR, and Response or other procurement supporting documentation) <input type="checkbox"/> Emergency Contract (Attach justification for emergency, scope, budget) <input type="checkbox"/> Contract Employee (Attach Employment Status Form, scope, budget) <input type="checkbox"/> Other Procurement Exception (Attach authorizing language, legislation with specific exemption or earmark, and exception justification, scope and budget)		Enter Current Contract End Date <u>Prior</u> to Amendment: _____, 20__ Enter Amendment Amount: \$ _____ (or "no change") AMENDMENT TYPE: (Check one option only. Attach details of amendment changes.) <input type="checkbox"/> Amendment to Date, Scope or Budget (Attach updated scope and budget) <input type="checkbox"/> Interim Contract (Attach justification for Interim Contract and updated scope/budget) <input type="checkbox"/> Contract Employee (Attach any updates to scope or budget) <input type="checkbox"/> Other Procurement Exception (Attach authorizing language/justification and updated scope and budget)	
The Standard Contract Form Instructions and Contractor Certifications and the following Commonwealth Terms and Conditions document are incorporated by reference into this Contract and are legally binding: (Check ONE option): <input checked="" type="checkbox"/> Commonwealth Terms and Conditions <input type="checkbox"/> Commonwealth Terms and Conditions For Human and Social Services <input type="checkbox"/> Commonwealth IT Terms and Conditions			
COMPENSATION: (Check ONE option): The Department certifies that payments for authorized performance accepted in accordance with the terms of this Contract will be supported in the state accounting system by sufficient appropriations or other non-appropriated funds, subject to intercept for Commonwealth owed debts under §15 CMR 9.00. <input type="checkbox"/> Rate Contract. (No Maximum Obligation) Attach details of all rates, units, calculations, conditions or terms and any changes if rates or terms are being amended. <input checked="" type="checkbox"/> Maximum Obligation Contract. Enter total maximum obligation for total duration of this contract (or <u>new</u> total if Contract is being amended). \$ <u>11,970.00</u>			
PROMPT PAYMENT DISCOUNTS (PPD): Commonwealth payments are issued through EFT 45 days from invoice receipt. Contractors requesting accelerated payments must identify a PPD as follows: Payment issued within 10 days ___% PPD; Payment issued within 15 days ___% PPD; Payment issued within 20 days ___% PPD; Payment issued within 30 days ___% PPD. If PPD percentages are left blank, identify reason: <input checked="" type="checkbox"/> agree to standard 45 day cycle <input type="checkbox"/> statutory/legal or Ready Payments (M.G.L. c. 29, § 23A); <input type="checkbox"/> only initial payment (subsequent payments scheduled to support standard EFT 45 day payment cycle. See Prompt Pay Discounts Policy.)			
BRIEF DESCRIPTION OF CONTRACT PERFORMANCE or REASON FOR AMENDMENT: (Enter the Contract title, purpose, fiscal year(s) and a detailed description of the scope of performance or what is being amended for a Contract Amendment. Attach all supporting documentation and justifications.) Contract is for the reimbursement of funds under the State 911 Department FY 2024 Training Grant as authorized and awarded in compliance with the grant guidelines and the grantee's approved application.			
ANTICIPATED START DATE: (Complete ONE option only) The Department and Contractor certify for this Contract, or Contract Amendment, that Contract obligations: <input checked="" type="checkbox"/> 1. may be incurred as of the Effective Date (latest signature date below) and <u>no</u> obligations have been incurred <u>prior</u> to the Effective Date. <input type="checkbox"/> 2. may be incurred as of _____, 20__, a date LATER than the Effective Date below and <u>no</u> obligations have been incurred <u>prior</u> to the Effective Date. <input type="checkbox"/> 3. were incurred as of _____, 20__, a date PRIOR to the Effective Date below, and the parties agree that payments for any obligations incurred prior to the Effective Date are authorized to be made either as settlement payments or as authorized reimbursement payments, and that the details and circumstances of all obligations under this Contract are attached and incorporated into this Contract. Acceptance of payments forever releases the Commonwealth from further claims related to these obligations.			
CONTRACT END DATE: Contract performance shall terminate as of <u>June 30, 2024</u> , with no new obligations being incurred after this date unless the Contract is properly amended, provided that the terms of this Contract and performance expectations and obligations shall survive its termination for the purpose of resolving any claim or dispute, for completing any negotiated terms and warranties, to allow any close out or transition performance, reporting, invoicing or final payments, or during any lapse between amendments.			
CERTIFICATIONS: Notwithstanding verbal or other representations by the parties, the "Effective Date" of this Contract or Amendment shall be the latest date that this Contract or Amendment has been executed by an authorized signatory of the Contractor, the Department, or a later Contract or Amendment Start Date specified above, subject to any required approvals. The Contractor certifies that they have accessed and reviewed all documents incorporated by reference as electronically published and the Contractor makes all certifications required under the Standard Contract Form Instructions and Contractor Certifications under the pains and penalties of perjury, and further agrees to provide any required documentation upon request to support compliance, and agrees that all terms governing performance of this Contract and doing business in Massachusetts are attached or incorporated by reference herein according to the following hierarchy of document precedence, the applicable Commonwealth Terms and Conditions, this Standard Contract Form, the Standard Contract Form Instructions and Contractor Certifications, the Request for Response (RFR) or other solicitation, the Contractor's Response (excluding any language stricken by a Department as unacceptable, and additional negotiated terms, provided that additional negotiated terms will take precedence over the relevant terms in the RFR and the Contractor's Response only if made using the process outlined in §01 CMR 21.07, incorporated herein, provided that any amended RFR or Response terms result in best value, lower costs, or a more cost effective Contract.			
AUTHORIZING SIGNATURE FOR THE CONTRACTOR: X: <u>[Signature]</u> Date: <u>11/14/2023</u> (Signature and Date Must Be Captured at Time of Signature)		AUTHORIZING SIGNATURE FOR THE COMMONWEALTH: X: <u>[Signature]</u> Date: <u>12/2/23</u> (Signature and Date Must Be Captured at Time of Signature)	
Print Name: <u>Sean Reardon</u> Print Title: <u>Mayor</u>		Print Name: <u>Frank Pozniak</u> Print Title: <u>Executive Director</u>	

FY 2024 Training Grant Personnel Costs Worksheet

All Cert's

CERTIFIED PERSONNEL

PSAP Name: Newburyport

{List Personnel in Alphabetical Order by Last Name}

LAST NAME	FIRST NAME	OT Rate	Con Ed.	Travel	Total Hrs	Total Salary	Enter the Vendor Fees for 16 Hours of Training
Adrukaitis	Eric	\$ -	16		16	\$ -	\$ 399.00
Alford	Tracy	\$ -	16		16	\$ -	\$ 399.00
Allen	James	\$ -	16		16	\$ -	\$ 399.00
Coppola	Robert	\$ -	16		16	\$ -	\$ 399.00
Cutter	Ryan	\$ -	16		16	\$ -	\$ 399.00
Delano	Michelle	\$ -	16		16	\$ -	\$ 399.00
Eaton	Charles	\$ -	16		16	\$ -	\$ 399.00
Eaton	Shawn	\$ -	16		16	\$ -	\$ 399.00
Falite	Michael	\$ -	16		16	\$ -	\$ 399.00
Ferlauto	Charles	\$ -	16		16	\$ -	\$ 399.00
Gavin	John	\$ -	16		16	\$ -	\$ 399.00
Gurska	Mike	\$ -	16		16	\$ -	\$ 399.00
Kohan	Jason	\$ -	16		16	\$ -	\$ 399.00
Martin	Kevin	\$ -	16		16	\$ -	\$ 399.00
McDonald	Christopher	\$ -	16		16	\$ -	\$ 399.00
McElroy	Kyle	\$ -	16		16	\$ -	\$ 399.00
		\$ -	16		16	\$ -	
Plouff	Timothy	\$ -	16		16	\$ -	\$ 399.00
Reilly	Scyler	\$ -	16		16	\$ -	\$ 399.00
Richer	Michael	\$ -	16		16	\$ -	\$ 399.00
Siemasko	Carly	\$ -	16		16	\$ -	\$ 399.00
Sinclair	Dani	\$ -	16		16	\$ -	\$ 399.00
Sugrue	Michael	\$ -	16		16	\$ -	\$ 399.00
Tierney	Joshus	\$ -	16		16	\$ -	\$ 399.00
Tierney	Megan	\$ -	16		16	\$ -	\$ 399.00
Vatcher	Robert	\$ -	16		16	\$ -	\$ 399.00
Vorderis	Charles	\$ -	16		16	\$ -	\$ 399.00
Whitney	Gregory	\$ -	16		16	\$ -	\$ 399.00
Whitty	Matthew	\$ -	16		16	\$ -	\$ 399.00
Wile	Travis	\$ -	16		16	\$ -	\$ 399.00
Wilichoski	Michael	\$ -	16		16	\$ -	\$ 399.00
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RECERTIFICATION FEES WITH NO TRAINING HOURS:

EX: APCO EMD Recert fee	2 @ \$30			DO NOT WRITE ON GRAY LINES		\$	60.00
				DO NOT WRITE IN THIS SPACE			

DO NOT ADD LINES TO THIS WORKSHEET, AS THE FORMULAS MAY CHANGE, CONTINUE ON THE NEXT WORKSHEET BELOW					TOTALS	\$	-	\$ 11,970.00
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RECEIVED

NOV 17 2023

STATE 911 DEPARTMENT

FY 2024 TRAINING GRANT

1. **Name of Eligible Entity / PSAP / RECC** City of Newburyport
 Address 60 Pleasant Street
 City/Town/Zip Newburyport, MA 01950
 Telephone Number (978) 465-4413
 Fax Number (978) 465-4402
 Website www.cityofnewburyport.com

2. **Name & Title of Authorized Signatory** Sean Reardon, Mayor
 Telephone Number (978) 465-4413
 Email Address sreardon@cityofnewburyport.com

3. **Name & Title Grant Contract Manager** Richard Siemasko, Lt.
 Telephone Number (978) 462-4411
 Email Address rsiemasko@newburyportpolice.com

4. **Total Grant Program Funds Requested** \$11,970.00 *OK*
\$12,369.00

5. Applicant meets the EMD requirements established by the State 911 Department by:

a) Providing EMD in-house utilizing certified emergency medical dispatchers and the following Emergency Medical Dispatch Protocol Reference System (EMDPRS):

APCO PowerPhone Priority Dispatch

OR

b) Utilizing the following Certified EMD Resource: Cataldo Ambulance Service

CEMDR's Emergency Medical Dispatch Protocol Reference System (EMDPRS):

APCO PowerPhone Priority Dispatch

6. Sign below to acknowledge having read and agreed to the grant conditions and reporting requirements listed in the grant guidelines.

Signed under the penalties of perjury this 7 day of November, 20 .



ORIGINAL SIGNATURE OF AUTHORIZING SIGNATORY

FY 2024 TRAINING GRANT

BUDGET NARRATIVE

- A. **Fees** – Fees associated with attendance at approved live or online 911 training courses, including certifications/recertifications for certified Telecommunicators to include 16 hours of continued education or for those working toward certification, membership fees, and/or conference registration fees. **Add the total *Vendor Fees* column(s) from the *Personnel Costs Worksheet(s)* with the Membership & Conference Fees below to get the Total.**

For Membership fees, list the name and amount for each below.

Membership Fees:

For Conference fees, list the name of the conference, number attending and the amount for each conference below.

Conference Fees:

Total Category A

- B. **Personnel Costs** – Straight time or overtime expenses for participants or replacement/backfill (who are certified telecommunicators), to cover participant class hours but not both to meet the minimum training and certification requirements for enhanced 911 telecommunicators and minimum training requirements governing emergency medical dispatch established by the State 911 Department; for administrator backroom training; for other authorized training; and straight time or overtime expenses for attendance at the State 911 Department Dispatch Academy. **Add the total *Salary* column(s) from the *Personnel Costs Worksheet(s)* to get the Total.**

Total Category B

Completed / Attached the *Personnel Costs Worksheet(s)* **{{REQUIRED}}**

- C. **Training Materials and Other Products** – Funding may be authorized for the purchase, installation, replacement, maintenance, and /or upgrade of software and other products related to the certification and training of enhanced 911 telecommunicators, including but not limited to, call handling guide cards, call handling software, skill and ability testing software, and additional related training materials such as books and manuals. In addition, funding not to exceed \$2,500 may be authorized for the purchase of skill and ability software/programs/subscriptions utilized by a PSAP to enhance the skill set of its certified telecommunicators.

Description:

Attach quote for this category

Total Category C

- D. **Lodging** – Funding for lodging expenses may be authorized for participation in training courses that are scheduled for two (2) or more consecutive days and the distance of which is equal to or greater than ninety (90) miles away from where travel originates. Lodging expenses may only be authorized for nights of stay that occur between consecutive training course days, except with the prior WRITTEN approval of the State 911 Department *prior to travel* where (1) travel originates from the Islands of Martha's Vineyard and/or Nantucket; or (2) in cases of extreme hardship; or (3) unless otherwise approved by the State 911 Department in its sole discretion. Travel distance for lodging will be calculated using the place of employment as the origination point and will be verified utilizing a recognized mileage guide such as MapQuest. **NOTE: Lodging for conferences is not eligible under the grant.**

Description:

Total Category D

CONSENT AGENDA

CITY COUNCIL MEETING

MINUTES

November 27, 2023 7:00 pm
City Council Chambers, City Hall
60 Pleasant Street, Newburyport

Tax Classification Hearing 6:45 pm

Zoom details for City Council Meeting:
<https://us02web.zoom.us/j/81299990548>
Or One tap mobile:
US: +19292056099,81299990548#
Or Telephone US: +1 929 205 6099
Webinar ID: 812 9999 0548

Tax Classification Hearing

1. The City Council President Heather Shand opened the hearing at 6:45 pm and asked Clerk Jones to call the roll. The following City Councillors answered present: Wright, Zeid, Cameron, Donahue, Khan, Lane, McCauley, Preston, Vogel, Wallace, and Shand. 11 present (1 remote Vogel).
2. Clerk Jones read the notice into the record.
3. PUBLIC COMMENT
Motion to close the Public Hearing by Councillor McCauley, seconded by Councillor Zeid. Roll call vote. 11 yes.

1. **MOMENT OF SILENCE** Remembering Thomas Calderwood

2. **PLEDGE OF ALLEGIANCE**

3. **CALL TO ORDER**

7:00 pm the City Clerk called the roll; the following City Councillors answered present: Wright, Zeid, Cameron, Donahue, Khan, Lane, McCauley, Preston, Vogel, Wallace, and Shand. 11 present (1 remote Vogel)

4. **LATE FILE** Updated Memo on Market Landing Project Motion to Accept the Late File by Councillor Zeid, seconded by Councillor Wright, Roll call vote. 11 yes. Motion passes

5. **PUBLIC COMMENT**

Jean Costello 522 Merrimac St.

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 13, 2023 (Approve)

8. **COMMUNICATIONS**

- COMM00519_11_27_2023 William Lloyd Garrison Proclamation (GG)

9. **TRANSFERS**

10. **APPOINTMENTS**

- APPT00443_11_27_2023 Jeanette Isabella 100 Water St. COA 01/01/2027 (CS)
- APPT00444_11_27_2023 Jennifer M. Bluestein 190A High St. CPC Rep from PB 12/10/2026 (P&D)

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

BUDGET & FINANCE

- ORDR00506_11_13_2023 FY2024 Tax Rate Order (COTW)
- ORDR00507_11_13_2023 FY2024 Residential Factor Order (COTW)
- ORDR00508_11_13_2023 Approval to Pay Prior Year Bills
- ORDR00509_11_13_2023 Gift Acceptance Form Belleville Improvement Society \$895.00
- TRAN00175_11_13_2023 Mayor: General Fund Free Cash \$550,527.37 to Fire Boat Purchase \$550,527.37
- TRAN00176_11_13_2023 Mayor: General Fund Free Cash \$280,978 to
General Fund Budget Reserve \$280,978 *Revised*

PUBLIC WORKS & SERVICES

- COMM00516_11_13_2023 Snow and Ice Plan 2023-2024

END OF CONSENT AGENDA

Removal of COMM00519 at the request of Councillor Shand.

Motion to approve the Consent Agenda as Amended and to R&F the Mayor's Update by Councillor Zeid, seconded by Councillor McCauley. Roll call vote. 11 yes. Motion passes.

REGULAR AGENDA

9. MAYOR'S UPDATE

10. FIRST READING APPOINTMENTS

11. COMMUNICATIONS

- COMM00519_11_27_2023 William Lloyd Garrison Proclamation
President Shand read the Proclamation
Motion to approve by Councillor Donahue, seconded by Councillor Cameron. Roll call vote. 11 yes. Motion passes.

12. TRANSFERS

13. SECOND READING APPOINTMENTS

- APPT00442_11_13_2023 Laura Thibault 8 Kent St. Cultural Council 12/15/2026
Motion to approve on second reading by Councillor Zeid, seconded by Councillor Cameron. Roll call vote. 11 yes. Motion passes.

14. ORDERS

- ORDR00512_11_27_2023 Gift Acceptance PAARI \$1,000
Motion to collectively refer ORDR00512, ORDR00513, ORDR00516, ORDR00517, ORDR00518, and ORDR00519 to Budget & Finance by Councillor Zeid, seconded by Councillor McCauley. Roll call vote. 11 yes. Motion passes.
- ORDR00513_11_27_2023 Gift Acceptance FoNT \$15,000
Motion to collectively refer ORDR00512, ORDR00513, ORDR00516, ORDR00517, ORDR00518, and ORDR00519 to Budget & Finance by Councillor Zeid, seconded by Councillor McCauley. Roll call vote. 11 yes. Motion passes.
- ORDR00514_11_27_2023 Gift Acceptance City Improvement Society \$25,250
Motion to refer ORDR00514 to Community Services by Councillor Zeid , seconded by Councillor McCauley. Roll call vote. 11 yes. Motion passes.
- ORDR00515_11_27_2023 Gift Acceptance Morrill Foundation \$110,000
Motion to refer ORDR00515 to Community Services by Councillor Zeid , seconded by Councillor McCauley. Roll call vote. 10 yes, 1 no (Lane). Motion passes.
- ORDR00516_11_27_2023 Gift-Acceptance-Form-MLP-MAAF \$200,000

Motion to collectively refer ORDR00512, ORDR00513, ORDR00516, ORDR00517, ORDR00518, and ORDR00519 to Budget & Finance by Councillor Zeid, seconded by Councillor McCauley. Roll call vote. 11 yes. Motion passes.

- **ORDR00517_11_27_2023** Gift-Acceptance-Form-MLP-IFS \$50,000
Motion to collectively refer ORDR00512, ORDR00513, ORDR00516, ORDR00517, ORDR00518, and ORDR00519 to Budget & Finance by Councillor Zeid, seconded by Councillor McCauley. Roll call vote. 11 yes. Motion passes.
- **ORDR00518_11_27_2023** Gift-Acceptance-Form-MLP-NBank \$40,000
Motion to collectively refer ORDR00512, ORDR00513, ORDR00516, ORDR00517, ORDR00518, and ORDR00519 to Budget & Finance by Councillor Zeid, seconded by Councillor McCauley. Roll call vote. 11 yes. Motion passes.
- **ORDR00519_11_27_2023** Holiday Parking 2023
Motion to collectively refer ORDR00512, ORDR00513, ORDR00516, ORDR00517, ORDR00518, and ORDR00519 to Budget & Finance by Councillor Zeid, seconded by Councillor McCauley. Roll call vote. 11 yes. Motion passes.

15. ORDINANCES

- **ODNC00129_11_01_2022** **2nd Reading** Defining Conflict Rule for Dept. Heads (COTW)
Motion to approve on 2nd reading by Councillor Zeid, seconded by Councillor McCauley . Roll call vote. 7 yes, 4 no (Cameron, Donahue, Vogel, Shand). Motion passes.
- **ODNC00157_06_12_2023** **2nd Reading** Public Art Policy (COTW)
Motion to approve on 2nd reading by Councillor Zeid, seconded by Councillor McCauley. Roll call vote. 11 yes. Motion passes.
- **ODNC00146_03_13_2023** **2nd Reading** Amend Ch 2-34 Responsibilities of Cmte on Community Services
Motion to approve on 2nd reading by Councillor Zeid, seconded by Councillor Preston. Roll call vote. 11 yes. Motion passes.

16. COMMITTEE ITEMS

Budget & Finance

In Committee:

- **ORDR00506_11_13_2023** **FY2024 Tax Rate Order (COTW)**
Motion to approve with rate 9.97/1000 FY24 by Councillor Zeid, seconded by Councillor Cameron. Roll call vote. 7 yes, 4 no (Wright, Zeid, Lane, and Vogel). Motion passes.
- **ORDR00507_11_13_2023** **FY2024 Residential Factor Order (COTW)**
Motion to approve with residential factor of [1] by Councillor Zeid, seconded by Councillor McCauley. Roll call vote. 11 yes. Motion passes.
- **ORDR00508_11_13_2023** **Approval to Pay Prior Year Bills**
Motion to approve by Councillor Zeid, seconded by Councillor Wright. Roll call vote. 11 yes. Motion passes.
- **ORDR00509_11_13_2023** **Gift Acceptance Form Belleville Improvement Society \$895.00**
Motion to approve by Councillor Zeid, seconded by Councillor McCauley. Roll call vote. 10 yes, 1 recused (Wallace). Motion passes.
- **TRAN00175_11_13_2023** **Mayor: General Fund Free Cash \$550,527.37 to**
Fire Boat Purchase \$550,527.37
Motion to approve by Councillor Zeid, seconded by Councillor McCauley. Roll call vote. 10 yes, 1 no (Zeid). Motion passes.
- **TRAN00176_11_13_2023** **Mayor: General Fund Free Cash \$402,989 to**
General Fund Budget Reserve \$402,989 Revised
Motion to approve by Councillor Zeid, seconded by Councillor Wright. Motion to amend to \$280,978 by Councillor Cameron, seconded by Councillor Khan. Roll call vote. 6 yes, 5 no (Wright, Zeid, Lane, McCauley, and Wallace). Motion passes. Motion to approve as amended by Councillor Zeid, seconded by Councillor Wright. Roll call vote. 7 yes, 4 no (Wright, Zeid, Lane, and McCauley). Motion passes.
- **ORDR00336_03_28_2022** ARPA Amesbury 250K (COTW)
- **ORDR00504_10_30_2023** Local Acceptance of Community Impact Fee on Short Term Rentals
- **ORDR00505_11_13_2023** Gift Acceptance Nock Tennis Courts \$21,195.00
- **TRAN00153_05_08_2023** Mayor: Multiple \$3,483,773 to Multiple \$3,483,773 revised 6/15/2023
(Atkinson Common Request only all other matters adjudicated)

Community Services

In Committee:

- APPT00437_10_30_2023 Mary Louise Gagnon 126 Merrimac St. COA 12/1/2026
- APPT00438_11_13_2023 Susan Chase 44 Oak St. Emma Andrews Lib. Comm. 12/15/2025
- APPT00439_11_13_2023 Aine Greaney Ellrott 43 Purchase St. Emma Andrews Lib. Comm. 12/15/2026
- APPT00440_11_13_2023 Elizabeth Valeriani 29 Oak St. Emma Andrews Lib. Comm. 12/15/2026
- APPT00441_11_13_2023 Virginia R. Champi 84 Purchase St. Emma Andrews Lib. Comm. 12/15/2025
- COMM00495_08_14_2023 Ltr from Katherine Moore, Betty LaBaugh, and Brendan & Katy Banovic
re: Landscaping noise and air pollution
- ORDR00474_07_10_2023 Plan Approval Bartlett Mall Improvement Project (COTW)
- ORDR00510_11_13_2023 Public Art Committee Rules and Regulations

General Government

In Committee:

- COMM00461_02_27_2023 Brown School Gymnasium Considerations (COTW)
- COMM00468_03_13_2023 Brown School Proposal (COTW)
- ORDR239_02_8_2021 Council Rule 7 and 10B

Licenses & Permits

In Committee:

Planning & Development

In Committee:

- COMM00494_07_10_2023 Planning Board Advisory Report STRU (COTW)
- COMM00500_08_28_2023 STRU Planning Board Final Report (COTW)
- ODNC00164_10_30_2023 Zoning-Amendment-Global-R3-Multi-Family(COTW)

Public Works & Safety

In Committee:

- **COMM00516 11 13 2023 Snow and Ice Plan 2023-2024**
Motion to receive and file with the instruction that the Clerk let DPS know that the Garage is a paid parking space during snow emergencies by Councillor McCauley, seconded by Councillor Wright. Roll call vote. 10 yes, 1 no (Lane). Motion passes.
- COMM00412_05_31_2022 Ltr Ann Jaroncyk re: Traffic Safety
- COMM00459_01_30_2023 Ltr. Residents concerned with speeding on Arlington St.
- COMM00462_02_27_2023 Ltr. From Kathleen O'Connor Ives re: drinking water concerns
- COMM00479_04_24_2023 Ward 4 Street Sidewalk Traffic Safety Priorities
- COMM00482_04_24_2023 Constructions projects at the Central Waterfront
- COMM00505_09_11_2023 Ltr from Kristen Hunter re Merrimac St. traffic safety progress
- COMM00511_10_30_2023 Streets and Sidewalks Plan FY23-FY28 Update
- ODNC00103_01_10_2022 Streets, Sidewalks, and Other Public Places Alterations & Maintenance
- ODNC00152_05_08_2023 Amend Ch 13-181 Municipal Parking Facilities (COTW)
- ORDR00449_04_24_2023 Approving Shared Streets Grant, High Street Traffic Calming

17. GOOD OF THE ORDER

Councillor Wright thanked employees at DPS for their assistance with the recent election. Councillor Wright asked residents with candy canes on the island to call DPS and report it if they are not working properly. The Clerk thanked all who assisted during the two recounts including the surrounding town clerks, the Board of Registrars, the Candidates and their Counsel, the Special Counsel for the City Lauren Goldberg and Devan Braun and especially the Clerk Office staff who managed the stress and every detail of the election.

18. ADJOURNMENT

Motion to adjourn at 9:25pm by Councilor Zeid, seconded by Councillor Wright. Roll call vote. 11 yes. Motion passes.

END OF CONSENT AGENDA

BEGINNING OF REGULAR AGENDA

COMMUNICATIONS

THE COMMONWEALTH OF MASSACHUSETTS

City OF Newburyport

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2023 NOV 28 A 9:45

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 2
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? State Automotive Repair LLC

Business address of concern. No. 196 Route One St.,
Newburyport MA 01950 City — Town.

2. Is the above concern an individual, co-partnership, an association or a corporation? _____
LLC (single member)

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

LLC Manager: Andrew J. de Bernardo
16 Hickory Lane, Topsfield MA 01983

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

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

President _____

Secretary _____

Treasurer _____

6. Are you engaged principally in the business of buying, selling or exchanging motor vehicles? No

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? No

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.

196 Route One, Newburyport is located just south of the Route One traffic circle. State Automotive Repair LLC occupies approximately 1/2 of a shared building with a retail vendor. Auto repair bays contain lifts, tools, and equipment consistent with any typical auto repair shop. Parking is in front, to the side, and to the rear of the building.

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? N/A
(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 (Yes or No) For what year? 2016 - 2023

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

Andrew J. DeBenedo
(Duly authorized to represent the concern herein mentioned)

Residence 16 Hickory Lane, Topsfield MA

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 _____



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

11/22/2023

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 Bernard M. Sullivan Insurance Agency 12 Market St. P.O. Box 568 Ipswich MA 01938		CONTACT NAME: Jeremiah Lewis PHONE (A/C No, Ext): (978) 356-5511 E-MAIL ADDRESS: jtlewis@sullivaninsurance.com FAX (A/C, No): (978) 356-0214	
INSURED State Automotive Repair, LLC. 196 Route One Newburyport MA 01950		INSURER(S) AFFORDING COVERAGE INSURER A: Commerce Insurance Company NAIC # 34754 INSURER B: Travelers Indemnity Co of CT 25682 INSURER C: C N A Surety CNAS01 INSURER D: INSURER E: INSURER F:	

COVERAGES

CERTIFICATE NUMBER: CL21121506482

REVISION NUMBER:


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

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
	COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:						EACH OCCURRENCE \$ DAMAGE TO RENTED PREMISES (Ea occurrence) \$ MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$ GENERAL AGGREGATE \$ PRODUCTS - COMP/OP AGG \$ \$
A	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input checked="" type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS ONLY <input checked="" type="checkbox"/> NON-OWNED AUTOS ONLY <input type="checkbox"/> AUTOS ONLY			BHTRGQ	12/28/2022	12/28/2023	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$ \$
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY Y/N ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	N/A		UB-5K937614-23-42	07/01/2023	07/01/2024	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ 500,000 E.L. DISEASE - EA EMPLOYEE \$ 500,000 E.L. DISEASE - POLICY LIMIT \$ 500,000
C	Used Auto Dealer Bond			62659263	02/01/2023	02/01/2024	Bond Penalty \$25,000

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

City of Newburyport is Obligee and Named Insured.

CERTIFICATE HOLDER**CANCELLATION**

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



Western Surety Company

SECOND HAND MOTOR VEHICLE DEALER BOND

(Mass. Gen. Laws Ann. 140, § 58(c))

Bond No. 62659263

KNOW ALL PERSONS BY THESE PRESENTS:

Effective Date: February 1st, 2016

That we, State Automotive Repair, LLC., as Principal, and WESTERN SURETY COMPANY, a corporation authorized to do surety business in the Commonwealth of Massachusetts, as Surety, are held and firmly bound unto persons who purchase a vehicle from the Principal and who suffer loss on account of a breach of the condition of this bond described below, in the sum of not to exceed TWENTY-FIVE THOUSAND AND NO/100 DOLLARS (\$25,000.00), for the payment of which well and truly to be made, we bind ourselves and our legal representatives, firmly by these presents.

WHEREAS, the Principal is a second hand motor vehicle dealer and is required to furnish a bond or equivalent proof of financial responsibility pursuant to Mass. Gen. Laws Ann. 140, § 58(c)(1).

NOW, THEREFORE, the condition of this obligation is such that if the Principal shall pay the amount of actual damages, not to exceed the amount of this bond, to any person who purchases a vehicle from the Principal and who suffers loss on account of: (a) the Principal's default or nonpayment of valid bank drafts, including checks drawn by the Principal for the purchase of motor vehicles; (b) the Principal's failure to deliver, in conjunction with the sale of a motor vehicle, a valid motor vehicle title certificate free and clear of any prior owner's interests and all liens, except a lien created by or expressly assumed in writing by the buyer of the vehicle; (c) the fact that the motor vehicle purchased from the Principal was a stolen vehicle; (d) the Principal's failure to disclose the vehicle's actual mileage at the time of sale; (e) the Principal's unfair and deceptive acts or practices, misrepresentations, failure to disclose material facts or failure to honor a warranty claim or arbitration order in a retail transaction; or (f) the Principal's failure to pay off a lien on a vehicle traded in as part of a transaction to purchase a vehicle when the Principal had assumed the obligation to pay off the lien, then this obligation to be void; otherwise to remain in full force and effect.

PROVIDED, that recovery against this bond may be made only by a person who obtains a final judgment in a court of competent jurisdiction against the Principal for an act or omission on which this bond is conditioned, if the act or omission occurred during the term of this bond. No suit may be maintained to enforce any liability on this bond unless brought within one (1) year after the event giving rise to the cause of action. This bond shall cover only those acts and omissions described above. The Surety shall not be liable for total claims in excess of the bond amount, regardless of the number of claims made against this bond or the number of years this bond remains in force.

This bond shall be continuous and may be cancelled by the Surety by giving thirty (30) days' written notice of cancellation to the municipal licensing authority at 60 Pleasant St, Newburyport, MA 01950

by First Class U.S. Mail. Address _____

Dated this 1st day of February, 2016



State Automotive Repair, LLC., Principal

By: _____

WESTERN SURETY COMPANY, Surety

By: Paul T. Bruflat
Paul T. Bruflat, Senior Vice President

Western Surety Company

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS:

That WESTERN SURETY COMPANY, a corporation organized and existing under the laws of the State of South Dakota, and authorized and licensed to do business in the States of Alabama, Alaska, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, District of Columbia, Florida, Georgia, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, Washington, West Virginia, Wisconsin, Wyoming, and the United States of America, does hereby make, constitute and appoint

Paul T. Bruflat of Sioux Falls,
State of South Dakota, its regularly elected Vice President,
as Attorney-in-Fact, with full power and authority hereby conferred upon him to sign, execute, acknowledge and deliver for and on its behalf as Surety and as its act and deed, the following bond:

One Second Hand Motor Vehicle Dealer

bond with bond number 62659263

for State Automotive Repair, LLC.

as Principal in the penalty amount not to exceed: \$ 25,000.00

Western Surety Company further certifies that the following is a true and exact copy of Section 7 of the by-laws of Western Surety Company duly adopted and now in force, to-wit:

Section 7. All bonds, policies, undertakings, Powers of Attorney, or other obligations of the corporation shall be executed in the corporate name of the Company by the President, Secretary, any Assistant Secretary, Treasurer, or any Vice President, or by such other officers as the Board of Directors may authorize. The President, any Vice President, Secretary, any Assistant Secretary, or the Treasurer may appoint Attorneys-in-Fact or agents who shall have authority to issue bonds, policies, or undertakings in the name of the Company. The corporate seal is not necessary for the validity of any bonds, policies, undertakings, Powers of Attorney or other obligations of the corporation. The signature of any such officer and the corporate seal may be printed by facsimile.

In Witness Whereof, the said WESTERN SURETY COMPANY has caused these presents to be executed by its Vice President with the corporate seal affixed this 1st day of February, 2016.

ATTEST

L. Nelson

L. Nelson, Assistant Secretary

WESTERN SURETY COMPANY

By

Paul T. Bruflat

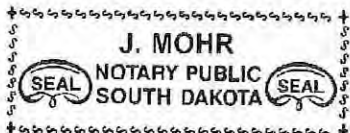
Paul T. Bruflat, Vice President



STATE OF SOUTH DAKOTA }
COUNTY OF MINNEHAHA } ss

On this 1st day of February, 2016, before me, a Notary Public, personally appeared Paul T. Bruflat and L. Nelson

who, being by me duly sworn, acknowledged that they signed the above Power of Attorney as Vice President and Assistant Secretary, respectively, of the said WESTERN SURETY COMPANY, and acknowledged said instrument to be the voluntary act and deed of said Corporation.



My Commission Expires June 23, 2021

J. Mohr

Notary Public

To validate bond authenticity, go to www.cnasurety.com > Owner/Obligee Services > Validate Bond Coverage.



CERTIFICATE OF LIABILITY INSURANCE

DATE(MM/DD/YYYY)
11/22/2023

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

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

PRODUCER HUB NE-CLIENT CONNECTION NESSARA 800 S WASHINGTON ST VAN WERT, OH 45891	CONTACT NAME: TAMMY RAGER PHONE: (419)238-5551 FAX: (800)736-7026 E-MAIL ADDRESS: trager@central-insurance.com														
INSURED STATE AUTOMOTIVE REPAIR LLC BULLDAWG USA REALTY LLC 196 ROUTE 1 NEWBURYPORT, MA 01950	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="text-align: left;">INSURER(S) AFFORDING COVERAGE</th> <th style="text-align: left;">NAIC #</th> </tr> <tr> <td>INSURER A Central Mutual</td> <td>20230</td> </tr> <tr> <td>INSURER B</td> <td></td> </tr> <tr> <td>INSURER C</td> <td></td> </tr> <tr> <td>INSURER D</td> <td></td> </tr> <tr> <td>INSURER E</td> <td></td> </tr> <tr> <td>INSURER F</td> <td></td> </tr> </table>	INSURER(S) AFFORDING COVERAGE	NAIC #	INSURER A Central Mutual	20230	INSURER B		INSURER C		INSURER D		INSURER E		INSURER F	
INSURER(S) AFFORDING COVERAGE	NAIC #														
INSURER A Central Mutual	20230														
INSURER B															
INSURER C															
INSURER D															
INSURER E															
INSURER F															

CERTIFICATE NUMBER 5782299 REVISION NUMBER

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

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PRO-JECT <input checked="" type="checkbox"/> LOC	Y	Y	9897783	2/1/2023	2/1/2024	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 300,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000
A	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS			9897784	2/1/2023	2/1/2024	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ 20,000 BODILY INJURY (Per accident) \$ 40,000 PROPERTY DAMAGE (Per accident) \$ 5,000
A	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS		Y	9897783	2/1/2023	2/1/2024	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
A	GARAGE KEEPERS LIABILITY <input type="checkbox"/> LEGAL LIABILITY <input checked="" type="checkbox"/> DIRECT BASIS <input type="checkbox"/> PRIMARY <input checked="" type="checkbox"/> EXCESS	Y	Y	9897783	2/1/2023	2/1/2024	<input checked="" type="checkbox"/> COMP / OTC LOC 1 \$ 100,000 <input type="checkbox"/> SPECIFIED PERILS LOC \$ <input checked="" type="checkbox"/> COLLISION LOC 1 \$ 100,000 <input type="checkbox"/> COLLISION LOC \$
A	UMBRELLA LIABILITY <input type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> DED <input type="checkbox"/> RETENTION \$	Y	Y	9897785	2/1/2023	2/1/2024	EACH OCCURRENCE \$ 2,000,000 AGGREGATE \$ 2,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES
 Certificate Holders are additional insured per the attached endorsements.
 Subject to all of the terms, conditions, exclusions and definitions of the above referenced policies as issued by the carrier(s).

CERTIFICATE HOLDER CITY OF NEWBURYPORT 60 PLEASANT ST NEWBURYPORT, MA 01950	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE TAMMY RAGER
---	--

NUMBER

176

THE COMMONWEALTH OF MASSACHUSETTS

FEE

\$ 75

City of Newburyport

USED CAR DEALER'S LICENSE—CLASS II.

TO BUY AND SELL SECOND-HAND MOTOR VEHICLES

In accordance with the provisions of Chapter 140 of the General Laws with amendments thereto

State Automotive Repair, LLC is hereby licensed to buy and sell second-hand motor vehicles at No. 196 Route One in Newburyport

on premises described as follows:

located just south of the route one traffic circle and occupies 1/2 of shared building with a retail vendor. Auto repair bays contain lifts, tools, and equipment consistent with auto repair shop. Parking in front, side and rear of building

February 1, 2022

[Signature]

THIS LICENSE EXPIRES JAN. 1, 2023

THIS LICENSE MUST BE POSTED IN A CONSPICUOUS PLACE UPON THE PREMISES.

THE COMMONWEALTH OF MASSACHUSETTS

OF _____

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2023 NOV 28 A 9:45

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? R L 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. N/A

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

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

President RANDY L CURRIE 111 GEORGETOWN ROAD WEST NEWBURY MA 01985

Secretary SAME

Treasurer SAME

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+ ACRES WITH A 10,000 sq ft BLDG CONTAINING
REPAIR FACILITY OFFICES AND A MASS CLASS D
STATE INSPECTION FACILITY

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

(Yes or No)

For what year? APPROX LAST 20yrs

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

Jandy L. Currie

(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 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 _____



Boston
110 Turnpike Road
2nd Floor
Westborough, Massachusetts 01581
+1 (888) 4431910 Fax: +1 (866) 5474882

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 25,000.00 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, 2024, 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 9th day of November, 2023.

The Ohio Casualty Insurance Company
(Surety)

By: Timothy A. Mikolajewski
Timothy A. Mikolajewski, Assistant Secretary





Boston
110 Turnpike Road
2nd Floor
Westborough, Massachusetts 01581
+1 (888) 4431910 Fax: +1 (866) 5474882

HUB International New England LLC
300 Ballardvale St
PO Box 696
Wilmington, Massachusetts 01887

Agent Telephone:
Bond Number: LSF006317
Cross Reference: 5010479

RL Currie Corp
6 New Pasture Road
Newburyport, Massachusetts 01950

We appreciate having you as a Liberty Mutual customer and we would like to thank you for allowing us to serve your bonding needs. This letter is to confirm Liberty Mutual Surety has received payment for your renewing bond.

The effective date of your renewing bond begins 10/25/2023.

Please review the enclosed documents for accuracy. You must remit the original of the Renew By Certificate and any supporting documents required to your Obligee.

If you have any questions regarding this bond or would like to discuss your future bond needs, please contact your Liberty Mutual agent.

Again, thank you for entrusting us with your bonding needs.

Sincerely,
Boston

For additional information regarding Liberty Mutual insurance products, please visit www.libertymutual.com

To: Chair Heather Shand and Members of the Ad Hoc Committee on Market Landing Park

From: Mayor Sean Reardon, Director of Planning and Development Andy Port, Director of Public Services Wayne Amaral, and Finance Director Ethan Manning

Date: December 5, 2023

Re: City's Recommendation on Waterfront Trust and Public Procurement

The Administration is submitting this memorandum to accompany the legal opinion provided from City Solicitor Murphy, Hesse, Toomey, Lehane on the applicability of public procurement laws to the Waterfront Trust. The findings of the legal analysis underscore the significant public nature of the Trust, indicating that it should be subject to public procurement laws. This information should assist the Council and Administration as we discuss questions of ownership and maintenance for the expanded Market Landing Park.

The Waterfront Trust holds perpetual public trust lands for the public good and operates with characteristics of a public entity. Trustees are appointed by the Mayor and approved by the City Council, signifying a substantial level of public control. The City is responsible for maintaining the public trust lands, and decisions on improvements require the Mayor's approval. Given the Trust's public funding, oversight, and purpose, the City Solicitor has determined that the Trust must adhere to all public procurement laws, including those related to goods and services (M.G.L. c. 30B), public works (M.G.L. c. 30, §39M), and public construction (M.G.L. c. 149).

As it stands, the Waterfront Trust provides maintenance for the Waterfront Park, although the expanded sections are currently under control of the City, and the City would be responsible for maintenance should nothing change in the current arrangement. The Administration would strongly recommend that the same entity manage maintenance for both the expanded wings and the current Waterfront Trust owned park area. It would cost additional time and resources to have two vendors and to carry overhead responsibilities for two different entities. The Administration does not support transferring the new park land to the Waterfront Trust, as we believe the City will be able to maintain the park at a high level of service, and keeping City land would make for a more streamlined relationship. While transferring the Waterfront Trust owned park section to the City would be preferable to the administration, it seems unlikely this would be supported by the Trust.

Absent an arrangement in which the land is fully transferred to the City or Waterfront Trust, the best arrangement would involve the City actively managing maintenance for the whole park. This would require either direct work by Department of Public Services Employees or procurement of a contractor. In this case, the City would manage the public procurement process through its procurement officer and relevant departments. Either arrangement would ensure compliance with legal requirements and foster transparency in the allocation of public resources.

The Administration recommends a proactive approach to ensure the Waterfront Trust's compliance with public procurement laws. This approach not only safeguards legal obligations but also upholds transparency and accountability in the management of public trust lands.

Karis L. North
knorth@mhtl.com

September 27, 2023

VIA EMAIL ONLY

Mayor Sean Reardon
City of Newburyport
20 Main Street
Mendon, MA 01756

RE: Procurement and the Newburyport Waterfront Trust

Dear Mayor Reardon:

You have asked for a legal opinion as to whether or not the Newburyport Waterfront Trust is subject to applicable laws, regulations and procedures for public procurement. I understand there has been some question or debate about this, from past and/or present members of the Trust, particularly where a third-party entity (the Trustees) was created to manage the public park.

In providing this opinion, I have reviewed the following documents:

1980 Stipulation/Settlement Agreement between the Newburyport Redevelopment Authority, the City of Newburyport, the Trustees of the Newburyport Waterfront, and the Commonwealth;
1991 Confirmatory Declaration of Public Trust;
1992 Amendment to the Declaration of Public Trust; and
1993 Amendment to the Declaration of Public Trust.

I have also reviewed relevant statutes and case law.

Consistent with the Confirmatory Declaration of Public Trust (“Declaration”), the land subject to the trust (i.e., the “public trust lands”, as defined in the Declaration, p. 3, are public lands, and constitute a perpetual public trust. See Cohen v. City of Lynn, 33 Mass. App. Ct. 271, 275 (1992) (“Similar conveyances of land for parks, where the grantors specified the land be used “forever” or “in perpetuity,” without other limitation, have been found to establish a public charitable trust.”). The language of the Declaration states that the land shall be “held, used and conserved in perpetuity in Trust for the public good, . . .”¹

The Trust has the characteristics of a public entity, and has a public purpose. The Declaration also makes clear that the Trustees hold the land in trust for the “public in perpetuity.” The Trustees are appointed by the Mayor of Newburyport (“Mayor”), with the approval of the City Council, Declaration, Art. IV, and the City of Newburyport (“City”) is obliged to maintain the

¹ The public trust language is consistent with the terms of the 1980 Settlement Agreement.



Mayor Sean Reardon
September 27, 2023
Page 2

public trust lands, including repairs (Declaration, Art. VI). Improvements to the public trust lands may only be made subject to the approval of the Mayor. *Id.* Funding for the Trust and the obligations of repair, maintenance, improvements, and administration of the Trust are to be paid by the City. Declaration, Art. VII. Finally, I note that meetings of the Trustees are public meetings, and that the City maintains and stores the records of the Trust.

Because of the structure and purpose of the Trust, its public funding, and a significant element of public control, the Trust is subject to the strictures of the public procurement laws, whether they relate to good and services (M.G.L. c. 30B), public works (M.G.L. c. 30, §39M), public construction (M.G.L. c. 149) or any other relevant public procurement law and regulation.

The key case on whether public procurement laws apply to a specific factual situation is Brasi Development Corp. v. Attorney General, 456 Mass. 684 (2010). In this case, the Court outlined the key factors it would look to in determining whether a project should be bid under public procurement laws. The Court concluded “no specific set of factors will be sufficient for every situation, and that a totality of the circumstances test, which examines the circumstances in each case in detail, is the best approach for determining whether [projects]² are subject to the competitive bidding statute.” *Id.* at 697. The Court decided that key factors include: (1) the extent of control retained by any public agency during development and construction; (2) the length of the arrangement (lease); (3) whether the source of funding is public funds; (4) who owns the land and its status; (5) who retains rights in the completed project; (6) whether the completed project has a public or commercial purpose. *Id.* at 697-698.

Not all of the factors are relevant to this question but the factors concerning extent of control, length of arrangement, source of funding, and purpose of the project are all factors which require utilization of public procurement for any of the work done at or on the public trust lands. As such, the City should be the entity which manages the public procurement process, through its procurement officer and other City departments.

I hope this opinion is useful. Please contact me if you have any questions or concerns.

Sincerely,
/s/ Karis L. North
Karis L. North

cc: Andrew Port, Director of Planning and Development
Andrew Levine, Chief of Staff

² While the Brasi Court looked at a specific question relating to a “build to lease” project, the analysis applies to all similar questions concerning the applicability of public procurement.

From: Jared Eigerman <jeigerman@gmail.com>
Sent: Monday, December 4, 2023 8:35 PM
To: Sean Reardon <SReardon@CityofNewburyport.com>
Cc: Heather Shand <HShand@CityofNewburyport.com>; Richard Jones <RJones@CityofNewburyport.com>; Byron J. Lane <BLane@CityofNewburyport.com>
Subject: Request for immediate legal action -- Charter Violation

Dear Mayor Reardon:

Former Councillor-At-Large Bruce Vogel participated in tonight's meeting of the City Council's Committee on General Government, as if he were a current City Councillor, which he is not. This violated City of Newburyport Home Rule Charter Section 2-1(c), which provides, in relevant part: "If a ... councilor-at-large ***removes from the city*** during the term for which elected, such office ***[must] immediately be deemed vacant....***" (Emphasis added.)

During public comment at tonight's committee meeting, I registered my objection to Mr. Vogel's brazen violation of Charter Section 2-1(c), but he continued to participate as if he were a City Councillor. This is no minor offense, but a gross perversion of the basic principles of representative democracy codified in our municipal charter, by which the people of Newburyport elect fellow residents from amongst themselves to serve as their local legislators.

1. Mayor Is Mandated to Notify Mr. Vogel of His Charter Violation

In multiple media, months ago, Mr. Vogel stated his intention to move away from the City of Newburyport to the State of Maryland. In a phone conversation with The Daily News, just last week, Mr. Vogel freely admitted that he had so moved away from his former residence in Newburyport during the week of Thanksgiving, and this was duly reported in print. The instant that Mr. Vogel so "remove[d] himself] from the city," his office was "deemed vacant" by operation of law.

Mr. Vogel's owning real property located within the Newburyport is irrelevant to his residency. This is not Ancient Rome in which citizenship was tied to wealth. There are many Newburyport residents who have never owned real property, here. Likewise, there are many non-residents who do own real property, here. Mr. Vogel is free to own his former home at 5 Bromfield Court from now until Kingdom Come, but he is not free to defraud the public by posing as a resident.

There can be no reasonable dispute that by moving his domicile out of Newburyport Mr. Vogel has "remove[d] from the city" under the plain meaning of that phrase. However, the very next sentence of Charter Section 2-1 gives still more context, providing: "If a ward councilor removes from the ward from which elected and less than six months of the term remain, the ward councilor who remains a resident of the city may continue to serve during the term for which elected."

This is precisely the situation in which current Ward 4 Councillor Christine Wallace has found herself: she has moved out of Ward 4, from which she was elected. However, she did so with less than six months remaining in the term, and, so, lawfully, may continue to serve out her elected term. Put another way, she has moved wards within six months of the end of her term, but she has not removed from the city. In contrast, Mr. Vogel was an at-large councillor, not a ward councillor, and he has removed from the city. The Charter contemplates a way to grant a limited dispensation to

Councillors who "remove" themselves, but such limited dispensations is available to Ward 4 Councillor Wallace, not to former At-Large Councillor Vogel.

Toleration of Mr. Vogel's lawless behavior would be a big step backwards for the City of Newburyport. I do not know how these matters were handled under the old home rule charter, but I am an eyewitness to the lawful, decent, and honorable actions of the Council during the fall of 2019, when then-Councillor-at-Large Gregory Earls acknowledged on the floor of the City Council Chamber that he had "remove[d]" himself to the State of New Hampshire, his new place of residence, and, therefore, that his seat had become vacant. As commanded by Charter Sections 2-1 and 2-11, the City Council at that time "filled forthwith" the seat vacated by former Councillor Earls. I am grateful for the leadership of then-City Council President Barry Connell, who ensured that the Charter was followed, respecting our representative democracy, and making pleas like mine tonight, unnecessary.

Since he so removed himself from the city, I am informed that Mr. Vogel has purported to participate as a current City Councillor at more than one meeting of the City Council and its committees, not just tonight, as I witnessed (and always by ZOOM from his new residence outside of the city). Accordingly, I respectfully ask that you, Mayor Reardon, execute your mandatory, legal duty to "in writing, cause notice to be given to [Mr. Vogel] directing compliance with the charter."

This mandatory duty of the Mayor derives from Charter Section 9-14, which provides, in relevant part: "It shall be the duty of the mayor to see that the charter is faithfully followed and complied with by all city agencies and city employees. Whenever it appears to the mayor that any city agency or city employee is failing to follow any provision of this charter the mayor shall, in writing, cause notice to be given to that agency or employee directing compliance with the charter."

2. Obtaining Public Funds by False Pretences

Further, it is my belief that since his removal from the city Mr. Vogel has continued to draw salary as a City Councillor. Therefore, as I told the committee I would during public comment tonight, I conferred with the desk sergeant of the Newburyport Police Department, regarding MGL c. 266, s. 30(1), which provides, in relevant part: "Whoever steals, or with intent to defraud obtains by a false pretence, or whoever unlawfully, and with intent to steal or embezzle, converts, or secretes with intent to convert, the property of another as defined in this section, whether such property is or is not in his possession at the time of such conversion or secreting, shall be guilty of larceny, and ... if the value of the property stolen ... does not exceed \$1,200 shall be punished by imprisonment in jail for not more than one year or by a fine of not more than \$1,500."

Given what I believe to be the dollar amount involved, the conversion by Mr. Vogel of public funds under the false pretences that he is a resident, and, so continues to be an At-Large City Councillor for the current term, is a misdemeanor, punishable by imprisonment in jail for not more than one year or by a fine of not more than \$1,500.

Mr. Vogel's actions also constitute "unjust enrichment," a tort committed against the City of Newburyport. Accordingly, all such ill-gotten gains should be refunded to the city by Mr. Vogel, immediately, with any interest that may apply by law.

Admittedly, the amount of salary paid illegally to Mr. Vogel may not rise to the level of a felony, and the extent of tortious damages may be small. Nevertheless, such action is a crime and a civil wrong committed against the people of Newburyport, and should never be tolerated by an elected official.

It does not appear that a single resident of Newburyport, such as myself, has standing to initiate a criminal complaint against Mr. Vogel for his illegal conversion of public monies, or to recover for "unjust enrichment," because the property involved belongs to the City of Newburyport. Therefore, I further request that you, as chief executive of the City, initiate a misdemeanor complaint, seeking Mr. Vogel's conviction, and his disgorgement of all salary he has received since he removed himself from the city, and so ceased to be a City Councillor by operation of law.

3. Declaratory Relief and Injunction

Finally, I think it is especially important to take action in court immediately to bar Mr. Vogel from the City Council's upcoming regular meeting, scheduled to occur on Monday, December 11, 2023, to prevent his corrupting that entire meeting with his illegal participation.

In addition to requiring the Mayor of Newburyport to enforce the charter, Charter Section 9-14 further provides that the "declaratory relief" procedures of MGL Chapter 231A "may be used to determine the rights, duties, status or other legal relations arising under [the Newburyport Home Rule Charter], including any question of construction or validity which may be involved in such determination."

Accordingly, I urge the City of Newburyport to exercise its rights under MGL Chapter 231A to file an action with the Essex County Superior Court to seek a declaration that Mr. Vogel is no longer a member of the City Council, and, in addition to seek an injunction under Section 5 ("Further Relief") of MGL Chapter 231A to bar his further participation in City Council proceedings as if he were a City Councillor.

I am still researching whether a group of Newburyport taxpayers could establish standing to obtain such declaratory and/or injunctive relief, the way the City itself can. Regardless, it should not be necessary for residents of this city to spend their time and money enforcing the very basics of lawful, representative democracy, but, if necessary, we will.

Thank you.

-- Jared Eigerman, 83 High Street, Newburyport, Mass. 01950

From: andrewsimpson53@comcast.net <andrewsimpson53@comcast.net>

Sent: Wednesday, December 6, 2023 6:50 PM

To: andrewsimpson53@comcast.net

Subject: Thank You Bruce Vogel

Dear Councilors:

At its last meeting of 2023 on Dec. 11, the Newburyport City Council will have the opportunity to thank At-Large Councilor Bruce Vogel for his two decades of public service as a volunteer and elected official as well as for his private entrepreneurship that has also served our community. I hope you take advantage of the opportunity as it will be Bruce's last council meeting.

Bruce announced this summer he would not seek re-election. He also decided he would move to Maryland to be closer his daughter's family and three grandkids. He has been recruited for grandfatherly tasks including transporting the boys to karate class. He will also be closer to his son's family and grandchild in North Carolina.

He knew it would take months to figure out all the logistics and he knew he wanted to finish out his current term on the council.

He hasn't missed a beat or a meeting. As his plans evolved and the year wound down, it looked like he might be in Maryland over the holidays, so he made plans to attend the last two council meetings (Nov. 27 and Dec. 11) remotely in case that became necessary, as is allowed. He participated remotely on Nov. 27.

At that meeting the vote on the tax rate did not go as Ward 6 Councilor Byron Lane wanted. Lane reacted by alleging that Bruce's vote was illegal and inappropriate..

I believe Bruce's vote was legal and appropriate. The city charter says that if a councilor "removes from the city," the council shall immediately take steps to fill the vacancy. It does not define what removes from the city means, or who decides. It surely does not mean a councilor can never leave the city. I believe it all depends on the situation, past history and what is best for the city.

The situation is that Bruce has lived here for more than 30 years. He is not removed from the city in a way that makes him unwilling or unable to fulfill his duties. His ties to the community and his knowledge of the issues remain strong. He is engaged and informed. He is still a registered voter and owns a home and a business here. He will be back and forth to Maryland as he finalizes his affairs. Pushing him aside with only a few weeks to go would not be in the best interests of the city.

Bruce is a friend of mine. We don't agree on all issues. I know he is an honest man and a councilor who talks with many voters, does research, shows up at meetings and contributes to discussion. He cares about our community.

I urge the council to not only preach but also practice civility. Do the right thing for the city and Bruce. Just say, "Thanks Bruce."

Thank you all for your service.

Andrew Simpson

Newburyport

ORDERS



CITY OF NEWBURYPORT
GIFT ACCEPTANCE FORM

Ordered, that, the City of Newburyport accepts the following gift in accordance with M.G.L. Chapter 44, Section 53A:

Date of Gift:	11/11/2023	
City Department:	Council on Aging	
Staff Contact:	Sara Landry	
<i>Gift Overview</i>		
Gift Type:	Monetary	
Donor:	Central Congregational Church https://www.centralnewburyport.org/	
Purpose:	Support to Newburyport COA for transportation and assistance with prescription refills.	
Gift Amount:	\$2,000.00	
<i>For Office Use Only</i>		
City Council Packet Date:	12/11/2023	
Emergency Measure?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

Councillor Sharif I. Zeid

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

December 11, 2023

AN ORDER RELATIVE TO Acceptance of G.L. c. 64G, § 3D(a) Establishing Impact Fee on Professionally-Managed Short-Term Rentals:

BE IT ORDERED, that:

That the City Council of the City of Newburyport votes to accept the provisions of General Laws Chapter 64G, Section 3D(a), authorizing the imposition of a community impact fee of three percent (3%) on the transfer of occupancy of a short-term rental in a “professionally-managed unit”, which term is defined as one of two or more short-term rental units that are located in the same city or town, operated by the same operator and are not located within a single-family, two-family, or three family dwelling that includes the operator’s primary residence; or take any action relative thereto.

Councillor Afroz K. Khan

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

December 11, 2023

AN ORDER RELATIVE TO Acceptance of G.L. c. 64G, § 3D(b) Establishing Impact Fee on Units Located within a Two- or Three-Family Dwelling That Includes the Operator's Primary Residence:

BE IT ORDERED, that:

That the City Council of the City of Newburyport votes to accept the provisions of General Laws Chapter 64G, Section 3D(b), authorizing the imposition of a community impact fee of three percent (3%) on the transfer of occupancy of a short-term rental in units located within a two- or three-family dwelling that includes the operator's primary residence under General Laws Chapter 64G, Section 3D(b); or take any action relative thereto.

Councillor Afroz K. Khan

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

December 11, 2023

AN ORDER RELATIVE TO Dedication of Revenue from STRU Community Impact Fees

BE IT ORDERED, that:

That the City Council of the City of Newburyport votes to dedicate fifty percent (50%) to affordable housing or local infrastructure projects in accordance with General Laws Chapter 64G, Section 3D(c) and fifty percent (50%) to the Plum Island Beach Fund that was previously established under General Laws Chapter 40, Section 5B any community impact fees received by the City pursuant to General Laws Chapter 64G, Sections 3D(a) or (b); provided that said dedication shall take effect beginning in Fiscal Year 2025 which begins on July 1, 2024; and provided further that the City may not terminate this dedication for at least three fiscal years; or to take any other action relative thereto.

Councillor Afroz K. Khan

CITY OF NEWBURYPORT



IN CITY COUNCIL

December 11, 2023

ORDERED:

EMERGENCY PREAMBLE

Pursuant to Charter Section 2-9 (b) and as further defined in Section 1-7(7) an emergency exists due to the time sensitivity of the matter therein ORDR00524_12_11_2023.

Councillor Heather L. Shand

CITY OF NEWBURYPORT



IN CITY COUNCIL

December 11, 2023

ORDERED:

The City Council of the City of Newburyport hereby requests that the Whittier Regional Vocational Technical High School Committee (“Whittier”) postpone the election currently proposed for January 23, 2024. The purpose of the election is to authorize the monies necessary to construct a new Whittier Regional Vocational Technical High School in the amount of 444.6 million and, if authorized, would place a substantial financial burden on the residents of Newburyport notwithstanding any MSBA monies available. The City is requesting sufficient time to plan, evaluate and analyze the current proposal.

Additionally, the City Council is requesting that the MSBA delay their upcoming vote which would, in turn, allow Whittier further time to engage in planning and discussions with the appropriate building professionals and communicate with the eleven member communities.

We are suggesting that these member communities need sufficient time to plan and address the potentially substantial financial burden a new school would create. We believe strongly that there has not been sufficient time for the same.

We are also suggesting that alternative site options and building designs to reduce costs should be thoroughly evaluated by Whittier.

To accomplish the above, we are directing the City Clerk to forthwith communicate the contents of this Order to Whittier and the MSBA and to work in concert with the Mayor of Newburyport to accomplish this objective.

Heather Shand

COMMITTEE ITEMS

Committee Items – December 11, 2023

Budget & Finance

In Committee:

- ORDR00512_11_27_2023 Gift Acceptance PAARI \$1,000
- ORDR00513_11_27_2023 Gift Acceptance FoNT \$15,000
- ORDR00516_11_27_2023 Gift-Acceptance-Form-MLP-MAAF \$200,000
- ORDR00517_11_27_2023 Gift-Acceptance-Form-MLP-IFS \$50,000
- ORDR00518_11_27_2023 Gift-Acceptance-Form-MLP-NBank \$40,000
- ORDR00519_11_27_2023 Holiday Parking 2023
- ORDR00336_03_28_2022 ARPA Amesbury 250K (COTW)
- ORDR00504_10_30_2023 Local Acceptance of Community Impact Fee on Short Term Rentals
- ORDR00505_11_13_2023 Gift Acceptance Nock Tennis Courts \$21,195.00
- TRAN00153_05_08_2023 Mayor: Multiple \$3,483,773 to Multiple \$3,483,773 revised 6/15/2023
(Atkinson Common Request only all other matters adjudicated)



**CITY OF NEWBURYPORT
GIFT ACCEPTANCE FORM**

Ordered, that, the City of Newburyport accepts the following grant in accordance with M.G.L. Chapter 44, Section 53A:

Date of Gift:	9/12/2023	
City Department:	Police Department	
Staff Contact:	Inspector Dani Sinclair	
<i>Gift Overview</i>		
Gift Type:	Monetary	
Donor:	Police Assisted Addiction and Recovery Initiative, Inc. (PAARI) https://paariusa.org/	
Purpose:	PAARI provided \$1,000.00 to each police department that participated in a training on the emerging threat of xylazine, an animal sedative that is being mixed into opioids and other stimulants. Funds can be used to purchase supplies for prevention and community policing efforts.	
Gift Amount:	\$1,000.00	
<i>For Office Use Only</i>		
City Council Packet Date:	11/27/2023	
Emergency Measure?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

Councillor Sharif I. Zeid

In City Council November 27, 2023:

Motion to collectively refer ORDR00512, ORDR00513, ORDR00516, ORDR00517, ORDR00518, and ORDR00519 to Budget & Finance by Councillor Zeid, seconded by Councillor McCauley. Roll call vote. 11 yes. Motion passes.



CITY OF NEWBURYPORT
GIFT ACCEPTANCE FORM

Ordered, that, the City of Newburyport accepts the following grant in accordance with M.G.L. Chapter 44, Section 53A:

Date of Gift:	11/17/2023	
City Department:	DPS	
Staff Contact:	Michael Hennessey, Tree Warden	
<i>Gift Overview</i>		
Gift Type:	Monetary	
Donor:	Friends of Newburyport Trees	
Purpose:	It will be used in 2024 for spring planting of approximately 25-30 trees in locations determined by the Tree Commission.	
Gift Amount:	\$15,000.00	
<i>For Office Use Only</i>		
City Council Packet Date:	11/27/2023	
Emergency Measure?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

Councillor Sharif I. Zeid

In City Council November 27, 2023:

Motion to collectively refer ORDR00512, ORDR00513, ORDR00516, ORDR00517, ORDR00518, and ORDR00519 to Budget & Finance by Councillor Zeid, seconded by Councillor McCauley. Roll call vote. 11 yes. Motion passes.

Friends of Newburyport Trees

Crispin Miller

1 Parker Ridge Way West

Newburyport, MA 01950

Mr. Ethan Manning

Accounting Department

60 Pleasant Street

Newburyport, MA 01950

November 17, 2023

Ethan,

Enclosed is a check to the City – Tree Commission for \$15,000. It will be used in 2024 for planting approximately 25 to 30 trees. The trees will be planted by a contractor in the spring.

Please deposit the money in the Tree Commission Donation Account.

Seasons Greetings

Crispin Miller

Crispin Miller

FRIENDS OF NEWBURYPORT TREES
PO BOX 1155
NEWBURYPORT, MA 01950

53-7150/2113

516

DATE 11-17-23



PAY TO
THE ORDER OF

City of Newburyport

\$ 15,000

Christopher J. Townsend

DOLLARS Security Features
Fading, Opaque on Back



**Newburyport
Bank**
JOURNEY WELL

MEMO To Tree Commission

Crispin Miller RP

⑆216376502⑆ 0914 214 21⑈ 0516

SPECIALTY BLUE



CITY OF NEWBURYPORT
GIFT ACCEPTANCE FORM

Ordered, that, the City of Newburyport accepts the following gift in accordance with M.G.L. Chapter 44, Section 53A:

Date of Gift:	11/21/2023	
City Department:	Office of Planning & Development	
Staff Contact:	Andrew R. Port, Director of Planning & Development	
<i>Gift Overview</i>		
Gift Type:	Monetary	
Donor:	Mary Alice Arakelian Foundation www.arakelianfoundation.com	
Purpose:	Funds are to be used for the purchase and installation of new site amenities as part of the Market Landing Park Expansion project on the central waterfront.	
Gift Amount:	\$200,000	
<i>For Office Use Only</i>		
City Council Packet Date:	11/27/2023	
Emergency Measure?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

Councillor Heather L. Shand

In City Council November 27, 2023:

Motion to collectively refer ORDR00512, ORDR00513, ORDR00516, ORDR00517, ORDR00518, and ORDR00519 to Budget & Finance by Councillor Zeid, seconded by Councillor McCauley. Roll call vote. 11 yes. Motion passes.



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

MEMORANDUM

TO: Newburyport City Council

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

**CC: Sean R. Reardon, Mayor
Andrew Levine, Chief of Staff**

RE: Approval for Gift Acceptances – Site Amenities for Market Landing Park Expansion Project

DATE: November 27, 2023

As you know, the Council approved gap funding for construction of the Market Landing Park Expansion project earlier this year. This project is now under construction using funding from various sources, including but not limited to two substantial state grants (*i.e. P.A.R.C. and MassTrails*) totaling \$800,000. Since available project funding for the “bones” of new park space does not cover the cost of various site amenities, additional local fundraising was necessary. As directed by the Council, we are now returning to request your acceptance of these very generous gifts provided by well-known local institutions. They are as follows:

<u>Donor</u>	<u>Amount</u>	<u>Purpose</u>
Mary Alice Arakelian Foundation	\$200,000	Site Amenities for Market Landing Park
Institution for Savings	\$50,000	Site Amenities for Market Landing Park
Newburyport Bank	\$40,000	Site Amenities for Market Landing Park

We request your timely acceptance of the attached Gift Acceptance Orders, representing substantial contributions by three well-known and reputable local institutions, all for the purchase of remaining site amenities called for in Sasaki’s approved design plans, including trellis swings, benches, picnic tables, hammocks, and additional Adirondack chairs for the expansive new lawn areas between the boardwalk/berm and new bike path “spine.” Standard bronze plaques will be installed in the general vicinity of these site amenities as recognition for these generous contributions to the quality and public enjoyment of one of Newburyport’s most prized community spaces – our central waterfront. A primary project plaque (*typical*) to be located along the new shared use path will recognize core construction funding for the project (*e.g. City Council, Community Preservation Committee, P.A.R.C. and MassTrails grant programs*).

Having these gifts accepted by the end of the calendar year should leave sufficient time for approval of associated contractor Change Orders, purchases from applicable vendors, and installation of these new amenities by Spring 2024, in time for opening of the new park wings for public use. Thank you for your consideration.



CITY OF NEWBURYPORT
GIFT ACCEPTANCE FORM

Ordered, that, the City of Newburyport accepts the following gift in accordance with M.G.L. Chapter 44, Section 53A:

Date of Gift:	11/21/2023	
City Department:	Office of Planning & Development	
Staff Contact:	Andrew R. Port, Director of Planning & Development	
<i>Gift Overview</i>		
Gift Type:	Monetary	
Donor:	Institution for Savings www.institutionforsavings.com	
Purpose:	Funds are to be used for the purchase and installation of new site amenities as part of the Market Landing Park Expansion project on the central waterfront.	
Gift Amount:	\$50,000	
<i>For Office Use Only</i>		
City Council Packet Date:	11/27/2023	
Emergency Measure?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

Councillor Heather L. Shand

In City Council November 27, 2023:

Motion to collectively refer ORDR00512, ORDR00513, ORDR00516, ORDR00517, ORDR00518, and ORDR00519 to Budget & Finance by Councillor Zeid, seconded by Councillor McCauley. Roll call vote. 11 yes. Motion passes.



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

MEMORANDUM

TO: Newburyport City Council

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

CC: Sean R. Reardon, Mayor
Andrew Levine, Chief of Staff

RE: Approval for Gift Acceptances – Site Amenities for Market Landing Park Expansion Project

DATE: November 27, 2023

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Having these gifts accepted by the end of the calendar year should leave sufficient time for approval of associated contractor Change Orders, purchases from applicable vendors, and installation of these new amenities by Spring 2024, in time for opening of the new park wings for public use. Thank you for your consideration.



CITY OF NEWBURYPORT
GIFT ACCEPTANCE FORM

Ordered, that, the City of Newburyport accepts the following gift in accordance with M.G.L. Chapter 44, Section 53A:

Date of Gift:	11/21/2023	
City Department:	Office of Planning & Development	
Staff Contact:	Andrew R. Port, Director of Planning & Development	
<i>Gift Overview</i>		
Gift Type:	Monetary	
Donor:	Newburyport Bank www.newburyportbank.com	
Purpose:	Funds are to be used for the purchase and installation of new site amenities as part of the Market Landing Park Expansion project on the central waterfront.	
Gift Amount:	\$40,000	
<i>For Office Use Only</i>		
City Council Packet Date:	11/27/2023	
Emergency Measure?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

Councillor Heather L. Shand

In City Council November 27, 2023:

Motion to collectively refer ORDR00512, ORDR00513, ORDR00516, ORDR00517, ORDR00518, and ORDR00519 to Budget & Finance by Councillor Zeid, seconded by Councillor McCauley. Roll call vote. 11 yes. Motion passes.



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

MEMORANDUM

TO: Newburyport City Council

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

CC: Sean R. Reardon, Mayor
Andrew Levine, Chief of Staff

RE: Approval for Gift Acceptances – Site Amenities for Market Landing Park Expansion Project

DATE: November 27, 2023

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Having these gifts accepted by the end of the calendar year should leave sufficient time for approval of associated contractor Change Orders, purchases from applicable vendors, and installation of these new amenities by Spring 2024, in time for opening of the new park wings for public use. Thank you for your consideration.

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

November 27, 2023

AN ORDER RELATIVE TO PARKING DURING THE 2023 HOLIDAY SEASON:

BE IT ORDERED, that:

Collection of daily parking fees in all parking lots and the parking garage is suspended from December 18, 2023 through December 26, 2023.

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

Councillor James J. McCauley

In City Council November 27, 2023:

Motion to collectively refer ORDR00512, ORDR00513, ORDR00516, ORDR00517, ORDR00518, and ORDR00519 to Budget & Finance by Councillor Zeid, seconded by Councillor McCauley. Roll call vote. 11 yes. Motion passes.

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

March 28, 2022

THAT, at the recommendation of the American Rescue Plan Act (ARPA) Ad Hoc Committee, \$250,000 is hereby appropriated from the City's allocation of the Coronavirus State and Local Fiscal Recovery Funds (SLFRF) to pay costs of constructing and installing water line connection points with respect to the Amesbury Emergency Interconnection project. It is the intent that any funds remaining upon completion of this project shall be reappropriated to another project as recommended by the ARPA Ad Hoc Committee.

Councillor Bruce L. Vogel

Councillor Christine E. Wallace

Councillor Sharif I. Zeid

In City Council March 28, 2022:

Motion to refer ORDR00333, ORDR00334, ORDR00335, and ORDR00336 collectively to Budget & Finance by Councillor Zeid, seconded by Councillor Cameron. So voted.

American Rescue Plan Act: State and Local Fiscal Recovery Funds

City of Newburyport Allocation Recommendations

March 22, 2022

ARPA Background

The Coronavirus State and Local Fiscal Recovery Funds (SLFRF) are a part of the American Rescue Plan Act (ARPA) and it delivered over \$350 billion to state, local, and Tribal governments across the country. The funds are meant to support the local response to and recovery from the COVID-19 public health emergency, and the Treasury department has allowed for significant flexibility in the use of these funds. The January 6 2022 Final Rule on the SLFRF stated that any municipality's first \$10M can be used for "Replacing Lost Public Sector Revenue," a broad category that permits most uses. Newburyport's entire allocation is under this amount, and can all be spend on this category.

Newburyport will receive \$5,466,707 total in SLFRF allocations, with the first half already received and the remaining \$2,733,353 coming in August 2022. These funds need to be obligated by December 31, 2024, and expended by December 31, 2026. An ARPA Ad Hoc Committee was convened in summer 2021 and approved an expenditure of \$1,000,000 to support the Phillips Drive Drainage Project. Mayor Reardon reconvened the Committee in February 2022 to discuss how to spend the remaining funds. The Committee is comprised of Councillors Bruce Vogel, Christine Wallace, and Sharif Zeid.

The Committee decided in their second meeting that based on the needs of the City, they should prioritize infrastructure projects for these funds. The Department of Public Services and the Mayor's Office provided the Committee a list of priority projects taken from the Capital Improvement Plan and others flagged by the Mayor's Capital Facilities Planning process. The Committee is recommending three projects for funding at this time. Should any of these projects come in under the allocated amount, the funds will be reallocated toward another infrastructure project recommended by the ARPA committee.

Recommended Projects

Streets and Sidewalks Improvements (\$1,200,000 now, \$2,400,000 total)

The City will appropriate \$2,400,000 to pay costs of maintaining and/or repairing public streets, ways, walkways, and sidewalks in accordance with years one and two of the City's five-year street and sidewalk improvement plan. Fifty percent of the appropriation will take place upon the City Council's vote, and the remaining fifty percent will take effect upon receipt of the second tranche of the City's SLFRF allocation in August 2022.

This plan was introduced to the City Council in their 3/14 Council Packet and is under consideration by the Neighborhoods and City Services Committee. The City is sharing information about the plan on its website and through social media, and has a petition program in place for residents to request reconsideration of the order of street and sidewalk repair.

Amesbury Emergency Interconnection Project (\$250,000)

The Department of Public Services has recommended approval, which was echoed by the ARPA Committee, of appropriating \$250,000 to pay costs of constructing and installing water line connection points in Newburyport and Amesbury. This will create hookups for an emergency interconnection line that will be utilized should Newburyport's water not be drinkable in the event of an algae bloom or another toxic event. Should an emergency occur, DPS will purchase the piping necessary to connect to

these connection points and install it so the City can utilize Amesbury's water until the emergency conditions have subsided. The City is completing an Intermunicipal Agreement with Amesbury so that the terms of such an arrangement are negotiated well in advance of needing to use it. Attached is a memo from Environmental Partners with more information about the project and why it has been recommended.

Joppa Park Sea Wall (\$100,000)

The Committee is recommending \$100,000 be appropriated to pay costs of replacing and stabilizing the walkway, which runs along the Joppa Park sea wall, including the installation of accessible paver aprons that are needed to bring the park into compliance with the Americans with Disabilities Act (ADA) standards. The sea wall will be stabilized using a specialized hardscape detail that is designed to prevent future degradation due to tidal action and increasingly intensified storms and tidal action of the Merrimack River. This will be supplemented by \$60,000 from the Morrill Foundation, and the ARPA funding will expedite the timeline for the project's completion. The project will go to bid after the ARPA funds are transferred and project construction can begin this season, shortly after the contractor is selected. We anticipate the project can be completed in this calendar year, as long as there are not too many delays due to supply chain issues.

Remaining Funding and Next Steps

Should these projects be funded, the City will have \$1,716,707 left to disburse after receiving its second tranche of funding. We have attached a list of potential infrastructure projects that are under consideration, as well as the full listing of costs. As stated earlier, the ARPA Committee has reached consensus that the remaining funds would best be used on infrastructure projects. These may include design costs for larger projects so that they could be made shovel ready in case of additional funding becoming available. The Committee has also discussed the possibilities of funding traffic safety projects, and the Central Waterfront Bulkhead should more funding be needed. The Committee will plan to meet after this allocation is complete to discuss the strategy on the remaining funds.

MEMORANDUM

Date: March 14, 2022

To Anthony Furnari, Director, Department of Public Services

From Eric Kelley, PE

CC Tom Cusick, DPS Water Treatment Superintendent
Jon Carey, DPS Water Distribution Superintendent
Jon-Eric White, PE, City Engineer
Ryan Allgrove, PE

Subject Newburyport – Amesbury Interconnection Memorandum of Support

Environmental Partners (EP) was contacted by the City of Newburyport (City) on August 15, 2020, in an emergency on-call capacity. An algae bloom within the Upper Artichoke Reservoir had developed, and in the event of bloom spread, the City's drinking water supply may have become inadequate. EP was tasked with evaluating an emergency interconnection with the City of Amesbury, MA, via the John Greenleaf Whittier Bridge (Interstate 95). EP prepared a technical memorandum dated August 21, 2020, summarizing the basis of design findings and recommendations for the interconnection.

As shown in Figure 1, the proposed interconnection includes 2,900 linear feet of above ground high-density polyethylene pipe (HDPE) SDR 11 pipe connected to the Amesbury 12-inch ductile iron main near the intersection of Main Street and Evans Place. The proposed alignment continues south on Evans Place, crossing under Interstate 95. The alignment then utilizes the John Greenleaf Whittier Bridge to cross the Merrimac River and connect to the Newburyport 16-inch ductile iron main located approximately 500 feet beyond the bridge abutment.

Permanent connection points to the Amesbury and Newburyport

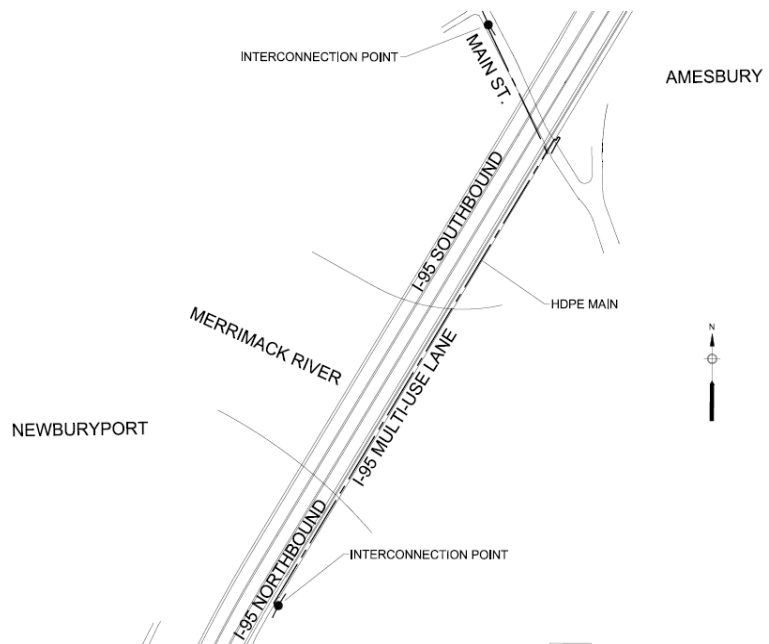


Figure 1: Proposed Newburyport to Amesbury Interconnection

distribution systems will be established under a Phase I plan. The above ground HDPE pipe installation would be completed under a Phase II plan in a future emergency scenario.

The design intent of Phase I is to install the infrastructure required for an above ground 12-inch interconnection without the need for excavation in an emergency. The proposed subsurface infrastructure includes restrained 12-inch DI pipe and fittings, isolation valves, and a manhole structure at each water system's connection points, as shown in Figure 2.

Phase II is the above ground element of the interconnection. It includes 2,900 linear feet of HDPE SDR 11 pipe and appurtenances, including a pressure reducing and flow control valve that will control the pressure and flow of water from the Amesbury water system to Newburyport.

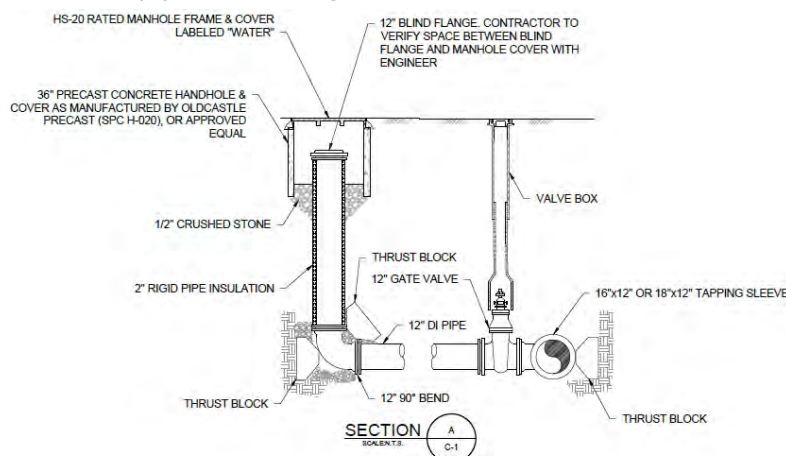


Figure 2: Proposed Subsurface Interconnection Point

Since the emergency has dissipated and time is no longer a driving factor, the City now has an expanded list of available options that were previously unattainable in emergency planning. In order to provide a high level of emergency preparedness, with minimal long-term storage impacts and at a low cost, EP recommends installing the Phase I interconnections and furnishing only essential, long lead-time equipment required for Phase II that will save the City valuable time in an emergency scenario. This option relieves the City of the burden of furnishing and storing 2,900 linear feet of HDPE pipe for a future emergency and provides the City with a high level of emergency preparedness while it investigates other potential permanent interconnection options.

EP completed an Opinion of Probable Construction Cost (OPCC) to provide the City with a funding allocation for the Phase I work and to furnish long-lead equipment for Phase II. The OPCC includes a mobilization cost and a contingency of 30% due to pandemic-related supply chain constraints. The long-lead Phase II equipment includes a pressure relief/flow control valve, a battery-powered magnetic flow meter, a check valve, and a hydrant relief valve. The OPCC does not include any additional engineering costs.

Table 1: Phase I Interconnection OPCC

Phase I	OPCC
Newburyport Interconnection	\$75,150
Amesbury Interconnection	\$69,675
Phase II long-lead equipment	\$28,425
Contingency (30%)	\$51,975
TOTAL	\$225,225

ARPA candidates

Department	Contact Person	Asset Name	What type of asset is this?	Department or division maintains the asset?	If there is anything else to consider regarding this asset, please describe:	Priority Year (1-5)	Estimated Cost
DPS SEWER	Jamie Tuccolo	WATER ST	Building	SEWER	Currently being designed, this station might (should) be relocated to State property due to current proximity to Merrimac (8') and lack of access. Jamie is putting together a package of info.	1	\$1,000,000
DPS WATER	Jamie/Tom	WTP/SPRING LN	Building	WATER	SCADA, controls, water treatment etc. Upgrades phase 1	1	\$170,000
DPS WATER	Jamie/Tom	PLUM ISLAND STATION UPGRADE	Building	WATER	Chlorine booster	1	\$100,000
DPS SEWER	Jamie /Chris	WWTF/WATER ST	Building	SEWER	WWTF and sewer system resiliency plan	1	\$2,200,000
DPS SEWER	Jamie/Chris	WWTF/WATER ST	Building	SEWER	Aeration system upgrade	1	\$125,000
DPS SEWER	Jamie/Chris	WWTF/WATER ST	Building	SEWER	Effluent channel coatings repair	1	\$120,000
DPS SEWER	Jamie/Chris	WWTF/WATER ST	Building	SEWER	New clarifier FY23	1	\$590,000
DPS	Jamie Tuccolo	16 A/B/C PERRY WAY	Building	DPS	Salt shed	1	\$360,000
DPS	Jamie Tuccolo	CITY HALL	Building	DPS	City Hall roof replacement	1	\$424,250
DPS	Jamie Tuccolo	STREETS	Streets	DPS	Requests in CIP	1	\$2,000,000
DPS	Jamie Tuccolo	STREETS	Streets	DPS	Requests in CIP 2022- Phillips Drive, Hale St	1	\$4,275,000
DPS	Jamie Tuccolo	DAM	Bridge	DPS	Lower Artichoke reservoir dam improvement	1	\$500,000
DPS	Jamie Tuccolo	BRIDGES	Bridge	DPS	Plummer Spring Bridge	1	\$700,000
DPS	Jamie Tuccolo	SIDEWALKS	Sidewalks	DPS	Requests in CIP	1	\$500,000
DPS	Jamie Tuccolo	UTILITIES	Utilities	DPS	Water main replacement	1	\$250,000
DPS	Jamie Tuccolo	UTILITIES	Utilities	DPS	Indian Hill Water Line Phase 1	1	\$450,000
DPS	Jamie Tuccolo	UTILITIES	Utilities	DPS	Emergency water connection with Town of Amesbury	1	\$200,000
DPS	Jamie Tuccolo	UTILITIES	Utilities	DPS	Replace aging water, sewer and drainage systems in downtown area	1	\$1,500,000

DPS	Jamie Tuccolo	WATER	Water Supply Protection	DPS	Requests in CIP	1	\$250,000
POLICE	Mark Murray	POLICE STATION	Building	POLICE	Dispatch upgrade	1	\$475,000
PARKS	Lisë Reid	ATKINSON COMMON, LOWER	Park	PARKS	Drainage and parking safety improvements	1	\$800,000
PARKS	Lisë Reid	INN ST MALL/ BYRON'S COURT	Park	PARKS	Elevated walkway repairs	1	\$50,000
PARKS	Lisë Reid	JOPPA PARK	Park	PARKS	Walkway repairs along seawall, damage due to tidal action	1	\$100,000
HBR	Paul Hogg	CHANNEL DREDGE	Other	HBR	Channel dredge		\$150,000
PLANNING	Andy Port	BULKHEAD	Other	PLANNING	Central waterfront, east bulkhead	1	\$3,000,000

\$20,239,250

CITY OF NEWBURYPORT



IN CITY COUNCIL

October 30, 2023

ORDERED:

AN ORDER ESTABLISHING A LOCAL OPTION COMMUNITY IMPACT FEE ON SHORT TERM RENTALS

Whereas provisions under M.G.L. c. 64G, § 3D(a) authorizes the imposition of a community impact fee of three (3%) on short term rental units located within a city, and

Whereas these provisions are based on the acceptance of imposing the community impact fee on “professionally managed units” prior to the acceptance for short term rentals that include an operator’s primary residence, therefore

Be it ordered that the City Council hereby votes to accept the provisions authorizing a community impact fee to each transfer of occupancy of a “professionally managed unit,” which is defined as one of two or more short-term rental units in same city/town not located within a single- or two- or three-family dwelling that includes the operator’s (owner’s) primary residence; and

Be it Further Ordered that, the City Council hereby adopts under M.G.L. c. 64G, § 3D(a), the second local option that applies to short-term rental units located within a two- or three-family dwelling that includes the operator’s primary residence under MGL c. 64G, § 3D(b); and

Be it Further Ordered, that the city council authorizes that one hundred percent (100%) of such fees collected shall be dedicated to the Newburyport Affordable Housing Trust.

Councillor Afroz K. Khan

In City Council October 30, 2023:

Motion to refer to Budget & Finance and COTW by Councillor Khan, seconded by Councillor Cameron. So voted.



CITY OF NEWBURYPORT
GIFT ACCEPTANCE FORM

Ordered, that, the City of Newburyport accepts the following grant in accordance with M.G.L. Chapter 44, Section 53A:

Date of Gift:	10/31/2023	
City Department:	DPS & School Department	
Staff Contact:	Steve Bergholm, School Facilities Director	
<i>Gift Overview</i>		
Gift Type:	Monetary	
Donor:	Friends of Newburyport Tennis, Institution for Savings, Gala Grove Corp (DBA The Joy Nest) and individual contributors (see attached) Website URL of donor (if available)	
Purpose:	To design the addition of three tennis courts at the Nock Middle School. This funding supplements an application that is being submitted to the Community Preservation Committee to fund the full design cost. See attached letter.	
Gift Amount:	\$21,195.00	
<i>For Office Use Only</i>		
City Council Packet Date:	11/13/2023	
Emergency Measure?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

Councillor Sharif I. Zeid

In City Council November 13, 2023:

Motion to collectively refer ORDR00505 and ORDR00508 to Budget & Finance, ORDR00506 and ORDR00507 to Budget & Finance & COTW, and ORDR00510 to Community Services by Councillor Zeid, seconded by Councillor McCauley. Roll call vote 11 yes.

October 31, 2023

Mayor Sean Reardon
60 Pleasant Street
Newburyport, MA 01950



Dear Mr. Mayor,

The informal group known as the Friends of Newburyport Tennis is pleased to present the City of Newburyport with a gift of \$21,195. These funds have been collected from our generous community for the express purpose of contracting Chris Huntress of Huntress and Associates to start the design process of **adding three additional tennis courts to the Nock Middle School.**

The Friends of Newburyport Tennis raised these funds from 100+ community members, including tennis enthusiasts, parents, friends, and local businesses. These funds demonstrate that there is strong community support for the need for additional tennis courts in Newburyport, and specifically at the Nock alongside the two courts that were renovated last summer. These additional three courts will help meet the demand for courts from the community at large, as well as for our students and athletes.

The City is planning to submit a grant application to the Community Preservation Commission in December asking for the full funding for this initiative. **The specific purpose of the funds raised by the Friends of Newburyport Tennis is to get the design work complete over the winter so that when the funding is received in the spring the City will be "shovel ready" once school gets out in June and work on the courts can begin.** We hope that these new courts will be operational by the summer of 2024.

The tennis community in Newburyport is strong and growing, and we are so grateful to the businesses and individuals that collectively raised the enclosed funds.

Sincerely,

Friends of Newburyport Tennis Steering Committee
Josh and Dana Bradshaw, Jill Gross, Nyla Lambert, Greg and Mariana Lynch, Mary Jane and Paul Mellet, and Rosemary Turgeon

Nock Middle School Tennis Courts Donation

Source	Amount
Friends of Newburyport Tennis	\$ 15,700.00
Institution for Savings Charitable Foundation Inc.	\$ 2,500.00
Gala Grove Corp/DBA The Joy Nest	\$ 1,145.00
Charles & Rosemary Turgeon	\$ 500.00
Michael & Tara Sullivan	\$ 500.00
Julio Fuentes & Teresa Pastore	\$ 300.00
John Bradshaw	\$ 300.00
Colden Tallman Charitable Account	\$ 250.00
Total Donation	\$ 21,195.00



CITY OF NEWBURYPORT FY 2023 TRANSFER/APPROPRIATION REQUEST

****REVISED 6/15/2023****

Department: Mayor's Office
Submitted by: Sean R. Reardon, Mayor **Date Submitted:** 5/8/2023

Transfer From:

Account Name:	Multiple - See attached	Balance:	n/a
Account Number:	Multiple - See attached	Category:	n/a
Amount:	\$3,483,773.73 <u>\$3,042,651.73</u>	Trans I/O:	n/a

Why Funds Are Available:

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

Transfer To:

Account Name:	Multiple - See attached	Balance:	n/a
Account Number:	Multiple - See attached	Category:	n/a
Amount:	\$3,483,773.73 <u>\$3,042,651.73</u>	Trans I/O:	n/a

Why Funds Are Needed:

Funding for FY2024 capital and reserves. See attached detail.

Sean R. Reardon, Mayor:

Date: 6/15/2023

Ethan R. Manning, Auditor:

Date: 6/15/2023

City Council Action:

In City Council June 26, 2023:

Motion to approve collectively OPEB and Compensated Absences by Councillor Zeid, seconded by Councillor Khan. Roll call vote. 10 yes, 1 absent (CW). Motion passes.

Motion to approve collectively IT01 and IT02 by Councillor Zeid, seconded by Councillor Khan. Roll call vote. 10 yes, 1 absent (CW). Motion passes.

Motion to approve PL03 by Councillor Zeid, seconded by Councillor Khan. Roll call vote. 10 yes, 1 absent (CW). Motion passes.

Motion to approve collectively PG01 and FD01 by Councillor Zeid, seconded by Councillor McCauley. Roll call vote. 10 yes, 1 absent (CW). Motion passes.

Motion to approve collectively HW06 and HW08 by Councillor Zeid, seconded by Councillor Wright. Roll call vote. 10 yes, 1 absent (CW). Motion passes.

Motion to approve PK15 by Councillor Zeid, seconded by Councillor Wright. Roll call vote. 10 yes, 1 absent (CW). Motion passes.

Motion to approve WA07 by Councillor Zeid, seconded by Councillor Vogel. Motion to table by Councillor Zeid, seconded by Councillor Wright. Roll call vote. 9 yes, 1 no (BV), 1 absent (CW). Motion passes.

Motion to approve collectively WA08 and SW01 by Councillor Zeid, seconded by Councillor Wright. Roll call vote. 10 yes, 1 absent (CW). Motion passes.

Motion to approve SC01 by Councillor Zeid, seconded by Councillor Cameron. Roll call vote. 8 yes, 2 no (JM, MW), 1 absent (CW). Motion passes.

Motion to take WA07 off the table by Councilor Zeid, seconded by Councillor Wright. Roll call vote. 10 yes, 1 absent (CW). Motion passes. Motion to approve WA07 on floor by Councillor Zeid, seconded by Councillor Vogel. So voted.

FY2024 Capital and Reserve Funding Recommendations (Submitted: May 8, 2023) **Revised June 15, 2023**

Project Listing with Funding Sources

CIP #	Pg. #	Department	Project / Source	Amount	Rationale
n/a	n/a	Finance	OPEB Trust Fund <i>Free Cash</i> <i>Water Retained Earnings</i> <i>Sewer Retained Earnings</i> <i>Harbor Retained Earnings</i>	100,000.00 94,240.00 3,330.00 2,250.00 180.00	Recommend appropriation of \$100,000 split pro rata between funds based on share of OPEB liability.
n/a	n/a	Finance	Compensated Absences <i>Free Cash</i>	350,000.00 350,000.00	To pay contractual earned leave upon an eligible employee's retirement. This amount funds 2 retirements that occurred in FY2023 and approximately 4 in FY2024.
IT01	17	Information Technology	Data Center Rebuild <i>ARPA (2111)*</i> 6/15/2023: Reduced from \$935,500.00 to \$594,378.00	594,378.00 <u>594,378.00</u>	Replacement of the city's virtual server environment. The current hardware has 41 virtual servers, and an additional 12 are needed. To prevent data loss and downtime, the 8-year-old VMware datacenter needs to be replaced. This project includes upgrading network switching, implementing a two-firewall setup, and utilizing proper monitoring and reporting systems.
IT02	18	Information Technology	IT Workstation/Equipment Replacements <i>Free Cash</i> <i>Water Retained Earnings</i> <i>Sewer Retained Earnings</i> <i>Harbor Retained Earnings</i>	25,000.00 18,742.00 2,668.00 3,366.00 224.00	Planned annual replacement and upgrades of user workstations and network equipment.
PL03	21	Planning & Development	Complete Streets Transportation Projects <i>DPS Salt Shed Replace/Upgrade (3211)</i> <i>Safe Routes To School Design (3903)</i>	27,009.31 4,799.31 22,210.00	Contracting with an outside engineering firm to design a project eligible for participation in the state's Complete Streets grant program. The balance of the \$50,000 amount appearing in FY2024 will be covered with in-house engineering services or the DPS Highway budget.
PG01	26	Parking Clerk	Parking Hybrid Vehicle <i>Rsv Green Initiatives (2755)</i>	50,000.00 50,000.00	Replacement of the Ford Focus with a Ford Escape Hybrid. The current vehicle has reached the end of its usefulness, no longer holds a charge effectively and has issues with the heating and air conditioning system. Aa larger LPR (License Plate Recognition) vehicle is needed, as some of our parking officers face difficulty getting in and out of the Volt. The Ford Escape is an ideal size for our needs.

CIP #	Pg. #	Department	Project / Source	Amount	Rationale
FD01	27	Fire	Apparatus Floor Drains	45,000.00	The apparatus floor drains are collapsing, resulting in clogged pipes and dirty water overflowing onto the apparatus floor. Despite multiple temporary repairs and drain unclogging by DPS carpenters, the problem persists. To address this issue, a professional company is required to replace the five drains, which would entail jackhammering a portion of the concrete floor.
			<i>Rev Wire Inspection Fees (2806)</i>	<i>25,000.00</i>	
			<i>Rev Plumbing Inspect Fees (2807)</i>	<i>10,000.00</i>	
			<i>Rev Sr Community Ctr Maintenance (2841)</i>	<i>10,000.00</i>	
HW06	47	DPS - Highway	Downtown Lighting	199,594.42	Phase 2 of the downtown lighting LED replacement project. This project addresses approximately 89 lights at State St, Pleasant St, & Green St parking lot. Newburyport's historic street lights have outlived their useful life and are quickly becoming an environmental hazard due to their 50-year-old ballasts.
			<i>LED Street Lights (20020019)</i>	<i>35,568.56</i>	
			<i>Paid Parking Fund (2739)</i>	<i>161,909.86</i>	
			<i>Pick-Up Truck (3207)</i>	<i>2,116.00</i>	
HW08	49	DPS - Highway	Stump Grinder	80,000.00	Currently, DPS pays \$25,000 to \$30,000 annually for outsourced stump grinding services. Buying a new stump grinder will save future highway operating budgets about \$300,000 over 12 years, with a payback period of 2.5 to 3 years. Replacement is planned for years 10 to 12. The new equipment will also save on stump grinding in parks.
			<i>40R District Zoning Incentive (20020029)</i>	<i>80,000.00</i>	
PK02	51	DPS - Parks	Lower Atkinson Common Improvements	600,000.00	Parking safety and drainage improvements at Lower Atkinson Common. ARPA funding is recommended to address this urgent safety need along one of the City's main corridors. A balance remains from the Joppa Park Walkway, also ARPA-funded, which we recommend reappropriating to this project.
			<i>ARPA (2111)</i>	<i>569,512.09</i>	
			<i>Joppa Park Walkway (3210)</i>	<i>30,487.91</i>	
PK15	64	DPS - Parks	Infield Groomer	12,300.00	After City Council approved FY22 funding of \$15,000 to purchase a new groomer. We have since found that prices have essentially doubled and this piece of equipment performed better than what we had planned to replace. This equipment can be shared with schools who would also contribute towards the cost of the equipment.
			<i>40R District Zoning Incentive (20020029)</i>	<i>12,300.00</i>	

CIP #	Pg. #	Department	Project / Source	Amount	Rationale
WA07	74	DPS - Water	Plum Island Chlorine Booster Station <i>Plum Island Hydrant Replacement (4005)</i>	50,000.00 <i>50,000.00</i>	The project aims to reconfigure the main piping and chemical feed to accommodate fire flows, as proposed by the engineering team and submitted to MassDEP. It also involves reprogramming the logic on the Programmable Logic Controller (PLC) and setting up redundant chemical feed pumps without the flow pace lead-lag scenario. The need for this project is primarily driven by the requirement of fire protection flows for Plum Island. \$50,000 was funded in FY2023, however an additional \$50,000 is needed to begin the project.
WA08	75	DPS - Water	Water Main Replacement <i>Water Retained Earnings</i>	250,000.00 <i>250,000.00</i>	DPS is committed to improving the aging water distribution infrastructure, and has developed a schedule for planned distribution replacements. To minimize the impact on the annual operating budget, funds are allocated each year into a capital Water Main Replacement fund.
SW01	79	DPS - Sewer	Clarifier Upgrades <i>Sewer Retained Earnings</i>	590,000.00 <i>590,000.00</i>	Design and permitting for upgrades to the clarifiers at the Water Pollution Control Facility, including construction of a third clarifier and retrofit of the two existing clarifiers.
LB02	87	Library	HVAC Boiler Replacement <i>Free Cash</i>	100,000.00 <i>100,000.00</i>	The HVAC system installed in 1999-2001 is now 21 years old, has required numerous repairs, and is still problematic for both cooling and heating. In FY20, over \$54,650 was spent on maintenance and repairs, with annual contracted HVAC maintenance fees of \$14,250 in FY21. An assessment completed in 2019 recommended replacing boilers and pumps by 2024 due to their poor condition.
			6/6/2023: Request withdrawn at this time.		
SC01	92	Schools	NHS-Elevator Controls Replacement <i>Free Cash</i>	69,370.00 <i>69,370.00</i>	This project aims to replace the elevator controls at the high school. During an inspection, all three elevators in the Newburyport Schools failed to meet state requirements. The Bresnahan and Nock elevators were repaired, but the high school elevator controller, due to its age, needs to be replaced along with some other components to comply with the state mandate.
			Total	3,042,651.73	

*Subject to concurrence of the ARPA Ad Hoc Committee.

FY2024 Capital and Reserve Funding Recommendations (Submitted: May 8, 2023) Revised June 15, 2023

Overview of Funding Sources

Source	Current Balance	Appropriation Amount	Remaining Balance
Free Cash	1,907,195	532,352	1,374,843
Water Retained Earnings	851,918	255,998	595,920
Sewer Retained Earnings	1,396,385	595,616	800,769
Harbor Retained Earnings	753,356	404	752,952
ARPA (2111)*	1,966,707	1,163,890	802,817 †
DPS Salt Shed Replace/Upgrade (3211)	4,799	4,799	0
Safe Routes To School Design (3903)	22,210	22,210	0
Paid Parking Fund (2739)	766,906	161,910	604,996
Rev Wire Inspection Fees (2806)	95,593	25,000	70,593
Rev Plumbing Inspect Fees (2807)	64,689	10,000	54,689
Rev Sr Community Ctr Maintenance (2841)	75,814	10,000	65,814
LED Street Lights (20020019)	35,569	35,569	0
Rsv Green Initiatives (2755)	161,910	50,000	111,910
Pick-Up Truck (3207)	2,116	2,116	0
40R District Zoning Incentive (20020029)	92,300	92,300	0
Joppa Park Walkway (3210)	30,488	30,488	0
Plum Island Hydrant Replacement (4005)	422,543	50,000	372,543
Total Appropriation Amount:		3,042,652	

*Subject to concurrence of the ARPA Ad Hoc Committee.

†Remaining balance includes \$250,000 pending for ARPA Amesbury Interconnection project (ORDR00336_03_28_2022).

IT Datacenter Refresh											
CapEx (Purchase, On Premise)	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10	
Backup + Data Archiving	\$68,840	\$3,000	\$3,000	\$11,000	\$33,000	\$11,000	\$3,000	\$3,000	\$3,000	\$3,000	\$3,000
Power - Primary DC, Power Management, Environmental Monitoring	\$79,700					\$25,000					
Servers - Primary, Secondary, ROBO	\$557,411					\$112,400	\$8,000	\$8,400	\$8,820	\$9,261	
Microsoft Licenses	\$56,460				\$67,751				\$81,302		
Network Security SW + Monitoring Software	\$59,553	\$8,933	\$9,380	\$9,849	\$10,341	\$10,858	\$11,401	\$11,971	\$12,569	\$13,198	
Consulting	\$45,170	\$8,000	\$8,000	\$8,000	\$8,000	\$8,000	\$8,000	\$8,000	\$8,000	\$8,000	
Revised Total (6/14)	\$867,133	\$19,933	\$20,380	\$28,849	\$119,092	\$167,258	\$30,401	\$31,371	\$113,691	\$33,459	
Original Total	\$898,189	\$19,933	\$20,380	\$20,849	\$119,092	\$167,258	\$30,401	\$31,371	\$113,691	\$33,459	
ApEx (Purchase + Subscriptions, On Premise)	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10	
Backup + Data Archiving	\$68,840	\$3,000	\$3,000	\$11,000	\$33,000	\$11,000	\$11,000	\$11,000	\$11,000	\$11,000	\$11,000
Power - Primary DC, Power Management, Environmental Monitoring	\$74,900					\$25,000					
Servers - Primary, Secondary, ROBO	\$319,626			\$92,619	\$92,619	\$119,619	\$97,250	\$97,250	\$97,250	\$102,112	
Microsoft Licenses	\$56,460				\$67,751				\$81,302		
Network Security SW + Monitoring Software	\$59,553	\$8,933	\$9,380	\$9,849	\$10,341	\$10,858	\$11,401	\$11,971	\$12,569	\$13,198	
Consulting	\$15,000										
Revised Total (6/14)	\$594,378	\$11,933	\$12,380	\$113,467	\$203,711	\$166,477	\$119,651	\$120,221	\$202,121	\$126,310	
Original Total	\$629,453	\$11,933	\$12,380	\$113,467	\$203,711	\$166,477	\$119,651	\$120,221	\$202,121	\$126,310	
Delta	\$35,075	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	
	5.57%										
	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10	Grand Total
CapEx	\$867,133	\$19,933	\$20,380	\$28,849	\$119,092	\$167,258	\$30,401	\$31,371	\$113,691	\$33,459	\$1,431,566
APEX (Revised)	\$594,378	\$11,933	\$12,380	\$113,467	\$203,711	\$166,477	\$119,651	\$120,221	\$202,121	\$126,310	\$1,670,649
	Summary										
	5 Year	10 Year									
CapEx	\$1,055,386	\$1,431,566									
APEX	\$935,869	\$1,670,649									
UPS and Power Managment : Primary UPS/Power \$14000 Reduction											
Primary/Secondary: Reduced by \$4012.25 total over 3 Year Term											
Data Backup Hardware: Reduced \$1,906.20											
Data Backup Software: Reduced Term + Additional Savings: \$15,150.10											

Committee Items – December 11, 2023

Community Services

In Committee:

- APPT00438_11_13_2023 Susan Chase 44 Oak St. Emma Andrews Lib. Comm. 12/15/2025
- APPT00439_11_13_2023 Aine Greaney Ellrott 43 Purchase St. Emma Andrews Lib. Comm. 12/15/2026
- APPT00440_11_13_2023 Elizabeth Valeriani 29 Oak St. Emma Andrews Lib. Comm. 12/15/2026
- APPT00441_11_13_2023 Virginia R. Champi 84 Purchase St. Emma Andrews Lib. Comm. 12/15/2025
- APPT00437_10_30_2023 Mary Louise Gagnon 126 Merrimac St. COA 12/1/2026
- APPT00443_11_27_2023 Jeanette Isabella 100 Water St. COA 01/01/2027
- ORDR00514_11_27_2023 Gift Acceptance City Improvement Society \$25,250
- ORDR00515_11_27_2023 Gift Acceptance Morrill Foundation \$110,000
- ORDR00474_07_10_2023 Plan Approval Bartlett Mall Improvement Project (COTW)
- ORDR00510_11_13_2023 Public Art Committee Rules and Regulations



CITY OF NEWBURYPORT RECEIVED
OFFICE OF THE MAYOR CITY CLERK'S OFFICE
SEAN R. REARDON, MAYOR NEWBURYPORT, MA

2023 NOV -1 P 3:00

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

To: President and Members of the City Council
From: Sean R. Reardon, Mayor
Date: November 13, 2023
Subject: Re-Appointment

I hereby re-appoint, subject to your approval, the following named individual as a member of the Emma L. Andrews Library and Community Center Commission. This term will expire on December 15, 2025.

Susan Chase
44 Oak Street
Newburyport, MA 01950

A handwritten signature in cursive script, appearing to read 'S. R. Reardon'.

Susan Chase
44 Oak Street
Newburyport, MA 01950

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

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

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

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

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



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

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA
2023 NOV -1 P 3:25

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

To: President and Members of the City Council
From: Sean R. Reardon, Mayor
Date: November 13, 2023
Re: Re-Appointment

I hereby re-appoint, subject to your approval, the following named individual as a member of the Emma L. Andrews Library and Community Center Commission. This term will expire on December 15, 2026.

Aine Greaney Ellrott
43 Purchase Street
Newburyport, MA 01950

AINE GREANEY

Áine Greaney is an Irish-born author who now lives in Massachusetts. In addition to her five books, her essays and stories have appeared in Creative Nonfiction, NPR/WBUR, The Boston Globe Magazine, The New York Times, Salon, Litro, The Wisdom Daily and other outlets. Greaney's awards and shortlists include a citation in "Best American Essays" and a Pushcart Prize nomination.

Áine has led creative and expressive writing workshops at various venues, colleges and conferences, including the Writers Digest Conference, Emerson College, The Cape Cod Writers Conference and The Examined Life Conference. She currently teaches at the Pioneer Valley Writers Workshop and the Narrative Medicine Certificate Program at Baypath University. Her website is at www.ainegreaney.com.



CITY OF NEWBURYPORT RECEIVED
 OFFICE OF THE MAYOR CITY CLERK'S OFFICE
 SEAN R. REARDON, MAYOR NEWBURYPORT, MA
 2023 NOV -1 P 3: 25

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

To: President and Members of the City Council

From: Sean R. Reardon, Mayor

Date: November 13, 2023

Re: Re-Appointment

I hereby re-appoint, subject to your approval, the following named individual as a member of the Emma L. Andrews Library and Community Center Commission. This term will expire on December 15, 2026.

Elizabeth Valeriani
 29 Oak Street
 Newburyport, MA 01950

29 OAK ST. NEWBURYPORT, MA 01950
508 284 3589: MVALERIANIJR@HOTMAIL.COM

ELIZABETH VALERIANI

OBJECTIVE

To continue serving on the Emma L. Andrews Library and Community Center Commission

PROFESSIONAL EXPERIENCE

Educator

- 1999-2007 Malden Catholic High School. French 1-AP
- 1993-1996 Franklin Pierce University French I several semesters
- 1989-1993 G.W. Brown School FUNDamental French after school
- 1977-1994 French tutoring at home
- 1977-1980 substitute teaching at Woburn High School and Pentucket
- 1984-1985 Cashman School Amesbury After School French Program
- 1965-1969 Amesbury High School French 1-4
- 1964-1965 Tewksbury Junior High French
-

LIBRARY VOLUNTEER EXPERIENCE

- To present Member of the Emma L. Andrews Library and Community Center Commission
- 1980 to present Member of Newburyport Public Library Board of Directors
- 1970's to present As a member, and as president for 20 years, of the Emma Andrews Association, I have worked on fundraising to expand programs and award scholarships. The Emma Association currently provides volunteers who run all programs, staff the circulation desk and make book purchases.

EDUCATION

May 1996 Northern Essex Community College Associate Degree
June 1977 Boston College M.A. in French Literature with Distinction
1960-1964 Boston College B.S.Ed. cum laude



CITY OF NEWBURYPORT
OFFICE OF THE MAYOR

SEAN R. REARDON, MAYOR

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA
2023 NOV -2 A 8:37

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

To: President and Members of the City Council
From: Sean R. Reardon, Mayor
Date: November 13, 2023
Subject: Re-Appointment

I hereby reappoint, subject to your approval, the following named individual as a member of the Emma L. Andrews Library and Community Center Commission. This term will expire on December 15, 2025.

Virginia R. Champi
84 Purchase Street
Newburyport, MA 01950

October 17, 2017

Donna Holaday, Mayor
City Hall
Pleasant Street
Newburyport, MA

Dear Mayor Holaday,

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

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

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

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

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

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

I appreciate your consideration of this application.

Sincerely,

Virginia R. Champi



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

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

To: President and Members of the City Council
From: Sean R. Reardon, Mayor
Date: October 30, 2023
Subject: Appointment

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA
2023 OCT 19 A 11:36

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

Mary Louise Gagnon
126 Merrimac Street, Unit 5
Newburyport, MA 01950

Mary Louise Gagnon

126 Merrimac St., Unit 5

Newburyport, Ma 01950

marylougagnon@gmail.com

Employment:

Teacher NHS 1970-1971

Real Estate Agent 1980-present

Community Involvement

Board of Directors/ Treasurer Nbpt YWCA 1975-1983 (approximate dates)

Board of Directors Nbpt Housing Authority 2006-2014

Newburyport Community Preservation Committee 2010-2014

Newburyport Education Foundation 2013-2015

Newburyport Booster Organization 1986-1994

Newburyport PTO 1980-1990

Coach Newburyport Pioneer League 1985

Member Friend of Library present

Member MOON present

Member Custom House Maritime Museum present

Usher Newburyport Firehouse



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

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

To: President and Members of the City Council
From: Sean R. Reardon, Mayor
Date: November 27, 2023
Subject: Appointment

I hereby appoint, subject to your approval the following named individual as a member of the Council on Aging. This term will expire on January 1, 2027.

Jeanette Isabella
100 Water Street
Newburyport, MA 01950

A handwritten signature in black ink that reads "Sean R. Reardon".

Jeanette Isabella
100 Water Street
Newburyport, MA 01950
(786) 246-2422

Experience:

Emma Andrews Library Association/Commission Volunteer/Board Member
Friends of the Newburyport Council on Aging
Friends of the Newbury Council on Aging, Past President
Friends of the Salisbury Council on Aging, Past President
Business Owner, Newburyport, MA

References:

Available upon request.

100 Water Street
Newburyport, MA 01950
November 15, 2023

Sean Reardon, Mayor
Newburyport City Hall
Newburyport, MA 01950

Dear Mayor Reardon,

I have learned of an opening on the Newburyport Board of the Council on Aging. I am writing you to express my interest in becoming a member of that Board.

In my 38 years as a Newburyport resident and business owner, I have (and continue to) volunteered in many community projects and entities. My experience with Councils on Aging (COAs) includes, but is not limited to, my current position on the Board of the Friends of the Newburyport Council on Aging. I have also served as President of both the Newbury and Salisbury Friends' boards and continue to actively participate in area COA programs. I believe that this experience and outreach to neighboring COAs would help me serve the COA Board in a variety of ways. My past and current board memberships (including my current position on the Emma Andrews Library Commission) are assets I would love to share with the Newburyport COA Board.

Please let me know if you need any further information from me. I can be reached at 786-246-2422 or at redchair123@comcast.net.

Respectfully,



Jeanette Isabella



CITY OF NEWBURYPORT
GIFT ACCEPTANCE FORM

Ordered, that, the City of Newburyport accepts the following grant in accordance with M.G.L. Chapter 44, Section 53A:

Date of Gift:	11/21/2023	
City Department:	Mayor's Office	
Staff Contact:	Kim Turner, Manager of Special Projects	
<i>Gift Overview</i>		
Gift Type:	Monetary	
Donor:	The City Improvement Society of Newburyport	
Purpose:	Funding for the Bartlet Mall NW corner improvement project that is currently underway. This generous donation will allow the City to leverage match funds from the state (LWCF grant previously accepted) to complete the extension of the northwest promenade in front of the Superior Courthouse, all the way to Auburn St.	
Gift Amount:	\$25,250.00	
<i>For Office Use Only</i>		
City Council Packet Date:	11/27/2023	
Emergency Measure?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

Councillor Sharif I. Zeid

In City Council November 27, 2023:

Motion to refer ORDR00514 to Community Services by Councillor Zeid , seconded by Councillor McCauley. Roll call vote. 11 yes. Motion passes.

**CITY OF NEWBURYPORT
GIFT ACCEPTANCE FORM**

Ordered, that, the City of Newburyport accepts the following grant in accordance with M.G.L. Chapter 44, Section 53A:

Date of Gift:	11/17/2023	
City Department:	Mayor's Office	
Staff Contact:	Kim Turner, Manager of Special Projects	
<i>Gift Overview</i>		
Gift Type:	Monetary	
Donor:	The Mayor Gayden W. Morrill Charitable Foundation	
Purpose:	See attached funding directive.	
Gift Amount:	\$110,000.00	
<i>For Office Use Only</i>		
City Council Packet Date:	11/27/2023	
Emergency Measure?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

Councillor Sharif I. Zeid

In City Council November 27, 2023:

Motion to refer ORDR00515 to Community Services by Councillor Zeid , seconded by Councillor McCauley. Roll call vote. 10 yes, 1 no (Lane). Motion passes.

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

November 17, 2023

**Hon. Sean R. Reardon, Mayor
City of Newburyport
60 Pleasant Street
Newburyport, Massachusetts 01950**

Re: Morrill Foundation Funding Directive

Dear Mr. Mayor,

This letter is to confirm that The Mayor Gayden W. Morrill Charitable Foundation will contribute \$110,000.00 to the City for next year, 2024.

The foundation appreciates the City prioritizing The Bartlet Mall. It's historical record and being a focal point within the City, raises it's importance to the highest level.

During the summer, I noticed a large maple tree at the bottom of the slope along High street at the Bartlet Mall. Last year the foundation designated \$37,000.00 for continuing the slope's restoration at that particular location. That allocation needs to change. It will therefore be redirected to the Mall's granite seating.

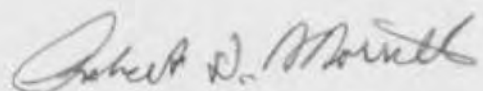
Kim kindly noted on page 8 of the Annual Report that \$2,053.46 was not used for the door on Atkinson Commons Maintenance Building. That money will also be redirected to the Mall's granite seating.

In summary, the foundation is directing a total of \$149,053.46 to be used for the Bartlet Mall's granite seating.

I know that the City Council will have to formally accept these funds at its December meeting. Kindly advise all trustees of their acceptance with the original acceptance letter to our treasurer, Mrs. Julia Morrill Sweet, a check will then be issued for the 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 that reads "Robert D. Morrill". The signature is written in dark ink and is positioned above the printed name.

Robert D. Morrill

cc: James Astle Morrill, Julia Morrill Sweet, James Gayden Morrill, Mary Haslinger, Kimberly Turner, Ted Boretti, Ethan Manning, Jack Grady

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

July 10, 2023

WHEREAS, on September 27, 2022, the City Council, upon the recommendation of the Community Preservation Committee, appropriated \$2,574,000 by and through ORDR00355_05_09_2022, and

WHEREAS, this appropriation was subject to a final plan being presented to the Council for approval, and

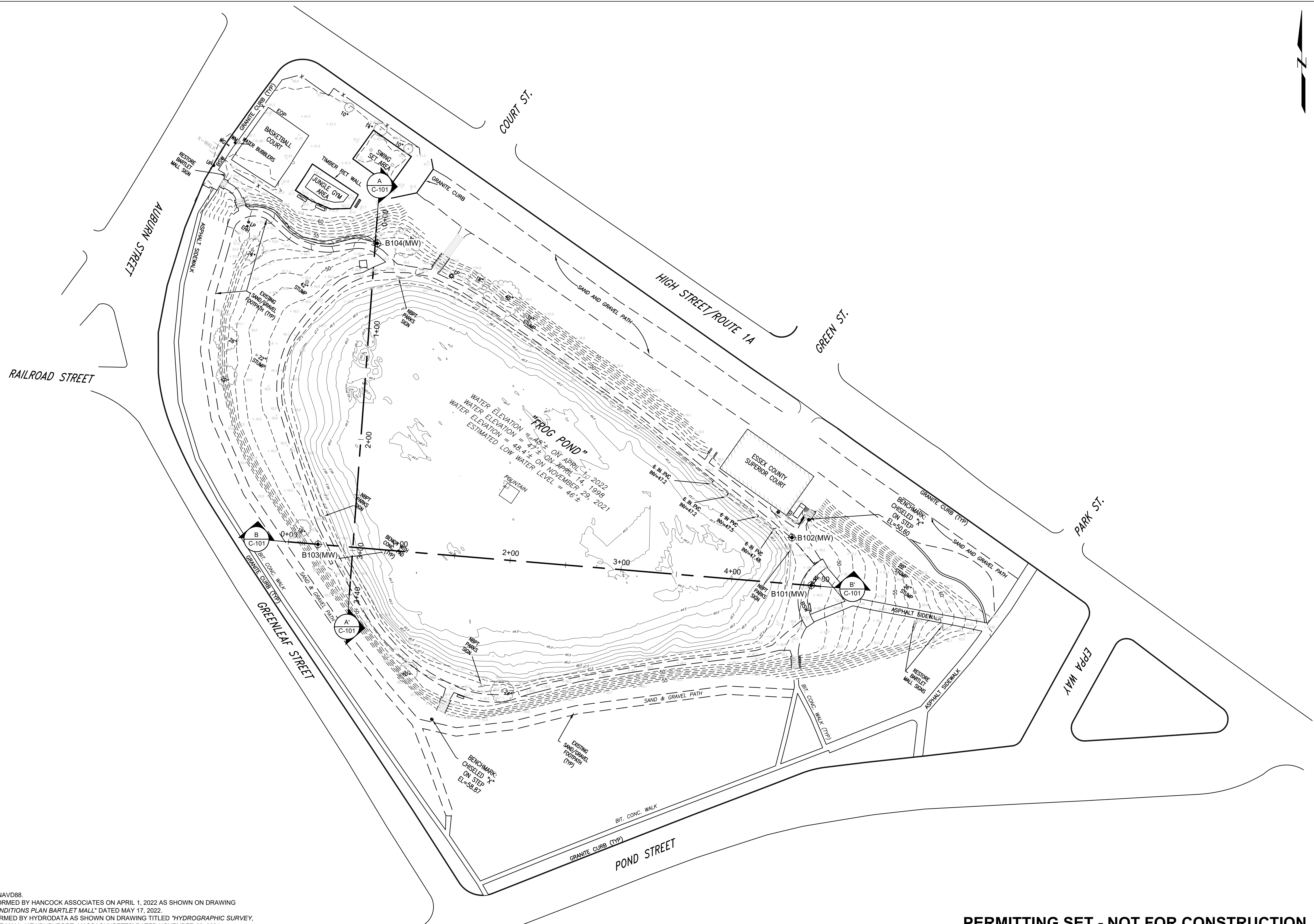
WHEREAS, the plan is in final form without any substantial changes anticipated and is attached hereto and incorporated herewith and marked "Exhibit A".

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF NEWBURYPORT hereby approves said plan in accordance with the requirement of ORDR00355_05_09_2022 for the purpose of payment of costs of the Bartlet Mall Frog Pond Improvements project, including the payment of all costs incidental and related thereto.

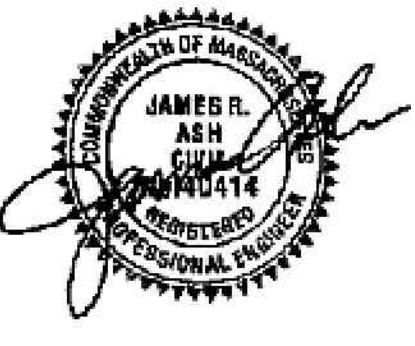
Councilor Sharif I. Zeid

In City Council July 10, 2023:

Motion to refer to Community Services and COTW by Councillor McCauley, seconded by Councillor Zeid. So voted.



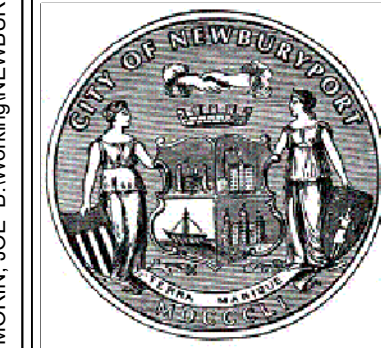
- LEGEND:**
- MONITORING WELL, GEI 2021
 - SEWER MANHOLE
 - DRAIN MANHOLE
 - CATCH BASIN
 - LIGHT POLE
 - UTILITY POLE
 - HYDRANT
 - SIGN
 - TRAFFIC SIGNAL
 - DRINKING FOUNTAIN
 - TC TOP OF CURB
 - BC BOTTOM OF CURB
 - BIT. BITUMINOUS
 - CONC. CONCRETE
 - CLF CHAIN LINK FENCE
 - DECIDUOUS TREE
 - CHAIN LINK FENCE



SOURCE:

1. ELEVATION DATUM: NAVD88.
2. FIELD SURVEY PERFORMED BY HANCOCK ASSOCIATES ON APRIL 1, 2022 AS SHOWN ON DRAWING TITLED "EXISTING CONDITIONS PLAN BARTLET MALL" DATED MAY 17, 2022.
3. BATHYMETRY PERFORMED BY HYDRODATA AS SHOWN ON DRAWING TITLED "HYDROGRAPHIC SURVEY, FROG POND, BARTLET MALL, NEWBURYPORT, MASSACHUSETTS" DATED NOVEMBER 29, 2021.

PERMITTING SET - NOT FOR CONSTRUCTION

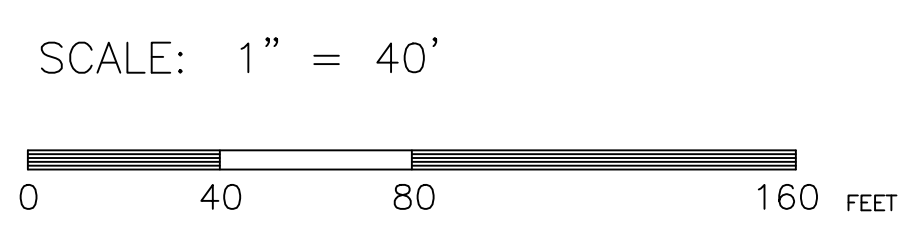


CITY OF NEWBURYPORT
60 PLEASANT STREET
NEWBURYPORT, MA 01950



Rev No	Date	Drawn	Chkd	Description
REVI	06/16/23	D.E.	K.W.	DRAWING SET FOR NOTICE OF INTENT
REVO	04/14/23	D.E.	K.W.	DRAWING SET FOR NOTICE OF INTENT
Revisions				

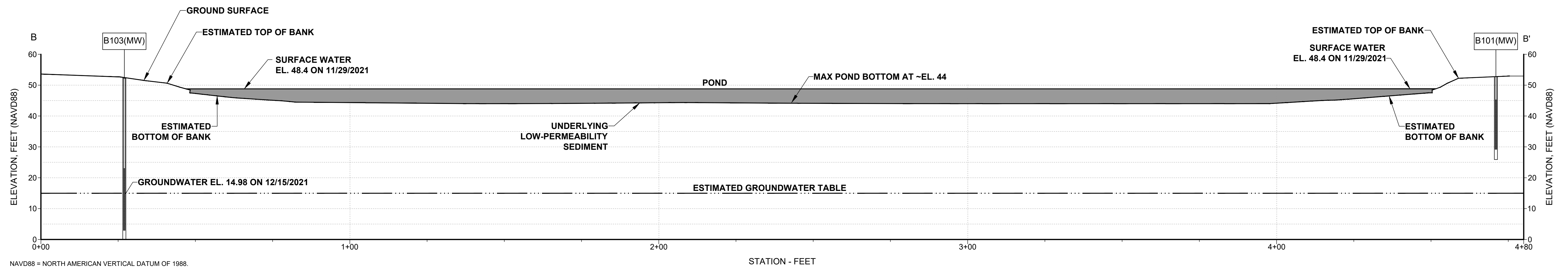
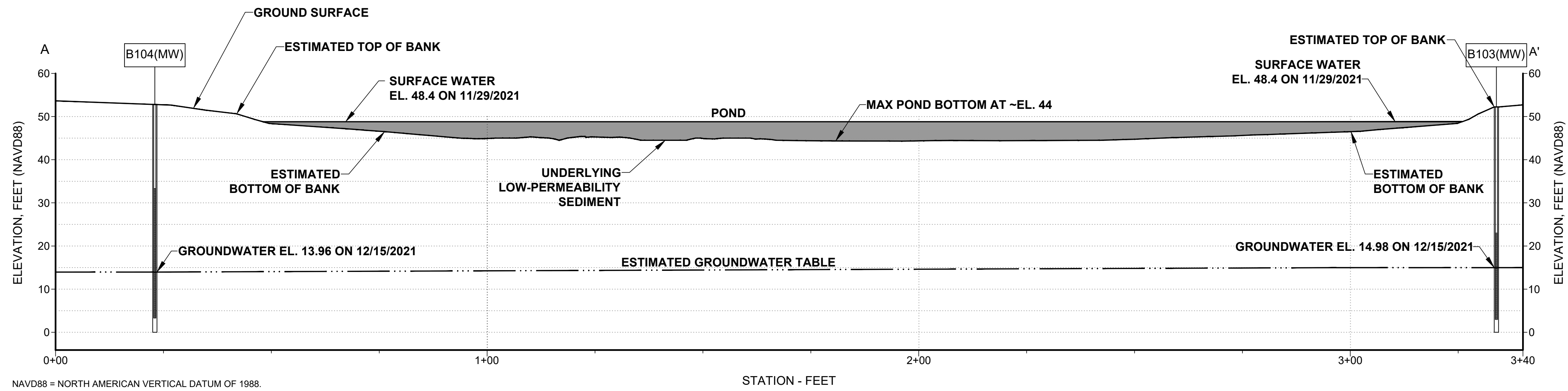
Designed By:
D.E.
Checked By:
K.W.
Date:
04-14-2023



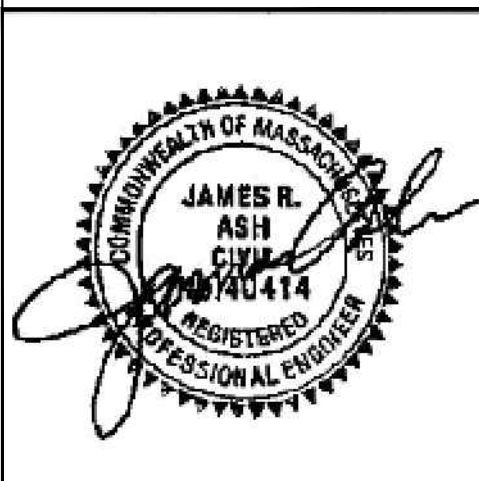
BARTLET MALL RESTORATION PROJECT
EXISTING CONDITIONS

Sheet No.
C-100

MORIN, JOE B. WorkingNEWBURYPORT MA, CITY OF2101333, Bartlett Mall Frog Pond00_CADDDesign\CitySD\PermitC-100_2101333-EC.dwg - 6/19/2023

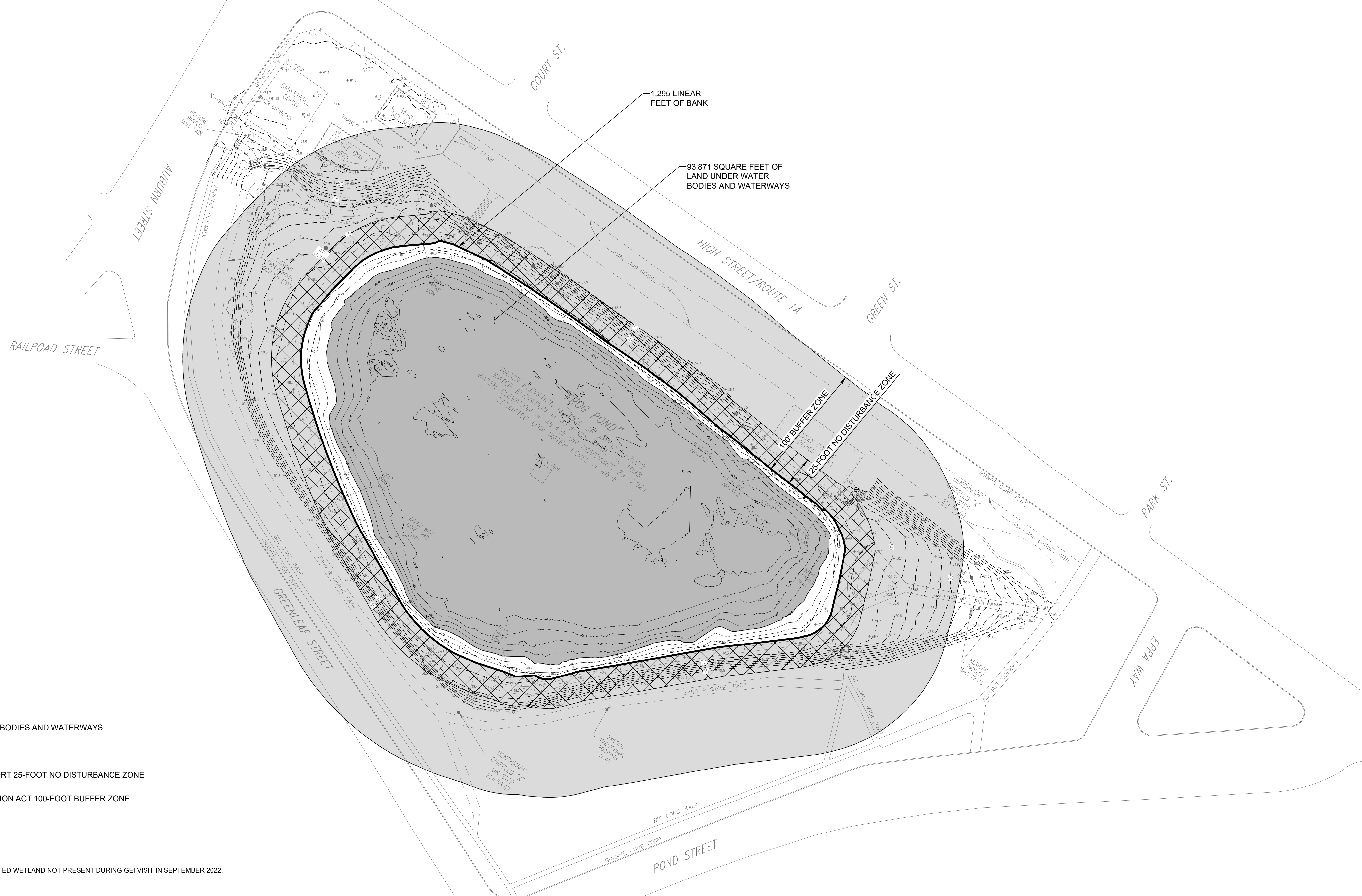


MORIN, JOE B: Working\NEWBURYPORT MA, CITY OF\21013333_Bartlett Mall Frog Pond\00_CAD\Design\Civil\BID\Permit\C-101 21013333-EC-Sections.dwg - 01/19/2023

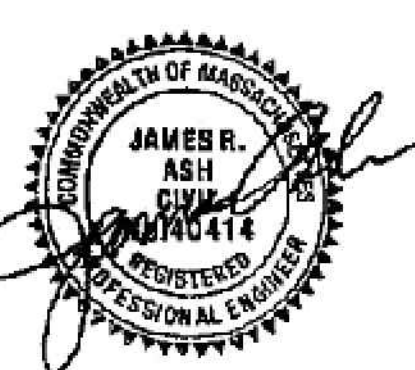


PERMITTING SET - NOT FOR CONSTRUCTION

<p>CITY OF NEWBURYPORT 60 PLEASANT STREET NEWBURYPORT, MA 01950</p>	<p>GEI Consultants GEI CONSULTANTS, INC. 400 UNICORN PARK DRIVE WOBURN, MA 01801 (781)721-4000</p>	<table border="1"> <tr> <td>Rev No</td> <td>Date</td> <td>Drawn</td> <td>Chkd</td> <td>Description</td> </tr> <tr> <td>REVI</td> <td>06/16/23</td> <td>D.E.</td> <td>K.W.</td> <td>DRAWING SET FOR NOTICE OF INTENT</td> </tr> <tr> <td>REVO</td> <td>04/14/23</td> <td>D.E.</td> <td>K.W.</td> <td>DRAWING SET FOR NOTICE OF INTENT</td> </tr> <tr> <td colspan="5">Revisions</td> </tr> </table>	Rev No	Date	Drawn	Chkd	Description	REVI	06/16/23	D.E.	K.W.	DRAWING SET FOR NOTICE OF INTENT	REVO	04/14/23	D.E.	K.W.	DRAWING SET FOR NOTICE OF INTENT	Revisions					Designed By: D.E.	<p>BARTLETT MALL RESTORATION PROJECT</p> <p>EXISTING CONDITIONS SECTIONS</p>	Sheet No. <p>C-101</p>
		Rev No	Date	Drawn	Chkd	Description																			
		REVI	06/16/23	D.E.	K.W.	DRAWING SET FOR NOTICE OF INTENT																			
		REVO	04/14/23	D.E.	K.W.	DRAWING SET FOR NOTICE OF INTENT																			
Revisions																									
Checked By: K.W.		Date: 04-14-2023	<p>EXISTING CONDITIONS SECTIONS</p>																						



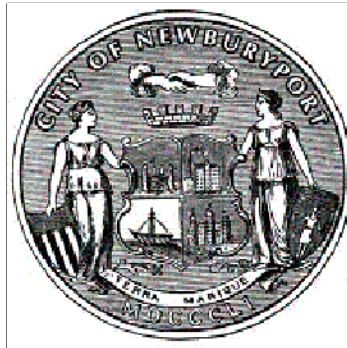
- LEGEND:**
- APPROXIMATE LAND UNDER WATER BODIES AND WATERWAYS
 - TOP OF BANK
 - APPROXIMATE CITY OF NEWBURYPORT 25-FOOT NO DISTURBANCE ZONE
 - APPROXIMATE WETLANDS PROTECTION ACT 100-FOOT BUFFER ZONE



NOTES:
 1. BORDERING VEGETATED WETLAND NOT PRESENT DURING GEI VISIT IN SEPTEMBER 2022.

SOURCE:
 1. ELEVATION DATUM: NAVD88.
 2. FIELD SURVEY PERFORMED BY HANCOCK ASSOCIATES ON APRIL 1, 2022 AS SHOWN ON DRAWING TITLED "EXISTING CONDITIONS PLAN BARTLET MALL" DATED MAY 17, 2022.
 3. BATHYMETRY PERFORMED BY HYDRODATA AS SHOWN ON DRAWING TITLED "HYDROGRAPHIC SURVEY, FROG POND, BARTLET MALL, NEWBURYPORT, MASSACHUSETTS" DATED NOVEMBER 29, 2021.

PERMITTING SET - NOT FOR CONSTRUCTION



CITY OF NEWBURYPORT
 60 PLEASANT STREET
 NEWBURYPORT, MA 01950

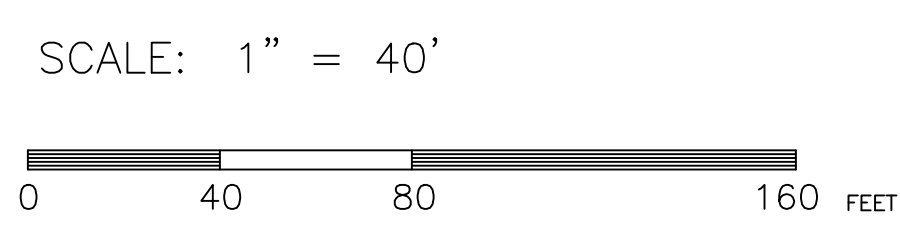


Rev No	Date	Drawn	Chkd	Description
REVI	06/16/23	D.E.	K.W.	DRAWING SET FOR NOTICE OF INTENT
REVO	04/14/23	D.E.	K.W.	DRAWING SET FOR NOTICE OF INTENT
Revisions				

Designed By:
D.E.

Checked By:
K.W.

Date:
04-14-2023

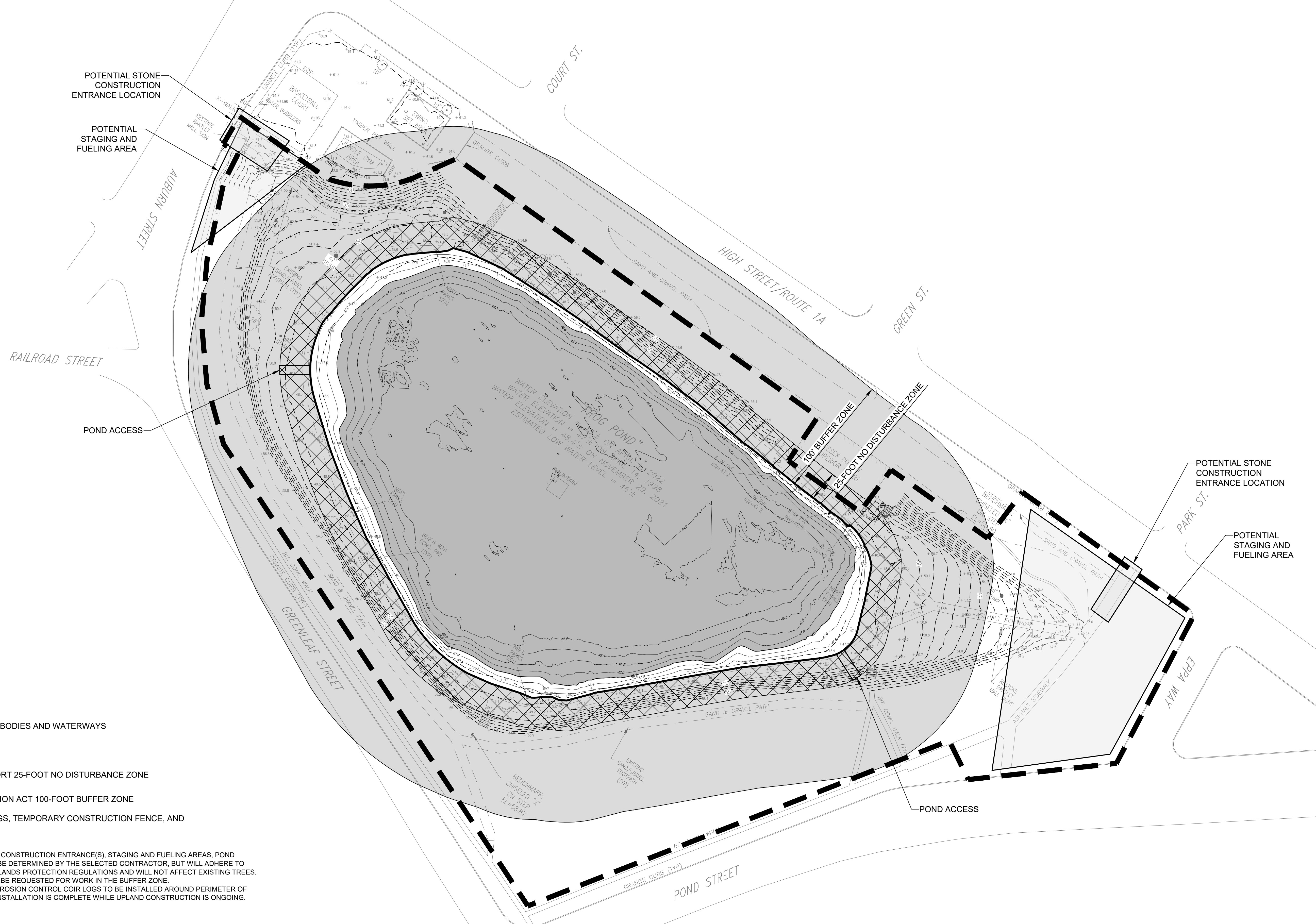


BARTLET MALL RESTORATION PROJECT

RESOURCE AREAS

Sheet No.
C-102

MORIN, JOE B: Working\NEWBURYPORT, MA, CITY OF\2101333, Bartlett Mall Frog Pond\00_CAD\Design\CAD\Permit\C-102_2101333-Resource Areas.dwg - 6/15/2023



LEGEND:

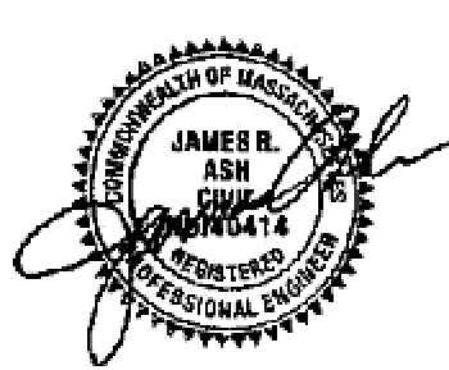
- APPROXIMATE LAND UNDER WATER BODIES AND WATERWAYS
- TOP OF BANK
- APPROXIMATE CITY OF NEWBURYPORT 25-FOOT NO DISTURBANCE ZONE
- APPROXIMATE WETLANDS PROTECTION ACT 100-FOOT BUFFER ZONE
- 6-INCH EROSION CONTROL COIR LOGS, TEMPORARY CONSTRUCTION FENCE, AND LIMIT OF WORK

NOTES:

- FINAL LOCATIONS OF CONSTRUCTION ENTRANCE(S), STAGING AND FUELING AREAS, POND ACCESSES, ETC. TO BE DETERMINED BY THE SELECTED CONTRACTOR, BUT WILL ADHERE TO NEWBURYPORT WETLANDS PROTECTION REGULATIONS AND WILL NOT AFFECT EXISTING TREES. LETTER PERMIT WILL BE REQUESTED FOR WORK IN THE BUFFER ZONE.
- ADDITIONAL 6-INCH EROSION CONTROL COIR LOGS TO BE INSTALLED AROUND PERIMETER OF POND AFTER LINER INSTALLATION IS COMPLETE WHILE UPLAND CONSTRUCTION IS ONGOING.

SOURCE:

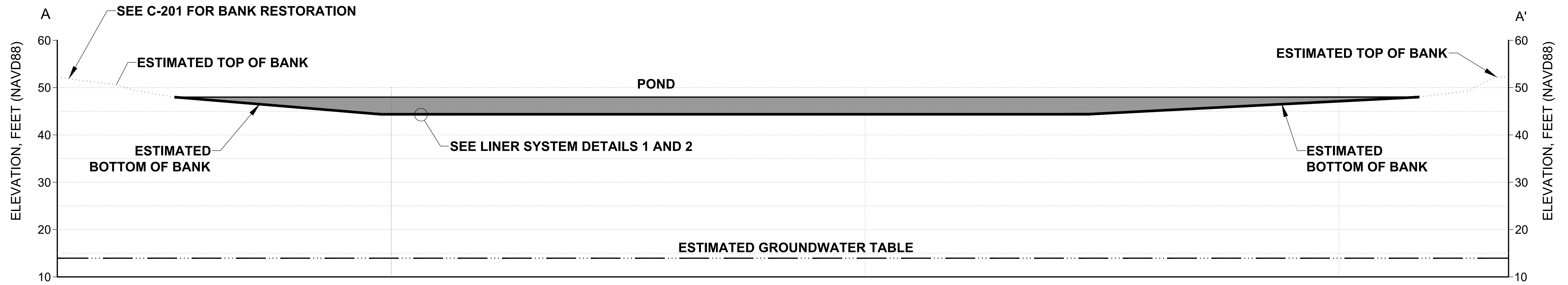
- ELEVATION DATUM: NAVD88.
- FIELD SURVEY PERFORMED BY HANCOCK ASSOCIATES ON APRIL 1, 2022 AS SHOWN ON DRAWING TITLED "EXISTING CONDITIONS PLAN BARTLET MALL" DATED MAY 17, 2022.
- BATHYMETRY PERFORMED BY HYDRODATA AS SHOWN ON DRAWING TITLED "HYDROGRAPHIC SURVEY, FROG POND, BARTLET MALL, NEWBURYPORT, MASSACHUSETTS" DATED NOVEMBER 29, 2021.



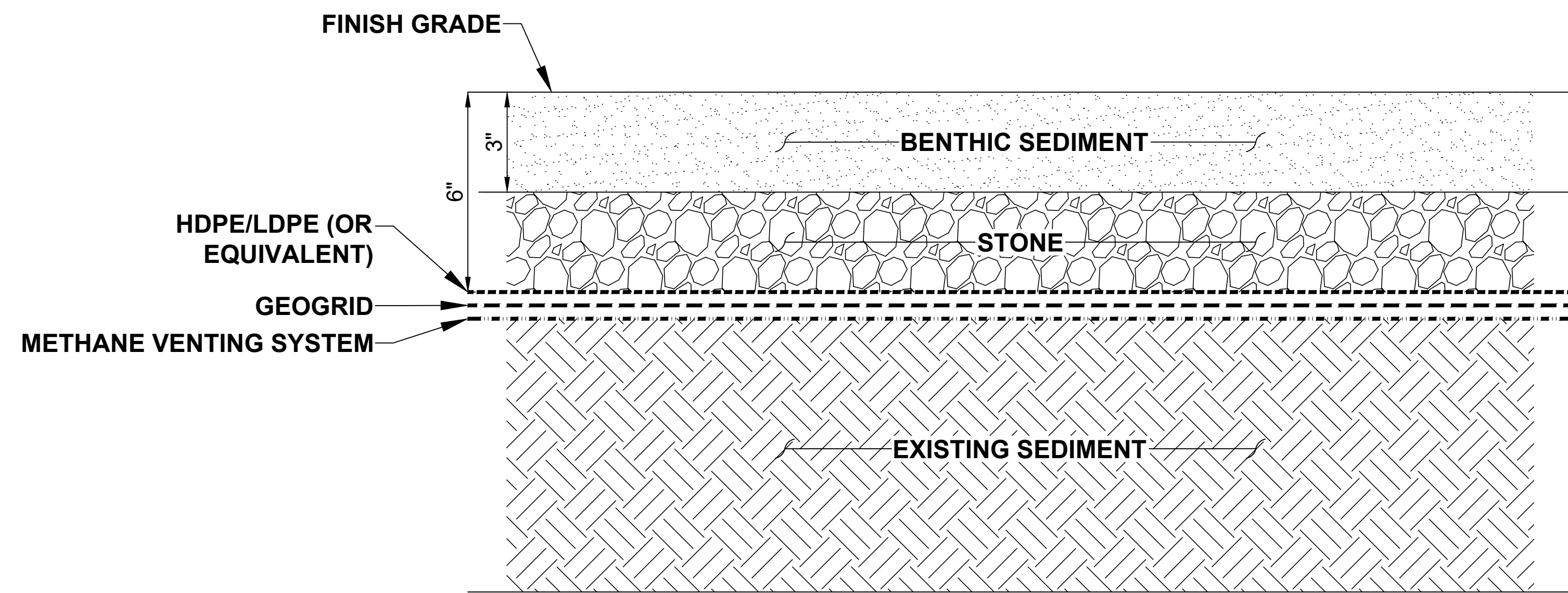
PERMITTING SET - NOT FOR CONSTRUCTION

	CITY OF NEWBURYPORT 60 PLEASANT STREET NEWBURYPORT, MA 01950	 GEI Consultants <small>GEI CONSULTANTS, INC. 400 UNICORN PARK DRIVE WOBURN, MA 01801 (781)721-4000</small>	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Rev No</th> <th>Date</th> <th>Drawn</th> <th>Chkd</th> <th>Description</th> </tr> </thead> <tbody> <tr> <td>REVI</td> <td>06/16/23</td> <td>D.E.</td> <td>K.W.</td> <td>DRAWING SET FOR NOTICE OF INTENT</td> </tr> <tr> <td>REVO</td> <td>04/14/23</td> <td>D.E.</td> <td>K.W.</td> <td>DRAWING SET FOR NOTICE OF INTENT</td> </tr> <tr> <td colspan="5" style="text-align: center;">Revisions</td> </tr> </tbody> </table>	Rev No	Date	Drawn	Chkd	Description	REVI	06/16/23	D.E.	K.W.	DRAWING SET FOR NOTICE OF INTENT	REVO	04/14/23	D.E.	K.W.	DRAWING SET FOR NOTICE OF INTENT	Revisions					Designed By: D.E. Checked By: K.W. Date: 04-14-2023	SCALE: 1" = 40' 	BARTLET MALL RESTORATION PROJECT STAGING AND EROSION CONTROL PLAN	Sheet No. C-103
	Rev No		Date	Drawn	Chkd	Description																					
REVI	06/16/23	D.E.	K.W.	DRAWING SET FOR NOTICE OF INTENT																							
REVO	04/14/23	D.E.	K.W.	DRAWING SET FOR NOTICE OF INTENT																							
Revisions																											

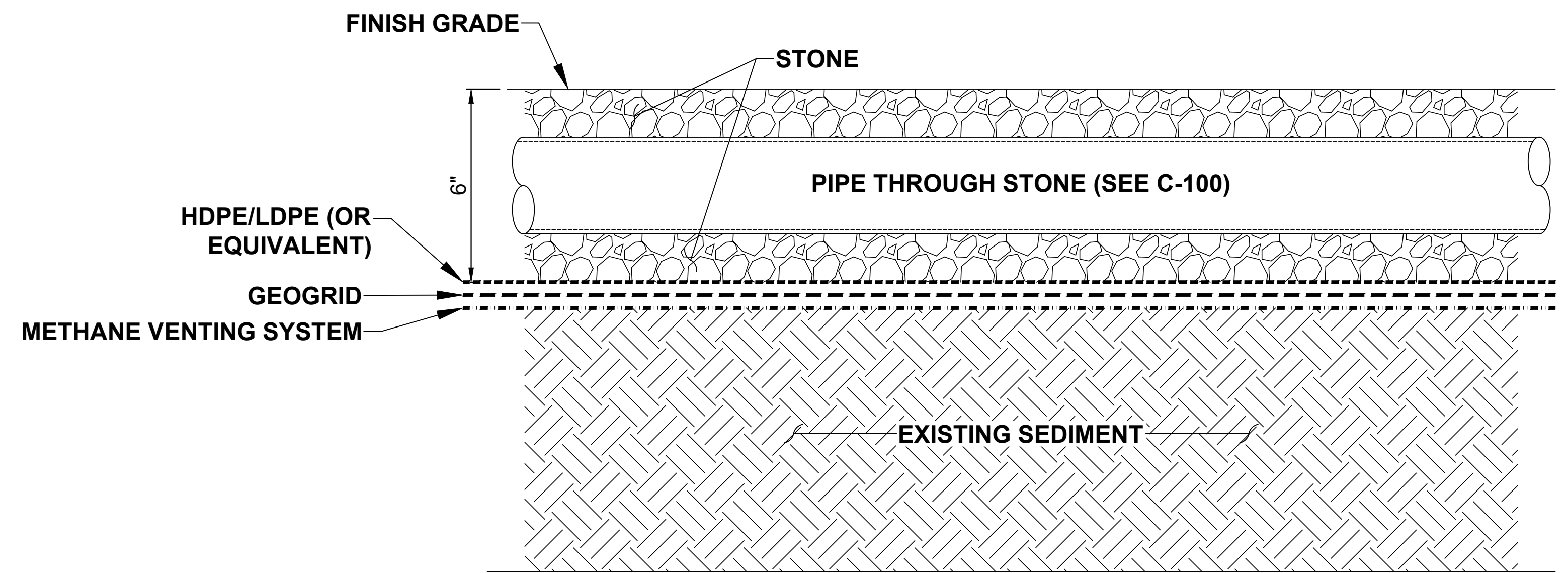
MORIN, JOE B WorkingNEWBURYPORT MA CITY OF 2101333 Bartlett Mall Frog Pond00_CADDDesign/ChisID/Permit/C-103 2101333 Staging and Erosion Control Plan.dwg - 6/19/2023



NAVD88 = NORTH AMERICAN VERTICAL DATUM OF 1988.

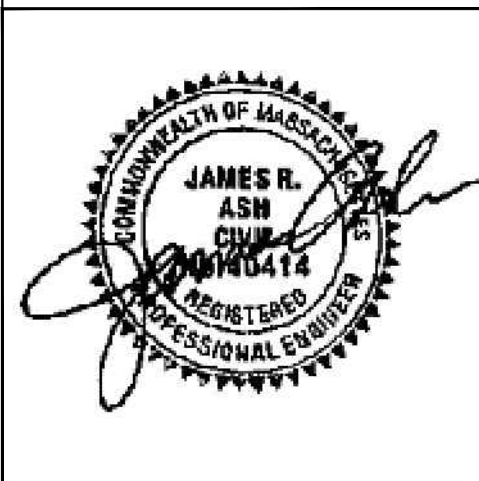


1 TYPICAL DETAIL
C-104 LINER SYSTEM DETAIL NO SCALE



2 TYPICAL DETAIL
C-104 LINER SYSTEM DETAIL AROUND WATER QUALITY PIPES NO SCALE

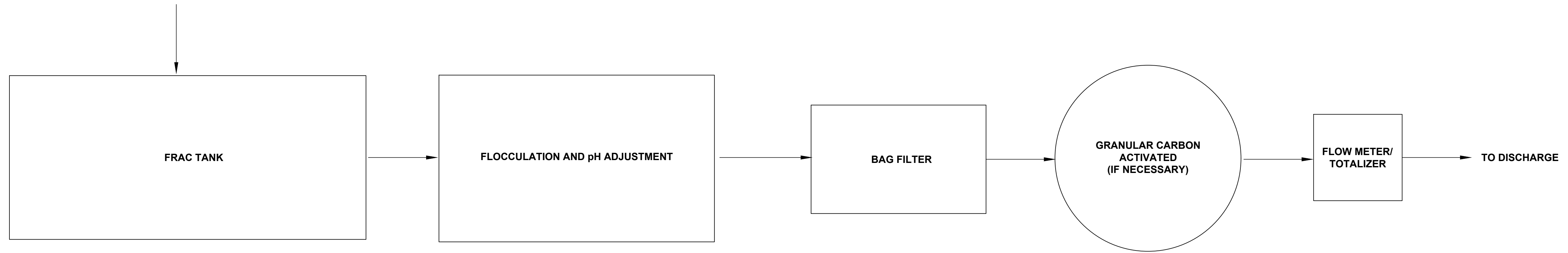
MORIN, JOE B.: Working\NEWBURYPORT MA, CITY OF\2101333_Bartlett Mall Frog Pond\00_CADD\Design\Civil\SD\Permit\C-200_2101333_Liner.dwg - 01/19/2023



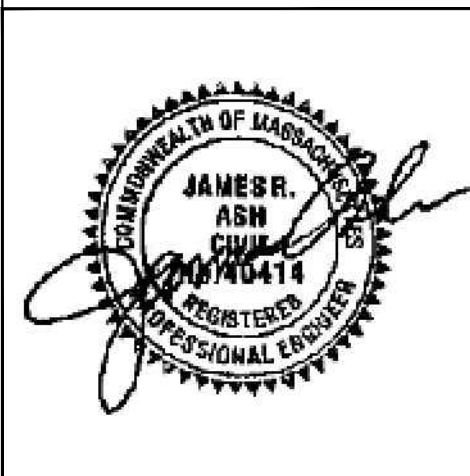
PERMITTING SET - NOT FOR CONSTRUCTION

<p>CITY OF NEWBURYPORT 60 PLEASANT STREET NEWBURYPORT, MA 01950</p>	<p>GEI Consultants GEI CONSULTANTS, INC. 400 UNICORN PARK DRIVE WOBURN, MA 01801 (781)721-4000</p>	<table border="1"> <tr> <th>Rev No</th> <th>Date</th> <th>Drawn</th> <th>Chkd</th> <th>Description</th> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </table>	Rev No	Date	Drawn	Chkd	Description																<p>Designed By: D.E.</p> <p>Checked By: K.W.</p> <p>Date: 04-14-2023</p>	<p>BARTLETT MALL RESTORATION PROJECT</p> <p>LINER SYSTEM SECTION AND DETAILS</p>	<p>Sheet No. C-200</p>
		Rev No	Date	Drawn	Chkd	Description																			
<p>REVI 06/16/23 D.E. K.W. DRAWING SET FOR NOTICE OF INTENT</p>																									
<p>REVO 04/14/23 D.E. K.W. DRAWING SET FOR NOTICE OF INTENT</p>																									
<p>Revisions</p>																									

FROM POND AND/OR BEDROCK WELL



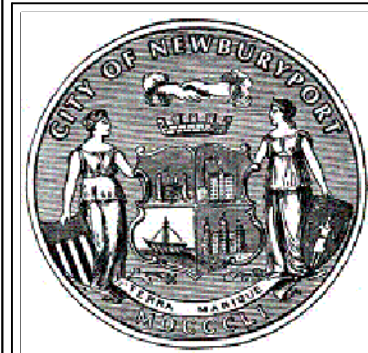
PROCESS FLOW DIAGRAM
NO SCALE



NOTES:
1. NPDES = NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM.

PERMITTING SET - NOT FOR CONSTRUCTION

MORIN, JOE B. Working\NEWBURYPORT MA_CITY OF 2101333_Bartlett Mall Frog Pond\00_CADD\Design\Civil\ISD\Permit\C-300_2101333-Flow.dwg - 6/15/2023



CITY OF NEWBURYPORT
60 PLEASANT STREET
NEWBURYPORT, MA 01950



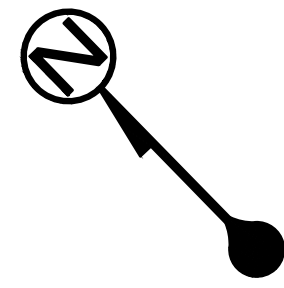
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Revisions				

Designed By:
D.E.
Checked By:
K.W.
Date:
04-14-2023

**BARTLET MALL RESTORATION PROJECT
NPDES WATER TREATMENT
SYSTEM PROCESS FLOW
DIAGRAM**

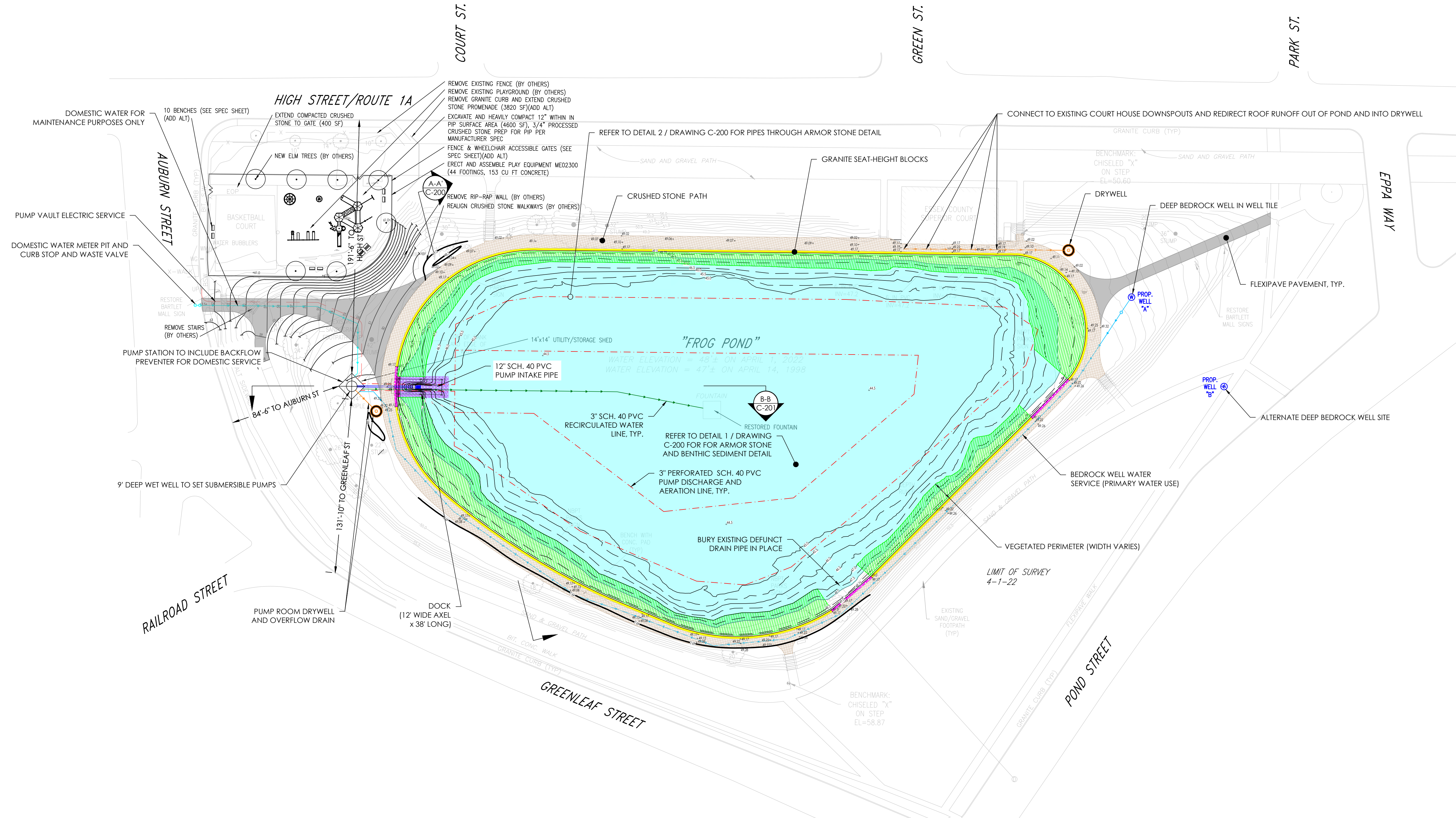
Sheet No.

C-300



LEGEND

- CRUSHED STONE PATH
- FLEXIPAVE WALKWAY
- VEGETATED PERIMETER
- GRANITE SEAT-HEIGHT BLOCKS
- PROPOSED POND ACCESS POINT
- BEDROCK WELL LINE
- DOMESTIC WATER LINE
- ELECTRICAL SERVICE
- DISCHARGE AND AERATION LINE
- RECIRCULATED WATER LINE
- PUMP INTAKE PIPE
- DRYWELL DRAIN PIPE
- SURFACE WATER (APPROXIMATE)



DESIGN BY:

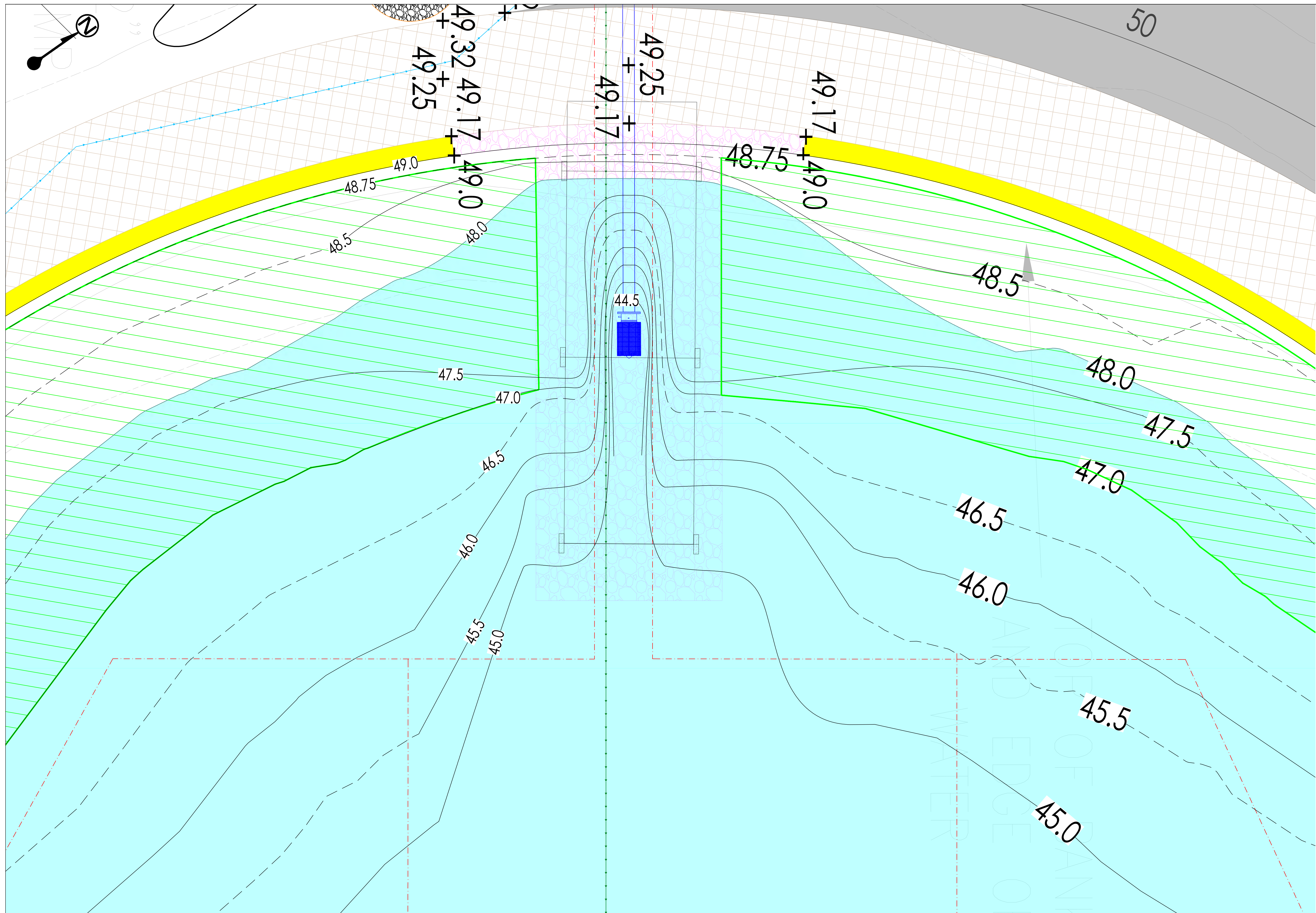
AQUEOUS CONSULTANTS, LLC
 1 Dundee Park Drive, Suite 10
 Andover, MA 01810
 (978) 470-1695
 www.aqueous.net

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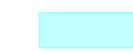
Michael Igo
6/19/23

PERMITTING SET - NOT FOR CONSTRUCTION

	CITY OF NEWBURYPORT 60 PLEASANT STREET NEWBURYPORT, MA 01950	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 5%;">REV</td> <td style="width: 10%;">16/19/23</td> <td style="width: 5%;">AEH</td> <td style="width: 5%;">MI</td> <td style="width: 75%;">DRAWING SET FOR NOTICE OF INTENT</td> </tr> <tr> <td>REV</td> <td>04/14/23</td> <td>AEH</td> <td>MI</td> <td>DRAWING SET FOR NOTICE OF INTENT</td> </tr> <tr> <td>Rev No</td> <td>Date</td> <td>Drawn</td> <td>Chkd</td> <td>Description</td> </tr> <tr> <td colspan="5" style="text-align: center;">Revisions</td> </tr> </table>	REV	16/19/23	AEH	MI	DRAWING SET FOR NOTICE OF INTENT	REV	04/14/23	AEH	MI	DRAWING SET FOR NOTICE OF INTENT	Rev No	Date	Drawn	Chkd	Description	Revisions					Designed By: A. Hammond Checked By: M. Igo Date: 4-14-2023	SCALE: PLAN Scale: 1" = 40' 	BARTLET MALL RESTORATION PROJECT PROPOSED FINAL CONDITIONS	Sheet No. C-104
	REV	16/19/23	AEH	MI	DRAWING SET FOR NOTICE OF INTENT																					
	REV	04/14/23	AEH	MI	DRAWING SET FOR NOTICE OF INTENT																					
	Rev No	Date	Drawn	Chkd	Description																					
Revisions																										



LEGEND

-  CRUSHED STONE PATH
-  FLEXIPAVE WALKWAY
-  VEGETATED PERIMETER
-  GRANITE SEAT-HEIGHT BLOCKS
-  PROPOSED POND ACCESS POINT
-  BEDROCK WELL LINE
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-  RECIRCULATED WATER LINE
-  PUMP INTAKE PIPE
-  DRYWELL DRAIN PIPE
-  SURFACE WATER (APPROXIMATE)

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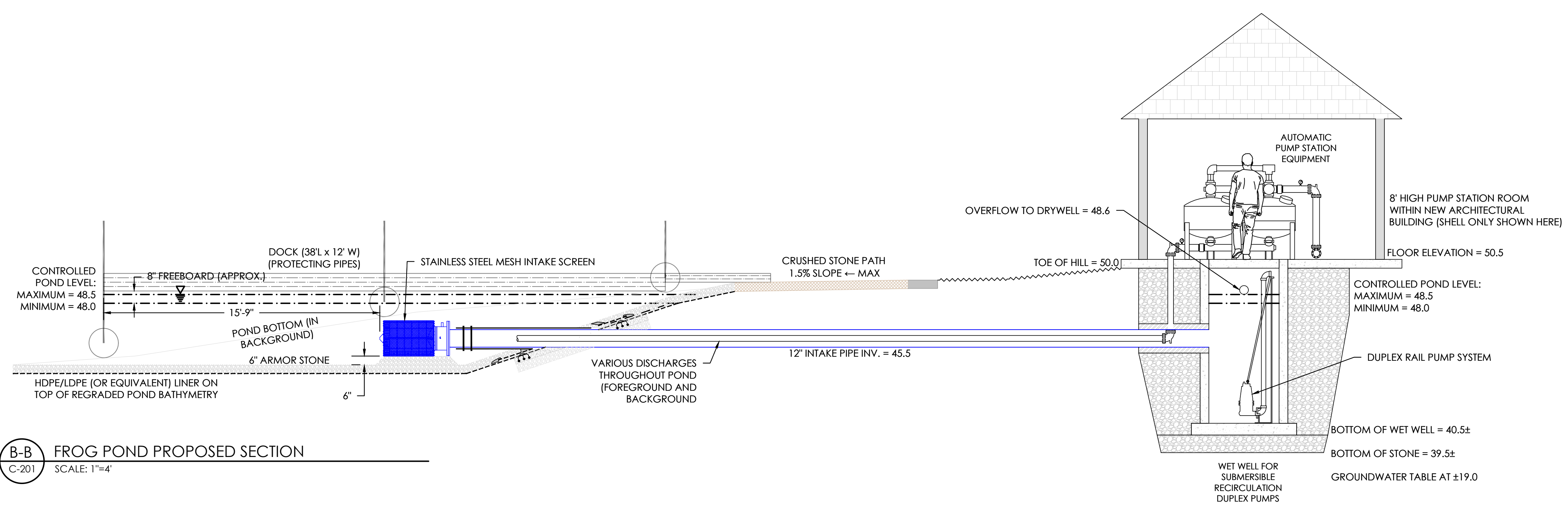


Michael Igo
 6/19/23

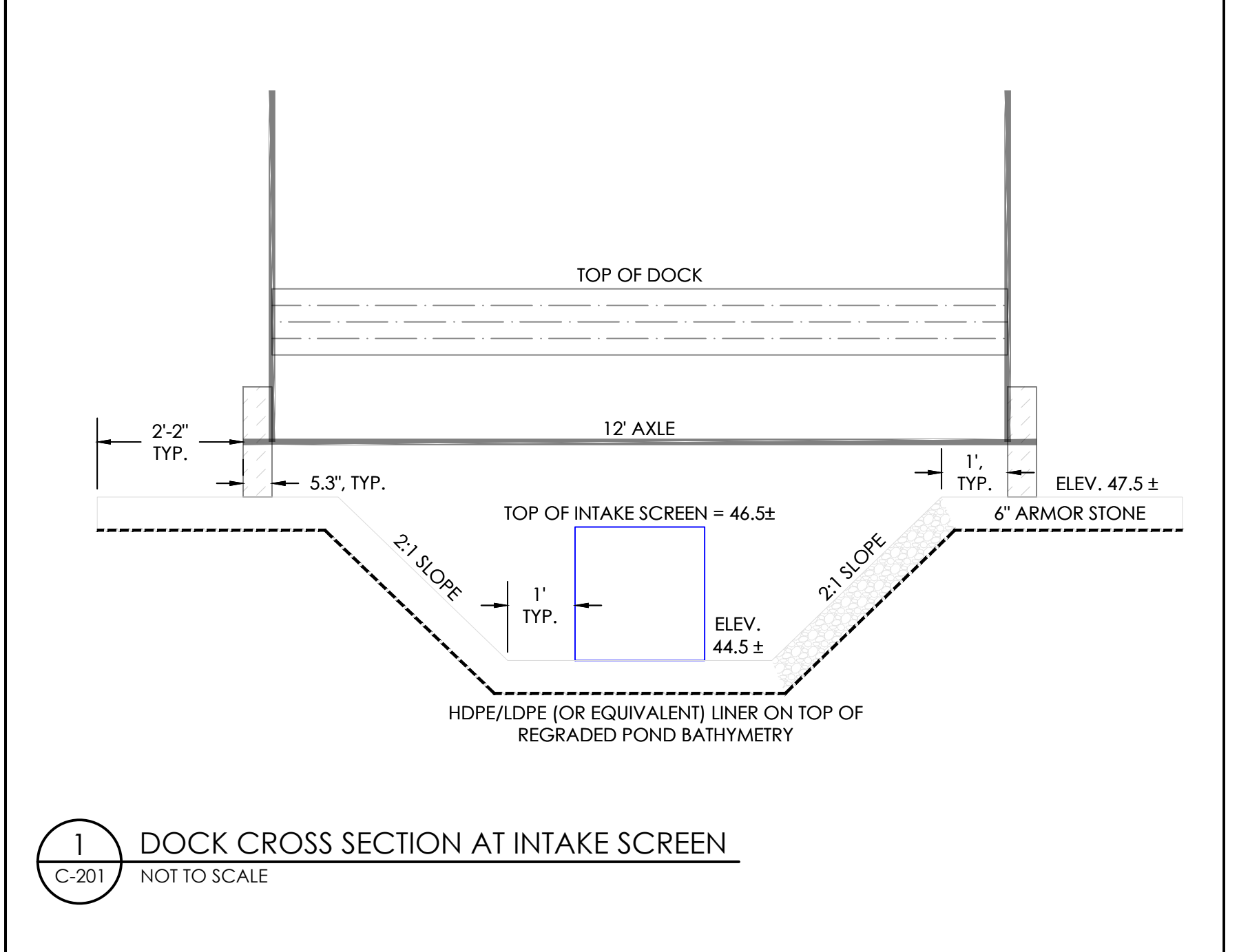
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	CITY OF NEWBURYPORT 60 PLEASANT STREET NEWBURYPORT, MA 01950	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Rev No</th> <th>Date</th> <th>Drawn</th> <th>Chkd</th> <th>Description</th> </tr> </thead> <tbody> <tr> <td>REV 1</td> <td>6/19/23</td> <td>AEH</td> <td>MI</td> <td>DRAWING SET FOR NOTICE OF INTENT</td> </tr> <tr> <td>REV 0</td> <td>4/14/23</td> <td>AEH</td> <td>MI</td> <td>DRAWING SET FOR NOTICE OF INTENT</td> </tr> <tr> <td colspan="5" style="text-align: center;">Revisions</td> </tr> </tbody> </table>	Rev No	Date	Drawn	Chkd	Description	REV 1	6/19/23	AEH	MI	DRAWING SET FOR NOTICE OF INTENT	REV 0	4/14/23	AEH	MI	DRAWING SET FOR NOTICE OF INTENT	Revisions					Designed By: A. Hammond Checked By: M. Igo Date: 4-14-2023	SCALE: PLAN Scale: 1" = 4' 	BARTLET MALL RESTORATION PROJECT PROPOSED FINAL CONDITIONS	Sheet No. C-104A
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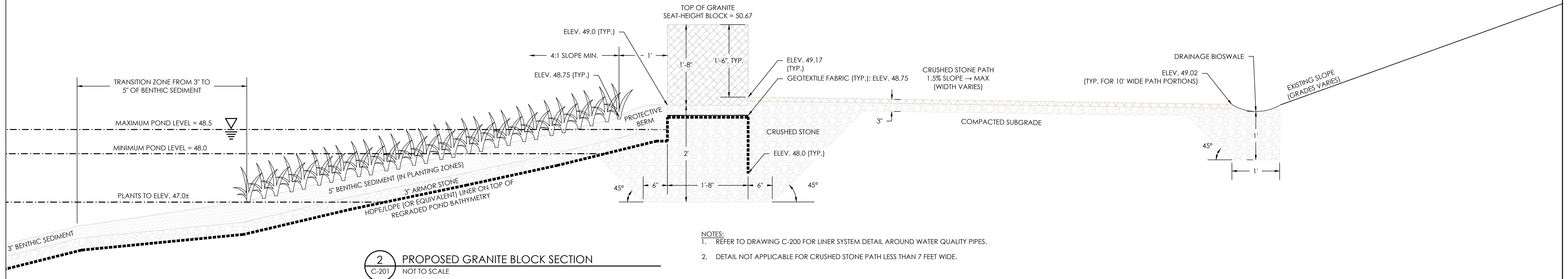
B-B FROG POND PROPOSED SECTION
C-201 SCALE: 1"=4'



1 DOCK CROSS SECTION AT INTAKE SCREEN
C-201 NOT TO SCALE

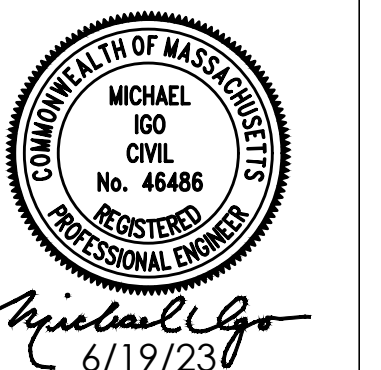
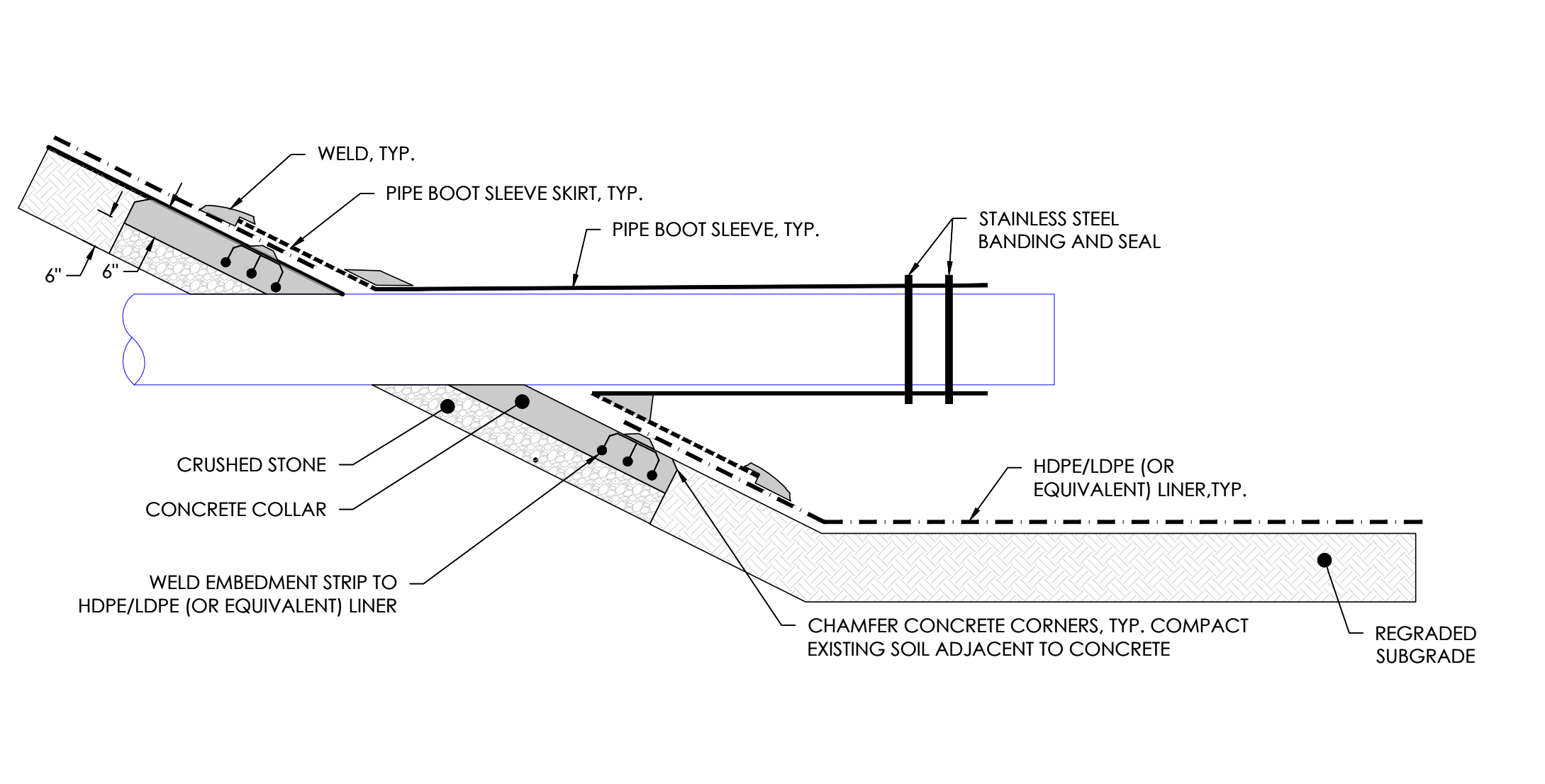


2 PROPOSED GRANITE BLOCK SECTION
C-201 NOT TO SCALE



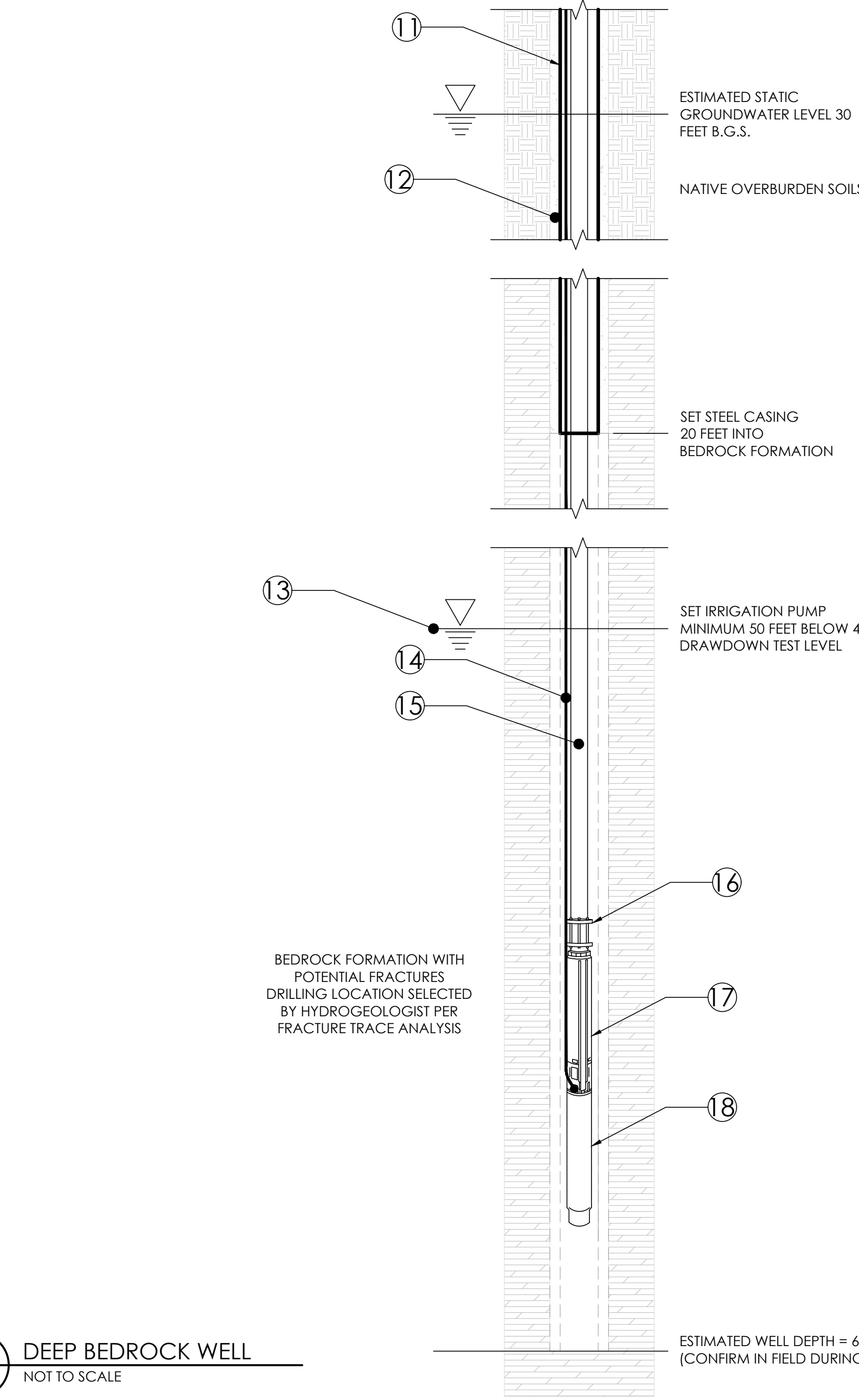
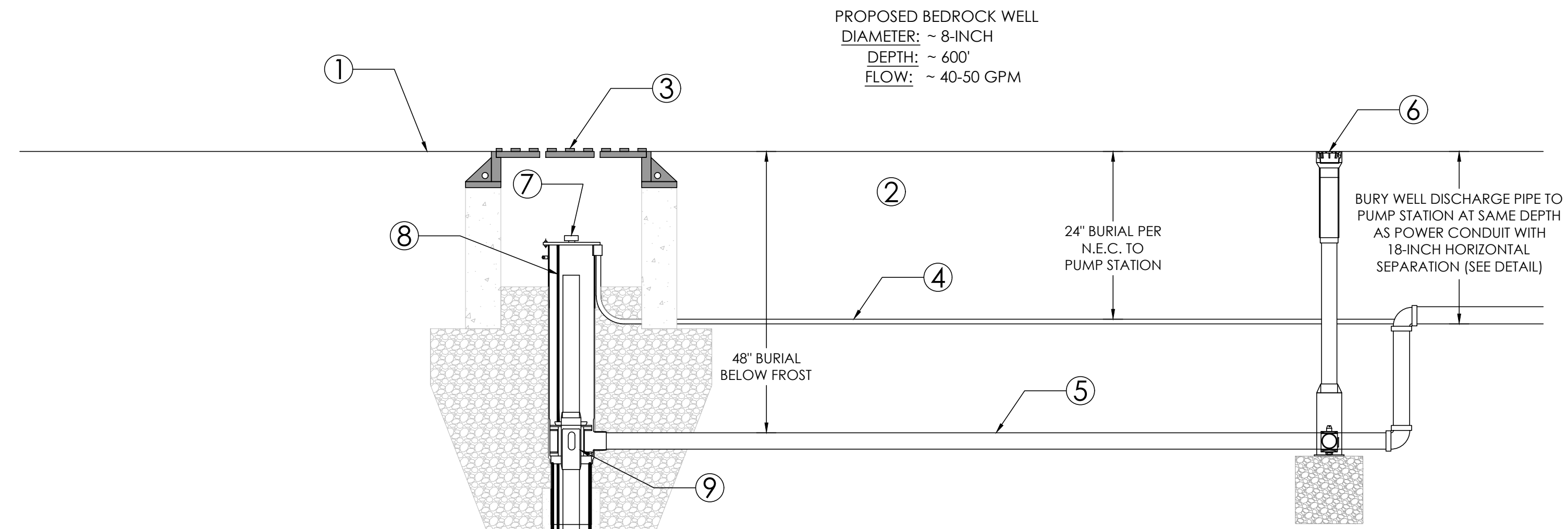
- NOTES:
1. REFER TO DRAWING C-200 FOR LINER SYSTEM DETAIL AROUND WATER QUALITY PIPES.
2. DETAIL NOT APPLICABLE FOR CRUSHED STONE PATH LESS THAN 7 FEET WIDE.

3 TYPICAL PIPE PENETRATION THROUGH HDPE LINER
C-201 NOT TO SCALE



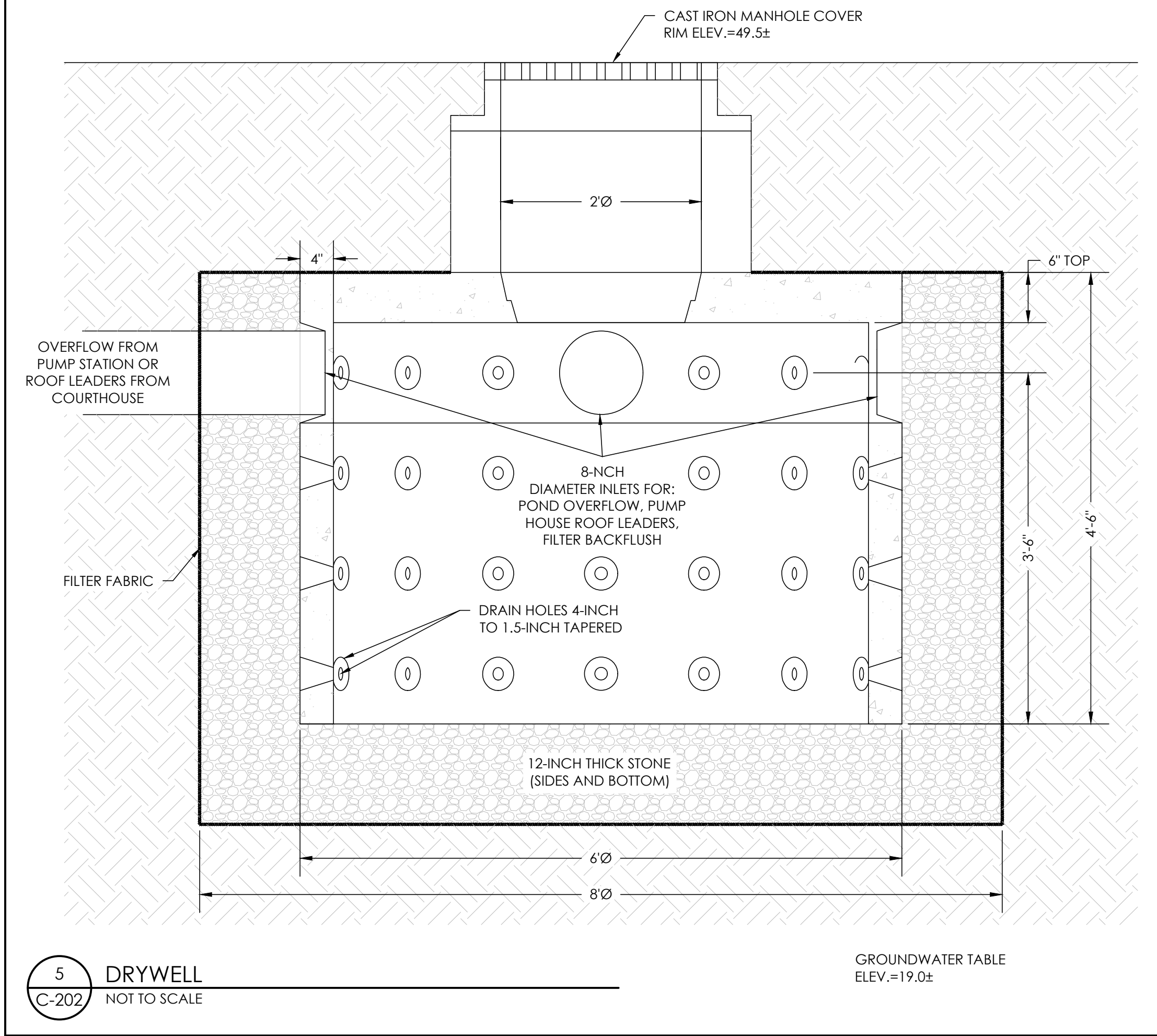
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	Rev No	Date	Drawn	Chkd	Description																				
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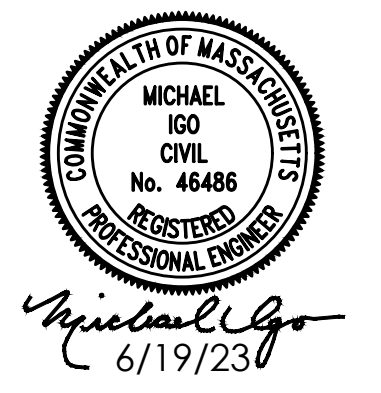


ITEM	PRODUCT
①	FINISH GRADE: FLEXIBLE PAVEMENT
②	COMPACTED SUBGRADE
③	30-INCH DIAMETER, 30-INCH DEEP CONCRETE WELL TILE AND VENTED CAST IRON COVER
④	1" CONDUIT (SCH. 40 PVC)
⑤	2" DISCHARGE PIPE TO PUMP STATION
⑥	STOP AND WASTE VALVE WITH 6-INCH GRAVEL SUMP FOR WINTERIZATION
⑦	WELL CASING SANITARY SEAL
⑧	8AWG SUBMERSIBLE POWER WIRE
⑨	PITLESS UNIT INTEGRAL SPOOL PIECE
⑩	WIRE SPACER
⑪	8-INCH SCHEDULE 40 PVC STEEL WELL CASING THREADED INTO PITLESS UNIT
⑫	NEAT CEMENT (5 BGS TO BOTTOM OF STEEL WELL CASING IN BEDROCK)
⑬	STEADY-STATE WELL WATER DRAWDOWN LEVEL AFTER 48 HOUR PUMP TEST
⑭	LIQUID LEVEL SENSOR WIRE IN WELL
⑮	2-INCH STEEL DISCHARGE DROP PIPE
⑯	CHECK VALVE
⑰	SUBMERSIBLE WELL PUMP WATER END WITH BEST EFFICIENCY POINT 40 - 50 GPM
⑱	SUBMERSIBLE WELL PUMP MOTOR, ESTIMATED 10 HORSEPOWER

NOTE:
1. BEDROCK WELL WATER TO BE TESTED TO EPA WATER QUALITY STANDARDS.

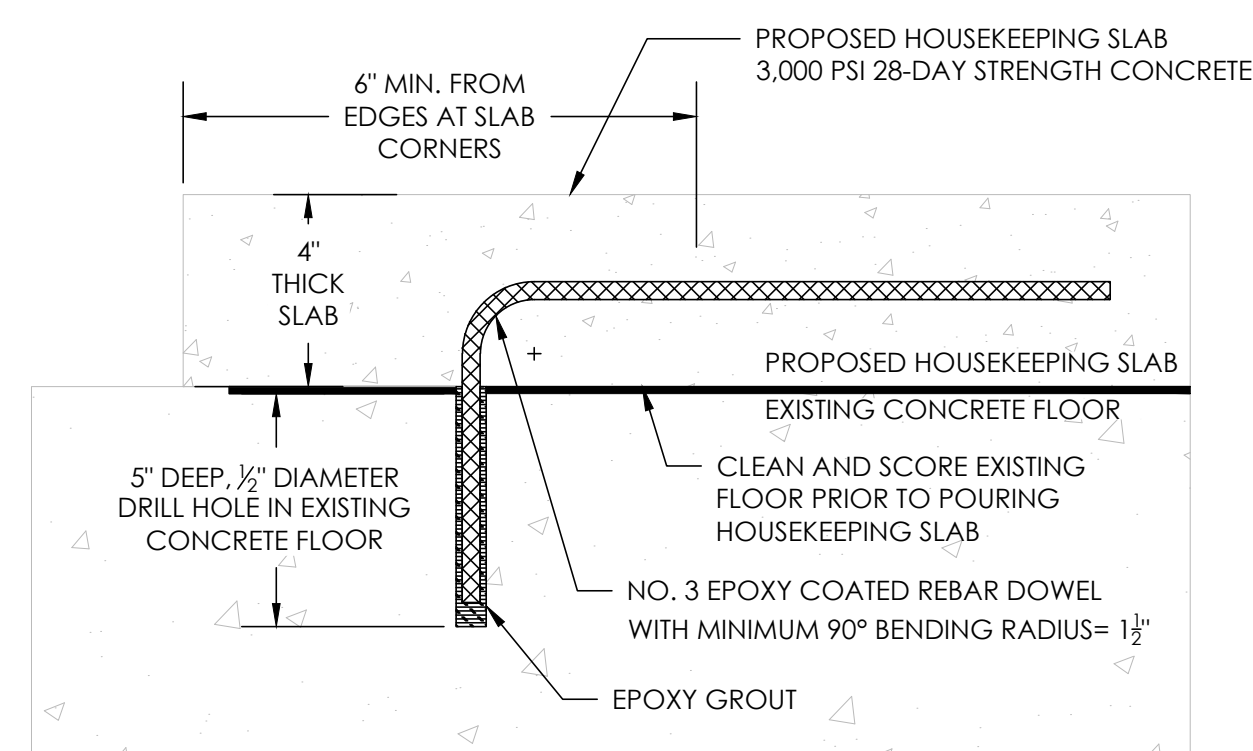


4 DEEP BEDROCK WELL
C-202 NOT TO SCALE

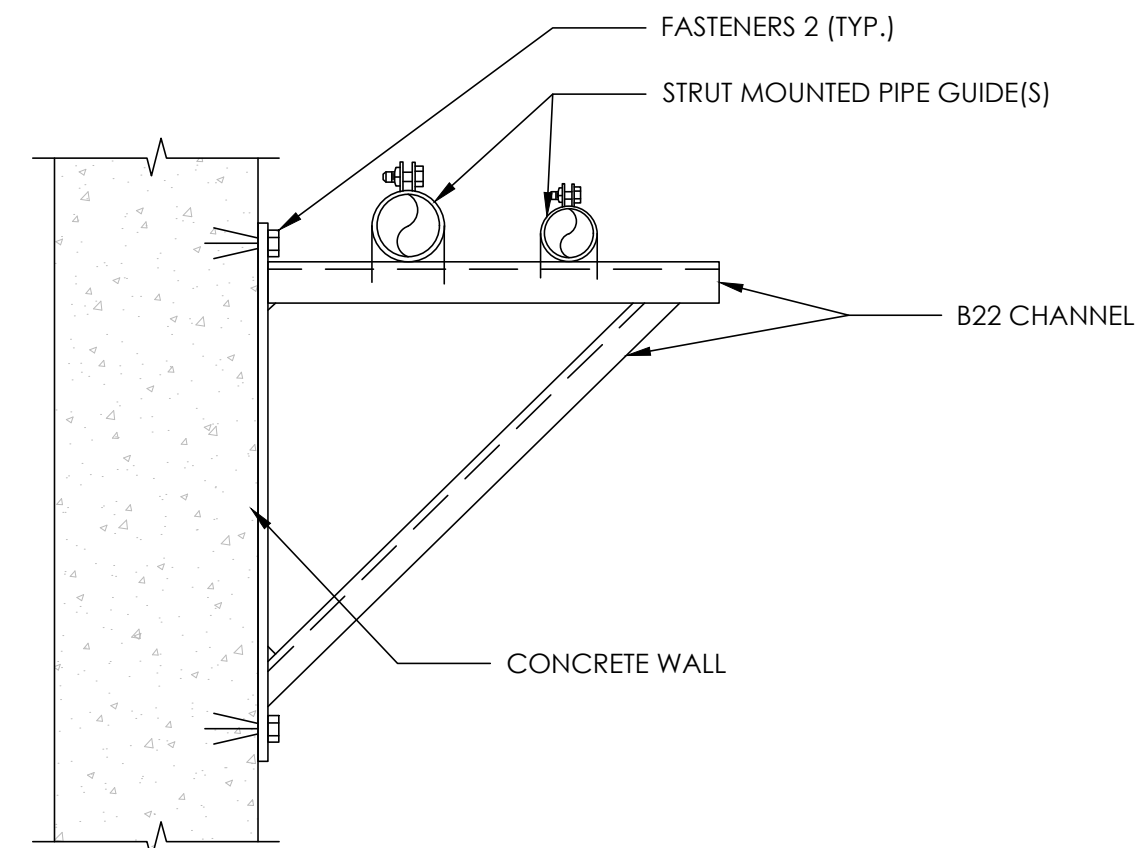


PERMITTING SET - NOT FOR CONSTRUCTION

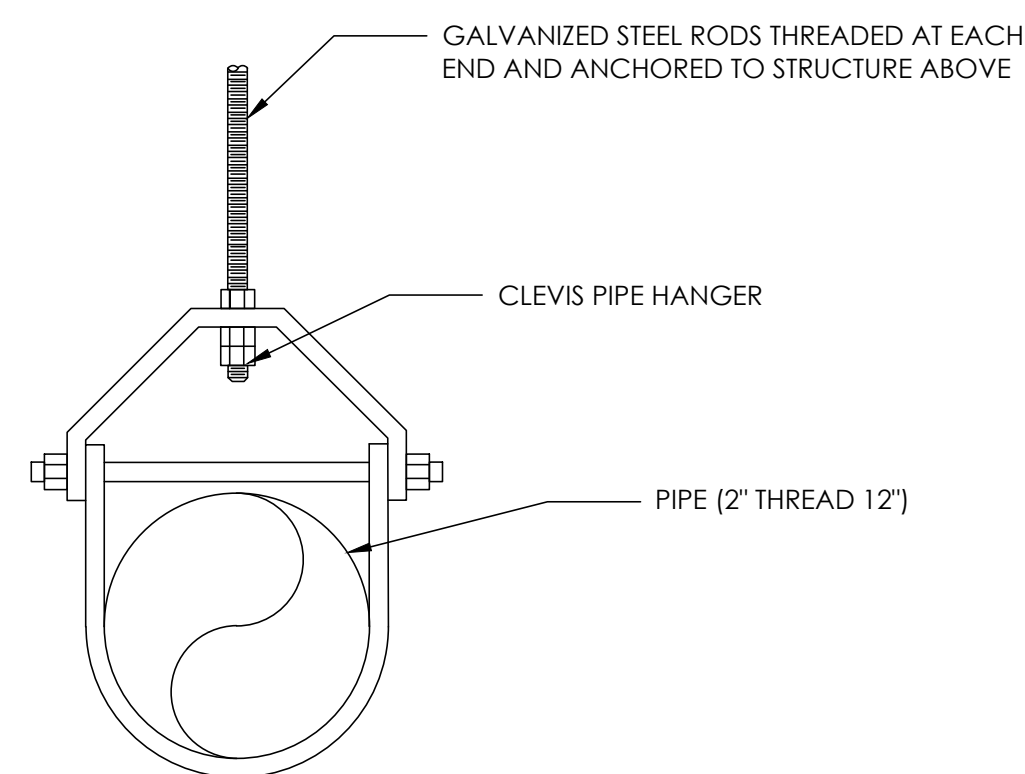
<p>CITY OF NEWBURYPORT 60 PLEASANT STREET NEWBURYPORT, MA 01950</p>	REV 1/6/19/23	AEH	MI	DRAWING SET FOR NOTICE OF INTENT	Designed By: A. Hammond	SCALE: AS SHOWN	BARTLET MALL RESTORATION PROJECT	Sheet No. C-202	
	REV 0/4/14/23	AEH	MI	DRAWING SET FOR NOTICE OF INTENT	Checked By: M. Igo				
	Rev No	Date	Drawn	Chkd	Description				Date:
									4-14-2023



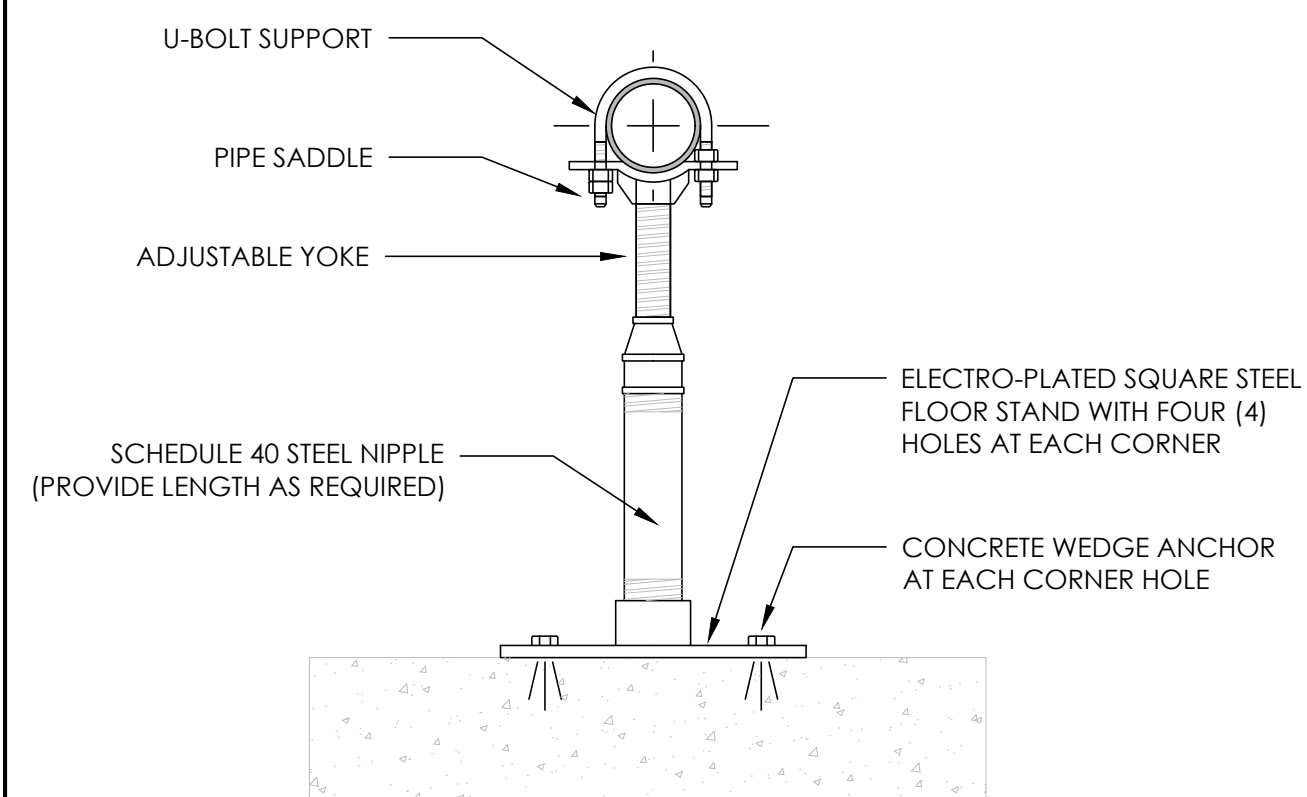
7 TYPICAL HOUSEKEEPING SLAB ELEVATION
C-203 NOT TO SCALE



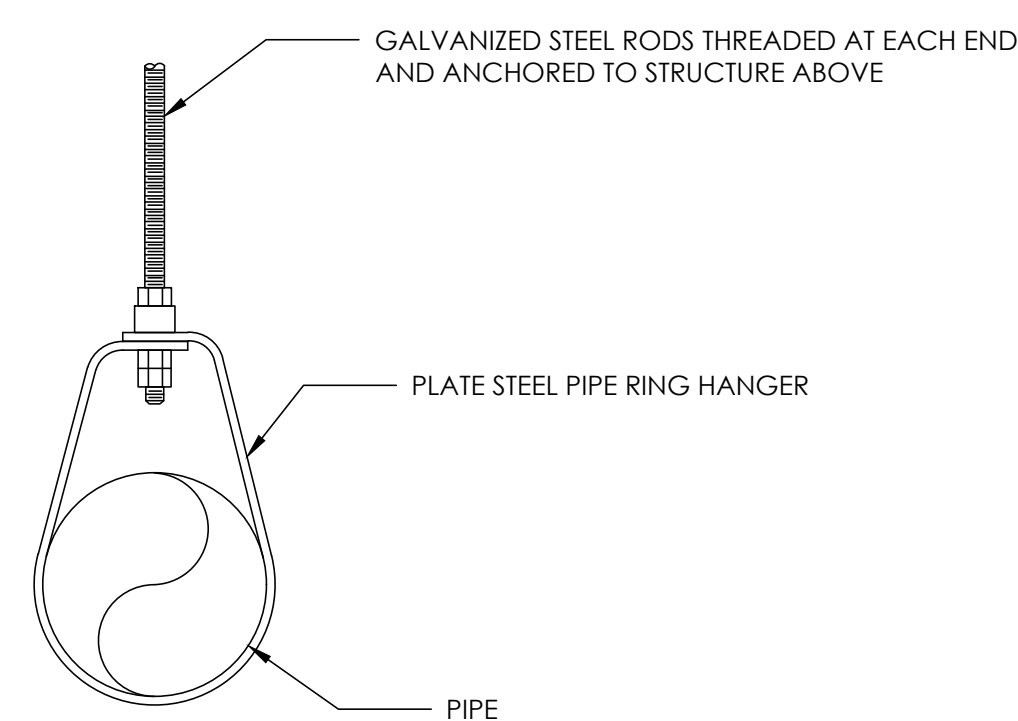
8 WALL MOUNTED PIPE SUPPORT
C-203 NOT TO SCALE



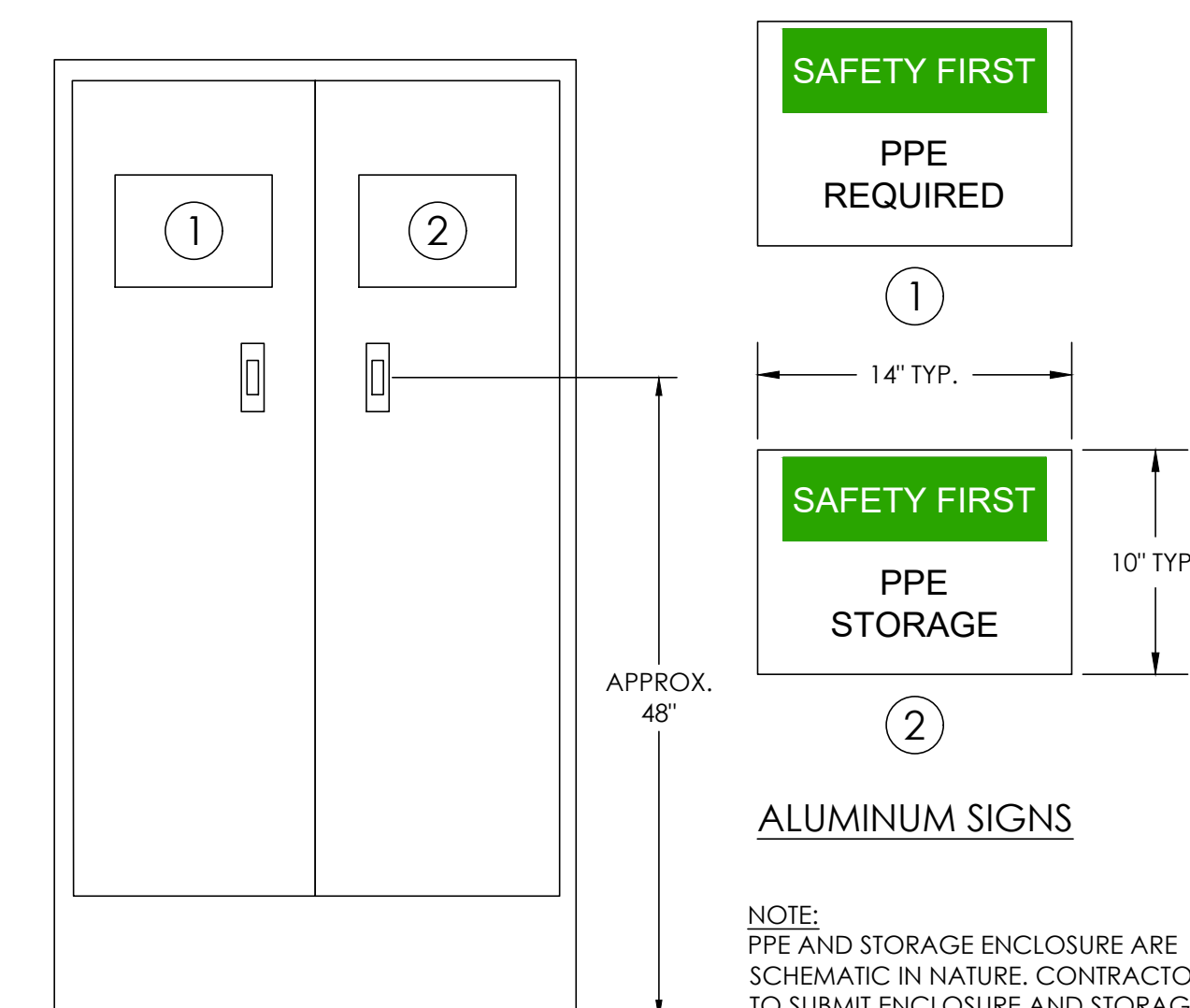
9 CLEVIS HANGER
C-203 NOT TO SCALE



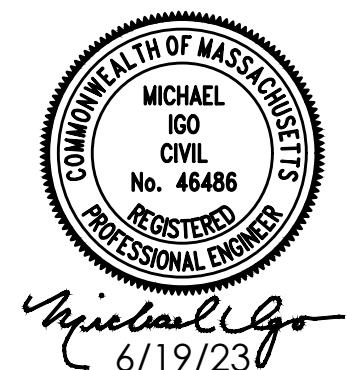
10 FLOOR MOUNTED PIPE SUPPORT
C-203 NOT TO SCALE



11 SWIVEL PIPE SUPPORT
C-203 NOT TO SCALE

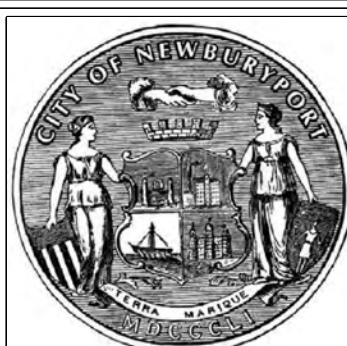


12 PPE AND STORAGE ENCLOSURE
C-203 NOT TO SCALE



Michael Igo
6/19/23

PERMITTING SET - NOT FOR CONSTRUCTION



CITY OF NEWBURYPORT
60 PLEASANT STREET
NEWBURYPORT, MA 01950

Rev No	Date	Drawn	Chkd	Description
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Designed By:
A. Hammond
Checked By:
M. Igo
Date:
4-14-2023

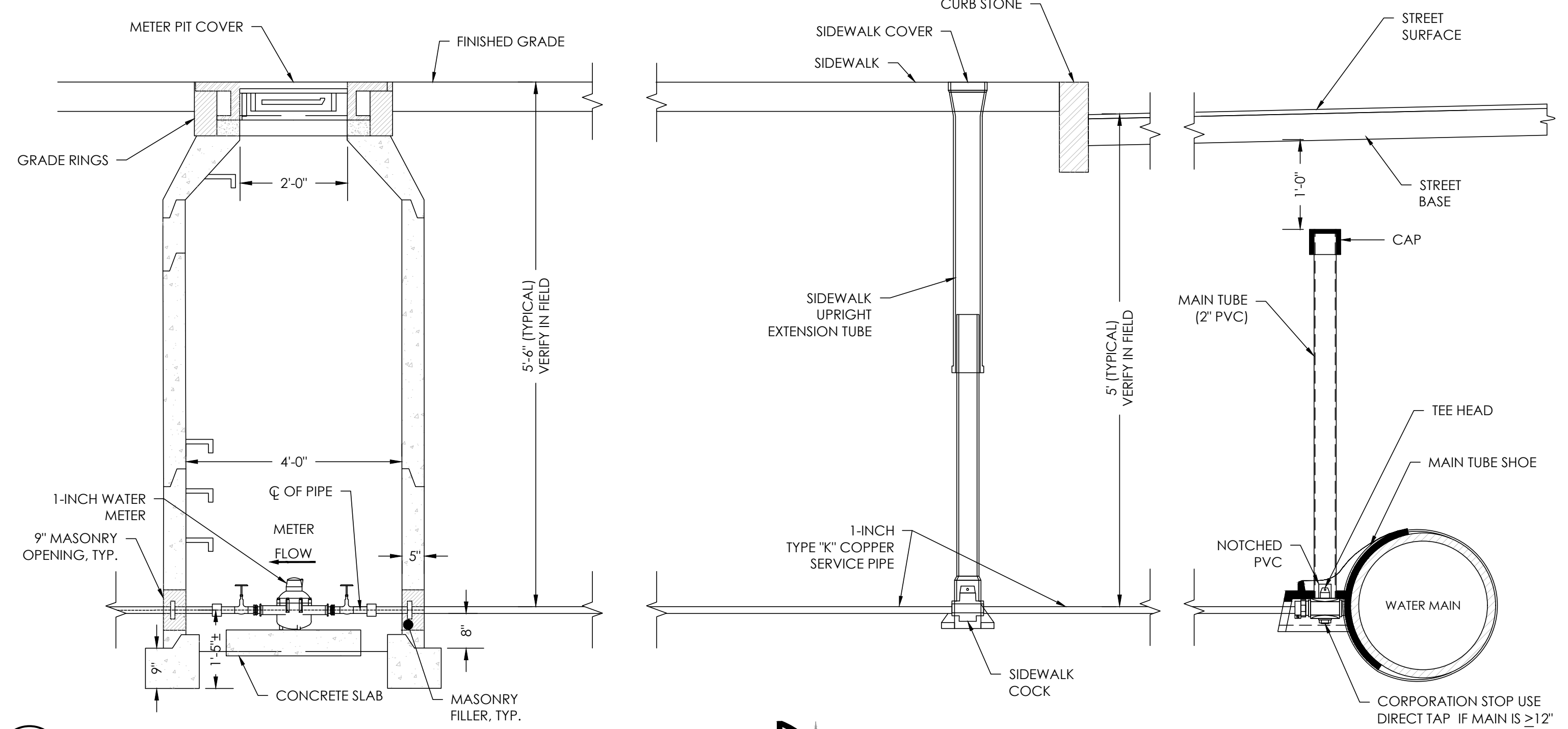
SCALE: AS SHOWN

BARTLET MALL RESTORATION PROJECT

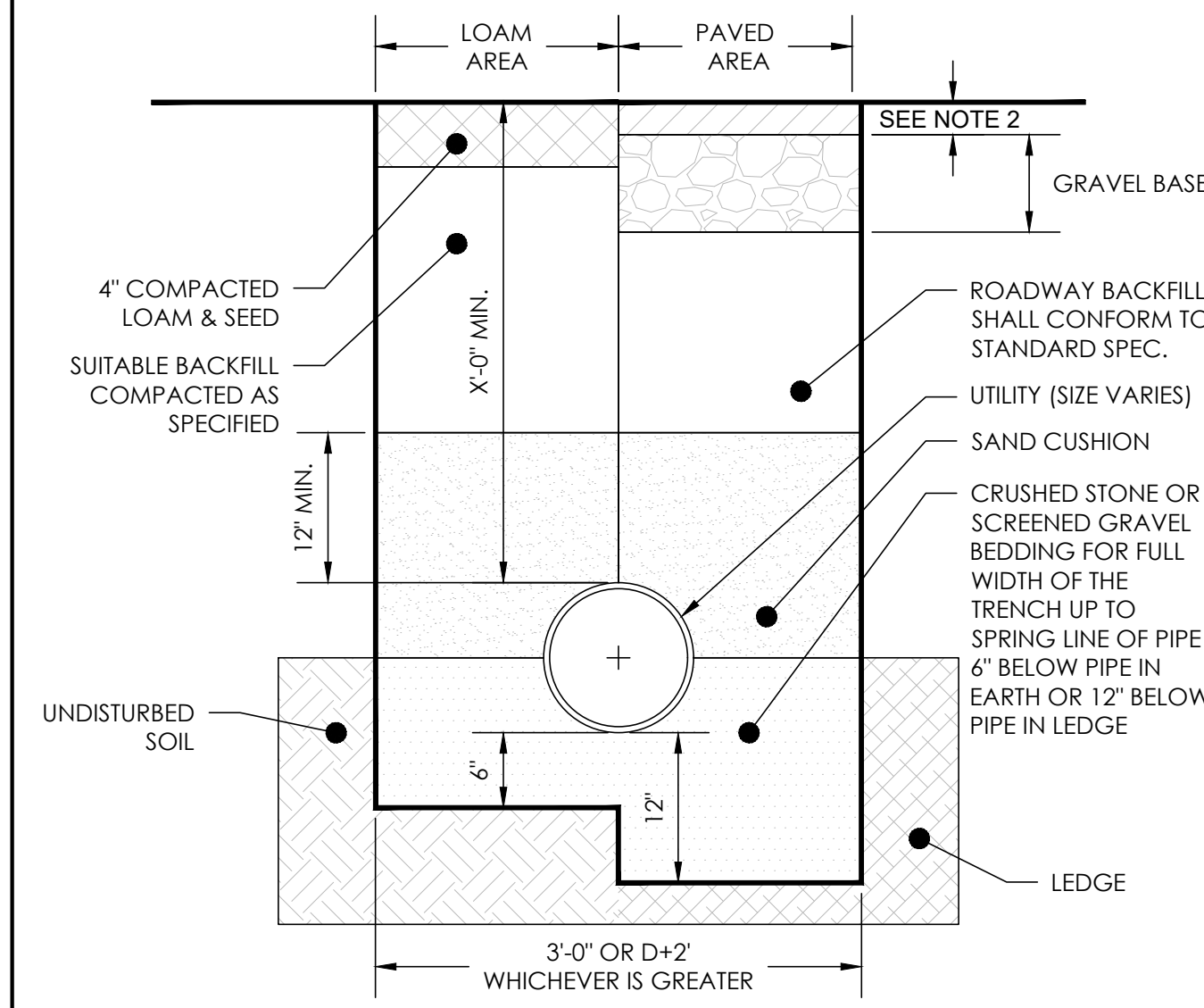
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Sheet No.

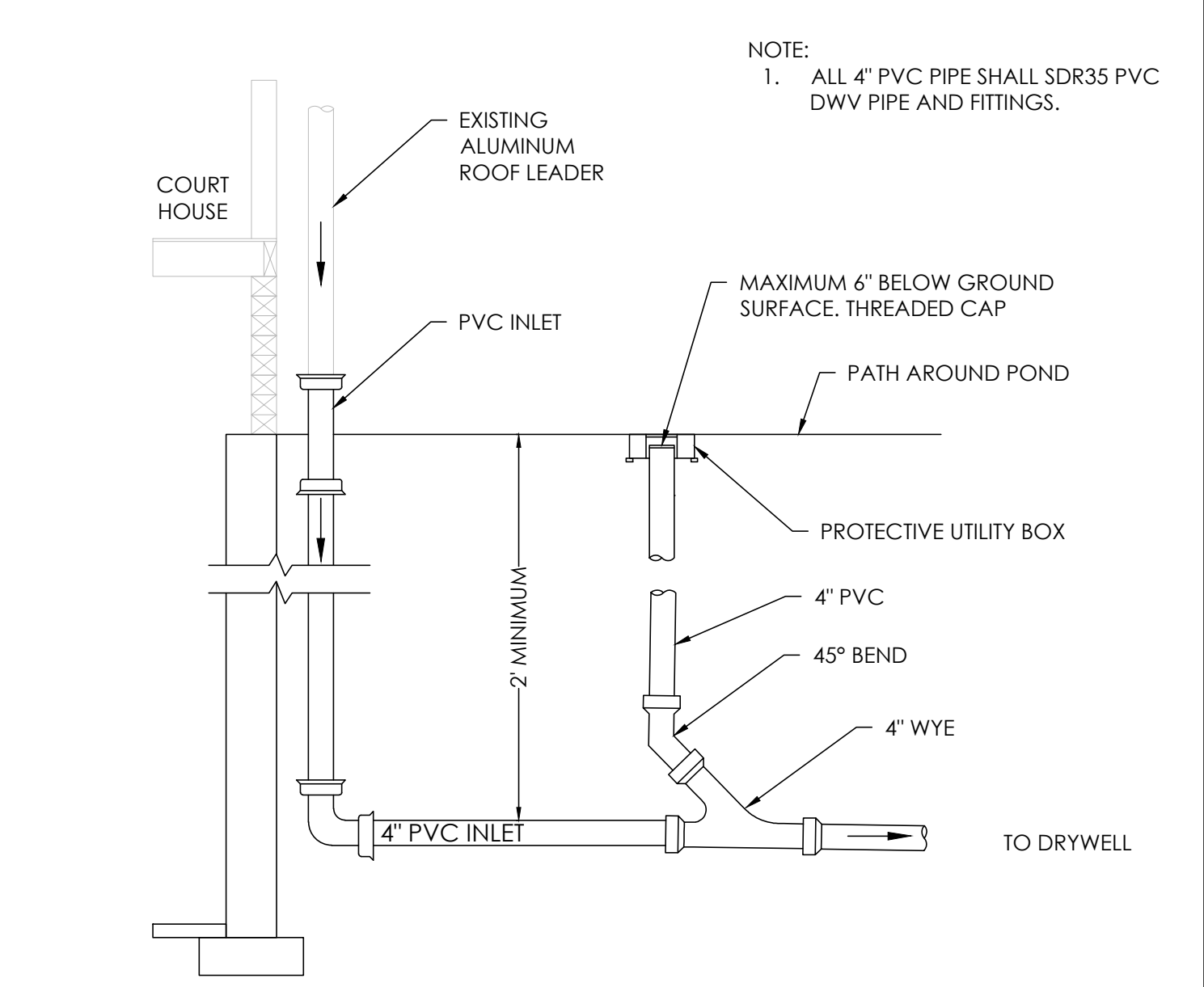
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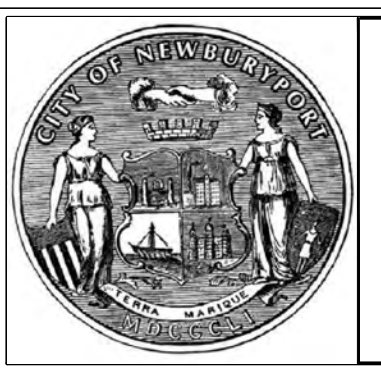
14 DOMESTIC WATER CONNECTION
C-204 NOT TO SCALE



17 UTILITY TRENCH DETAIL (NOT WITHIN POND LIMITS)
C-204 NOT TO SCALE



16 ROOF LEADER TO DRYWELL
C-204 NOT TO SCALE



CITY OF NEWBURYPORT
60 PLEASANT STREET
NEWBURYPORT, MA 01950

Rev No	Date	Drawn	Chkd	Description
REV 1	6/19/23	AEH	MI	DRAWING SET FOR NOTICE OF INTENT
REV 0	4/14/23	AEH	MI	DRAWING SET FOR NOTICE OF INTENT
Revisions				

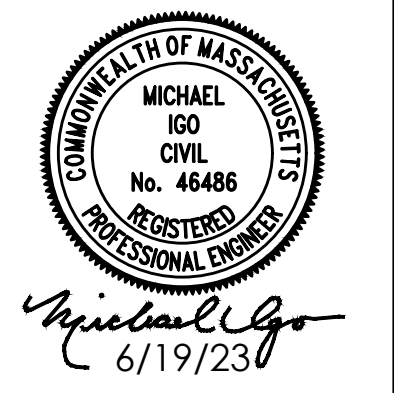
Designed By:
A. Hammond
Checked By:
M. Igo
Date:
4-14-2023

SCALE: AS SHOWN

BARTLET MALL RESTORATION PROJECT
CIVIL DETAILS - 4

Sheet No.
C-204

PERMITTING SET - NOT FOR CONSTRUCTION



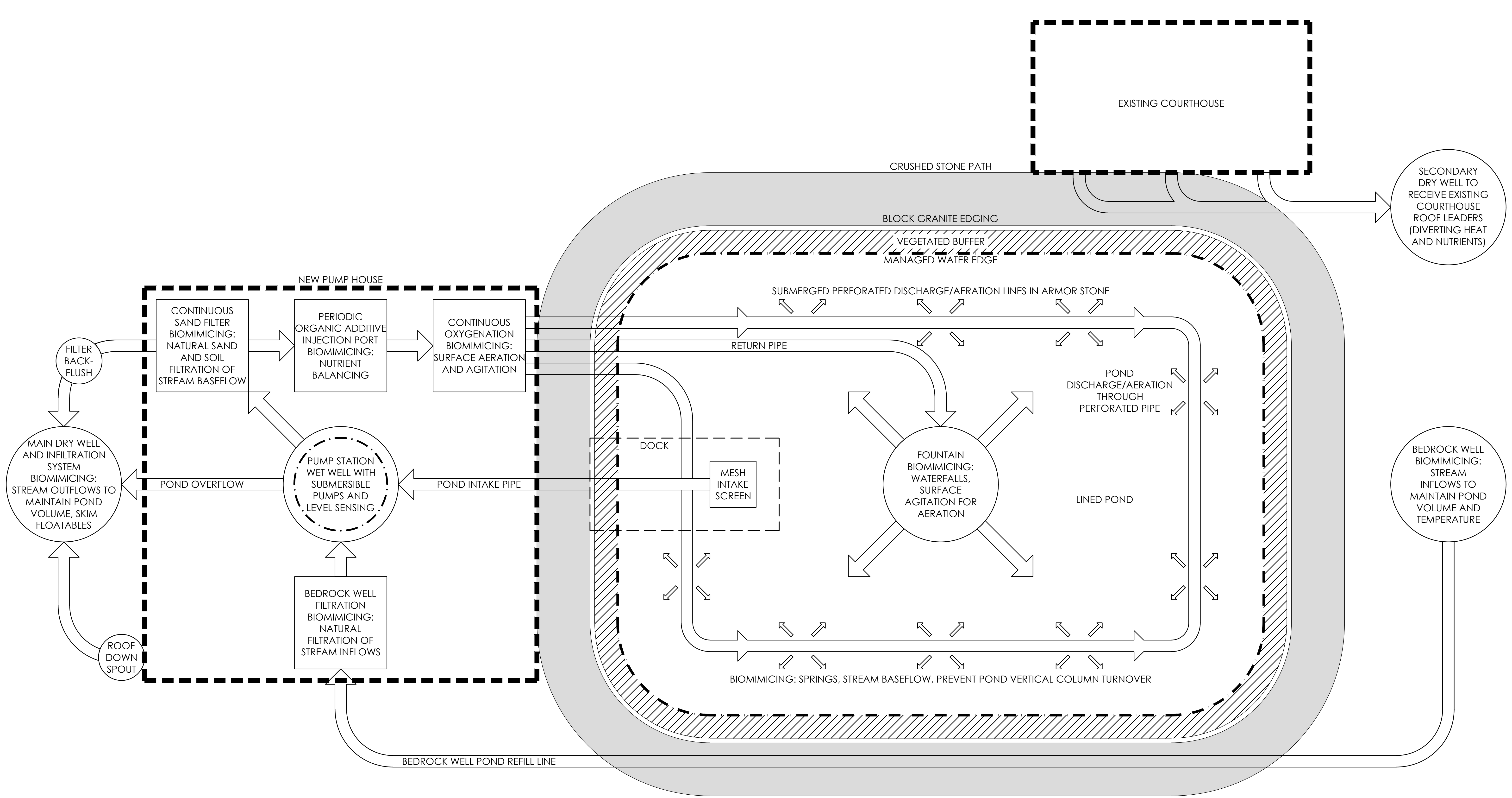
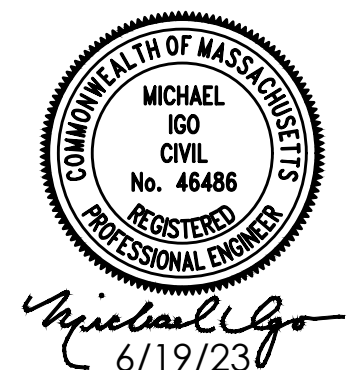
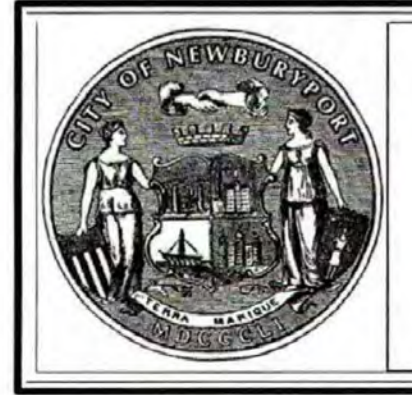


DIAGRAM NOT TO SCALE:
 PROVIDED TO DEMONSTRATE
 WATER FLOW PATHS FOR
 POND WATER QUALITY



PERMITTING SET - NOT FOR CONSTRUCTION

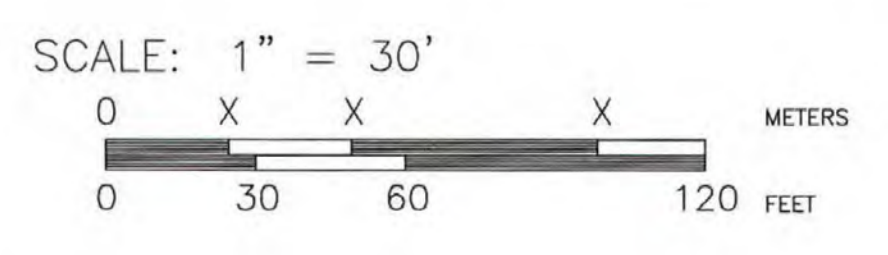
<p>CITY OF NEWBURYPORT 60 PLEASANT STREET NEWBURYPORT, MA 01950</p>	<table border="1"> <tr> <td>REV 1</td> <td>6/19/23</td> <td>AEH</td> <td>MI</td> <td></td> </tr> <tr> <td>REV 0</td> <td>4/14/23</td> <td>AEH</td> <td>MI</td> <td></td> </tr> <tr> <th>Rev No</th> <th>Date</th> <th>Drawn</th> <th>Chkd</th> <th></th> </tr> <tr> <td colspan="5">Revisions</td> </tr> </table>	REV 1	6/19/23	AEH	MI		REV 0	4/14/23	AEH	MI		Rev No	Date	Drawn	Chkd		Revisions					Designed By: A. Hammond Checked By: M. Igo Date: 4-14-2023	SCALE: NONE	BARTLET MALL RESTORATION PROJECT WATER QUALITY SYSTEM ONE LINE DIAGRAM	Sheet No. C-301
	REV 1	6/19/23	AEH	MI																					
	REV 0	4/14/23	AEH	MI																					
	Rev No	Date	Drawn	Chkd																					
Revisions																									



CITY OF NEWBURYPORT
 60 PLEASANT STREET
 NEWBURYPORT, MA 01950

Rev No	Date	Drawn	Chkd	Description
4	6/26/23	KT		ADA study & granite realignment & rotate pump house
3	5/22/23	KT		Relocated utility/storage shed & dock
2	1/18/23	KT		Revised ellipse
1	2/6/22	KT		Revised granite edge
Revisions				

Designed By:
Kim Turner
 Checked By:
[NAME]
 Date:
12-01-2022



BARTLET MALL RESTORATION PROJECT
CONCEPTUAL SITE PLAN

Sheet No.
L-1



IN CITY COUNCIL

ORDERED:

November 13, 2023

That the City Council of the City of Newburyport hereby establishes the following Rules and Regulations for the Public Art Committee pursuant to ODNC00157_06_12_2023 Section 125i.

I. Introduction

A. Purpose

The Public Art Committee (PAC) is charged with studying the City's needs, possibilities, and resources in support of public art, and making recommendations to the City Council with respect to the acquisition, or creation and placement of said art.

B. Curatorial Vision

The Curatorial Vision for the City of Newburyport is to foster the creation and collection of artworks that reflect the people, ideas, histories, and futures of Newburyport. We seek public art that is driven by an artistically strong vision, enhances the diversity and equity of the existing collection, and possesses durability appropriate to the lifespan of the work.

C. Public Art in Newburyport

Public art is any artwork installed in a publicly accessible space where it can be experienced by everyone for free. It takes a wide range of forms, including murals, sculptures, memorials, architectural or landscape elements, and multi-media installations. The City of Newburyport recognizes the value of public art to its citizens and visitors. It is an important component of our civic and cultural fabric and an essential building block for engaging spaces that enliven the public realm, foster shared community interactions, celebrate our unique stories and collective history, and help create a unique identity for Newburyport. The City has always, and intends to continue to integrate a wide range of artworks reflecting diverse artistic disciplines and points of view into public locations throughout the community. In support of this goal, this document outlines the policies and processes that will facilitate the development of public art throughout the City. It provides a guide for City Departments, Boards and Commissions considering the placement of public art. To successfully implement this policy, City Department Heads should ensure that employees, as well as the Boards and Commissions they staff, are familiar with the procedures herein for proper compliance and execution. An FAQ for Artists (see Appendix A) is a condensed version of this document that is intended to help artists, cultural organizers and other public art proponents who are interested in proposing public art works.

D. The Public Art Committee

On November 27, 2023, the City Council adopted City Ordinance 157 6122023 creating the seven-member Newburyport Public Art Committee (PAC). The Public Art Committee (PAC) supports the commissioning, review, selection, acceptance, and care of art in public places. They aim to raise public awareness of the impact of public art and its cultural and economic contributions while establishing a diverse collection of public art that engages the community and encourages dialogue around public art. They also aim to identify and promote funding mechanisms to support public art, including grants, donations and specially designated funds. The end result of their efforts will provide a legacy of art and culture for future generations.

The Public Art Committee (PAC) holds public meetings as needed to review, discuss, and vote on matters concerning the City's public art collection. Meeting agendas are posted by the City Clerk's office at least 48 hours before the meeting. Constituents and stakeholders are encouraged to attend the PAC's public meetings and make comments on agenda items. Official votes will be conducted during the PAC's public meetings and the results will be recorded by the PAC in the meeting minutes. For a vote to take place, a quorum must be present. For a motion to pass, it must receive a majority of the votes of the Members present.

The PAC has exclusive authority to recommend approval and commissioning of artworks intended to be added to the City's collection or be placed on City property to the Mayor, subject to approval by the City Council. By centralizing the responsibility of the City's artwork to the PAC, the PAC acts as a transparent, independent entity that holds public meetings to vote on matters concerning the City's art collection. Members are nominated by their representative groups and appointed in accordance with provisions of the City Charter and the following may serve for up to 3 years. The PAC is comprised of 7 members, including 2 members of the Newburyport Cultural Council, 2 residents, 1 local artist and 1 member of the Parks Commission. The PAC will also include 1 City Staff for a term of 1 year.

E. Scope

This policy applies to all works of art that are commissioned, hosted, or displayed, including both temporary and permanent works, and meet all of the following criteria:

1. Funded in whole or in part through City funds or maintained by the City;
2. Sited on City property, building, or right-of-way;
3. Consistently accessible to the public.

F. Limitations

The policy does not extend to:

- A. Artworks on display within City offices or City buildings that have restricted public access or regulated access. This includes artworks acquired for the sole purpose of office adornment and not for overall public experience.
- B. Temporary exhibitions of artworks (such as gallery displays, booth displays at art festivals, individual artworks, or museum exhibits) displayed on City-owned or -managed property where the owner of such artwork has or intends to: retain ownership of the work or sell it; assume all responsibility associated with that display; remove it after an agreed upon duration has concluded.
- C. Public art on private property.

G. Applicability

The placement of public art on public property is a form of government speech and as such, is not subject to scrutiny under the Free Speech Clause. Therefore, the City has broad discretion to make

decisions related to public art on public property. The City shall honor other local, state and federal laws that may apply. The City shall exercise final approval authority over all decisions regarding public art on City property.

H. Definitions (see also Glossary of Terms)

For the purposes of this policy, public art is defined as, but need not be limited to, unique, one-of-a-kind artwork conceived with its site in mind and of the following:

- A. Sculpture in the round, bas relief, mobiles, fountains, kinetic and electronic work in any approved material or combination of materials
- B. Paintings in all media, including oils and acrylics, that are portable or permanently affixed, such as murals
- C. Graphic arts, such as printmaking, drawing and banners
- D. Mosaics, including works executed in tile, glass, stone or other materials
- E. Crafts using clay, fiber and textiles, wood, metal, plastics, stained glass and other materials, both functional and ornamental
- F. Photography, including digital and traditional photographic print media
- G. Mixed media, which may include any combination of two- and three-dimensional forms of media, including collage
- H. Earth works, environmental installations and environmental art
- I. Ornamental or functional decorative elements designed by practicing artists or other persons submitting as artists, including design professionals who are not members of the City design team for the project
- J. Light-based or luminal art that is experiential, site-specific or installation-based work that explores optical phenomena or work composed of transmitted light, artificial or natural light sources, projections or sculpture that incorporates light sources as a major compositional and expressive element
- K. Sound art or media with primarily aural-based expressive elements, including electronic, audio media, found or experimental sound sources
- L. Video and animation, projected or displayed on a video monitor
- M. Portable art that may be displayed at locations other than a substantially permanent location or adjacent to the project site

For the purposes of this policy, the following are not considered public art:

- A. Directional elements, wayfinding, signage, color-coding (except where these elements are an integral part of the artwork.)
- B. Donor bricks and plaques
- C. Decorations
- D. Non-original works of art of all media, including reproductions
- E. Mass-produced standardized art objects such as playground equipment
- F. Public improvements for safety such as area or path lighting, protective railings, etc. (except where these elements are an integral part of the artwork)
- G. Landscape design or gardens (when used for decoration unless designed by an artist and are an integral part of the artwork)

I. Administration

The PAC holds a public informational hearing up to twice a year to hear suggestions and proposals from

applicants for submissions which will best serve the goals of the PAC and the interests of the City. The PAC then entertains project applications and makes recommendations to the City Council.

PAC oversight and coordination of all works of public art acquired by the City of Newburyport, including their budgets and execution of contracts, are the sole responsibility of the Mayor's office. Staff member(s) designated by the Mayor will manage all operations and duties related to public art projects sited on or proposed for City of Newburyport property, including the maintenance of the public art collection.

J. Funding for Acquisitions

A. Sources of funding:

1. Special designated funds: From time to time, subject to appropriation, special funds may be established for the express purposes of commissioning works of art in accordance with the terms of this policy. For example, a special increment tax may be established by voters for capital projects with a portion assigned to public art.
2. Donated artwork or funds: Funds or works of art may be donated to the City in accordance with Section II.C. of this policy.
3. Public art maintenance funding: The funding to maintain and conserve acquired works of art, though not governed by this policy, is a critical component of the public art program. All applications must include details on the projected maintenance needs of the artwork. The PAC and City staff shall carefully consider the necessary time and funding to properly care for the collection under the terms found in Section IV of this policy.

K. About this Document

Our commissioning and review processes are iterative and will continue to evolve over time. We expect these policies and guidelines to change and welcome feedback on ways we can improve them. Changes to portions of this document that describe PAC reviews and approvals may be updated by the Public Art Committee for clarity and responsiveness to community needs.

II. Procedures for the acquisition of public artwork

A. Acquisition Priorities

The following priorities shall be used when considering acquisition of artwork by purchase, commission or donation. Additional priorities may be established at the discretion of the Public Art Committee (PAC) to meet the needs of individual projects.

1. Artistic aims, objectives and goals
 - What has the artist accomplished with the work and does it align with the proposed project goals?
 - Is the work relevant to the City, its values, culture and people and does it contribute to the fabric of the City? Is the work an integral component of the overall project?
 - Is the work of art appropriate for the community it serves?
2. Diversity and accessibility
 - Does the artwork reflect or advance the City's curatorial vision and policy of inclusivity?
 - Does the artwork advance lesser-told or lesser-known stories, non-traditional imagery, diverse perspectives, and/or minority voices?
3. Placement/siting

- What is the relationship of the work to the site? Is it appropriately scaled?
 - Will the work help to anchor and activate the site and enhance the surrounding area?
 - Will there be convenient public access to the site?
 - What are the utility requirements of the artwork?
4. Fabrication, handling and installation
 - Are the projected costs accurate and realistic?
 - Have written estimates been obtained from qualified technical support and fabrication contractors?
 - Does a certain site present any special obstacles to installation?
 - Can the work easily be removed if necessary?
 5. Maintenance requirements
 - Is the work suitable for outdoor display or special indoor environments?
 - Are the materials durable and will they last? Does the work have a limited lifespan due to built-in obsolescence or any inherent weakness?
 - What are the existing or projected maintenance requirements of the work? Are they excessive or cost prohibitive? Are any unusual or ongoing costs likely?
 - What are the artist's suggestions for protection of the work from vandalism?
 6. Liability and safety
 - Is any aspect of the work a potential safety hazard?
 - Will fencing or other types of security measures be required?
 7. Affordability
 - Is the artwork priced appropriately for the City?
 - How will the artwork impact the capacity for future acquisitions?

B. Approval and Development Process for Public Art Commissions

Public art projects shall be approved through the process outlined below. The proponent should review the City's existing collection of public art, the history of the proposed site, the current uses of the site, the community or communities who are regularly engaged with the site, and consider accessibility, future maintenance, and project longevity. Proponents should reach out to the PAC for guidance and information in the early stages of their design process.

Public art projects should be integrated into the selected site, with a preference for areas that are highly visible or highly impactful because of their cultural importance and their access to the public. Important considerations include how the artwork is physically integrated within the site and surrounding environment, how it responds to the public use of the space in which it resides, and how it compliments other public art projects in the immediate area. All artworks should be connected to their context, showing awareness of local cultures, histories, and the ways in which the community interacts with the project site.

Below is the recommended process for Public Art Commissions:

1. **Initial communication:** The proponent must first initiate communication with the City by submitting a signed letter of intent describing the project and its location.
2. **Project initiation & site selection:** The proponent shall submit a formal application (see Appendix B) to the PAC to approve the artwork design, at least one month in advance of necessary approvals, with the following information:
 - contact information

- a project description, including materials and dimensions
- proposed project site
- the property-owning department of the proposed project site
- photos or drawings of the proposed artwork
- details of the installation and/or deinstallation including any equipment required, as well as lighting and sound plans (if pertinent)
- estimated cost and proposed funding source
- call to Artists in the form of an RFP or RFQ, if required (see #2 below)
- Artist resume and selected work samples
- a maintenance plan, depending on the length and needs of the project
- a project schedule including installation, programming and events if applicable, and deinstallation
- insurance value and information
- letters of support from community members or organizers, if available

The applicant shall review the application and scope of the project with the PAC, who will consult with appropriate City staff and the Mayor in order to provide guidance about approvals and permissions from other Boards, Offices, and Commissions that may be required. Approvals must be provided by the jurisdictional Board or Commission during this phase of the project. If the proponent is not self-funding the project, the PAC can assist in helping to identify funding sources for installation, understanding there is no current City fund specifically for public art projects. The Artist shall not begin fabrication until they have secured funding sufficient to cover 100% of all costs associated with the fabrication and installation of the artwork.

3. **Calls to Artists, Artist selection and Contracting:** Calls to Artists are required for Public Art projects with budgets over \$50,000 that are not initiated by an applicant that is currently working with an Artist or Artist group. Calls to Artists are the documents that describe the scope of the project and should provide Artists with everything they need to know to determine if they want to apply for a commission, including budget and schedule. Calls should be publicly accessible and shared with a wide variety of artists. The PAC shall advise the applicant in writing a Call to Artists. There is a sample Call to Artists in Appendix C of this document. For City-initiated public art projects, Calls to Artists are written by the PAC and must be advertised on the City website, Mayor's and Newburyport Cultural Council's social media accounts, and other public art platforms and listservs, and may be advertised in other places depending on the source of funding. A non-City entity proposing public art on City land, regardless of budget, shall consult with the City prior to sending out an RFP.

The primary metrics for Artist selection are the priorities outlined in the Call to Artists and the PAC Acquisition Priorities (Section II.A.). For City-Initiated public art projects, the PAC members review and rate each proposal independently, then meet publicly to review a select number of proposals that fit the priorities. At that meeting, they may select up to three finalists for interviews by the PAC. During a public meeting, the PAC may deliberate, before voting on which Artist or team to recommend to the Mayor for execution of a contract. Once awarded a contract, the Artist or Artists will move forward to create their design proposal. If the PAC does not approve any of the Artists who answer the call, the Call to Artists may be re-issued and a new selection process begun. The City of Newburyport, as in all contracts, RFPs, RFQs, and other Calls, retains the ability to not select any applicant for a Call to Artists or to reissue the Call to Artists for that project.

It is the sole authority of the Mayor, subject to appropriation by the City Council, to provide final approval of the PAC's selection of an artist, and direct staff to proceed with a contract. All contracts for the execution of artworks commissioned by the City of Newburyport shall be made by the

Mayor. Commissioning Agreements and other contract appendices are written, reviewed, and negotiated by the City Solicitor, at the request of the Mayor. Depending on the funding mechanism, contracts and Artist Review processes may be subject to state (M.G.L. Chapter 30B, Section 2) and local procurement law in addition to the requirements of this policy. A sample commissioning agreement is included in Appendix D. Project deliverables and payment schedules, agreed upon by the PAC, the Artist or Artist Team, the Mayor and City Solicitor, will be included in the contract documents.

For non-City-initiated public art projects, the City may contract with the applicant, similar to City-initiated projects. If the applicant is already working with a funder and has a contract for the artwork, the City may instead request an MOU with the applicant, the funder, or both. Each project is unique, and the legal agreements will be specific to that project, but the agreements should align with the requirements outlined in this document, clearly define each party's roles and responsibilities, and follow best practices for public art commissioning. Project deliverables and payment schedules, agreed upon by the PAC, the proponent, the Mayor and City Solicitor, will be included in the contract documents.

4. **Design and Development for Short-term Public Art:** Short-term artworks are intended to be installed for five years or less. Artists should fully design and plan their project before submitting it for review by the PAC. The PAC can guide the proponent in completing their information so their project can be reviewed and voted on at a public meeting. The PAC will provide guidance about approvals and permissions from other Boards, Offices, and Commissions that may apply to public art projects. During a public meeting, the PAC may allow public comment or ask the PAC for additional information. This public review ensures transparency in the review process.

The following is the list of information requested for review. Most short-term public art projects will not require everything described, and the PAC will help the proponent determine what they should include in their Final Design.

- *Fabrication:* The proponent and Artist should provide details of all materials and methods used in the creation, installation, and de-installation of the artwork, understanding that any significant changes may require amended approvals from the PAC to be voted on at a public meeting.
 - *Community Engagement:* The applicant should provide evidence of work done to get community feedback and response, such as images from community meetings, flyers and social media postings, and letters of support from the community.
 - *Installation:* The proponent and Artist will coordinate the installation of the artwork with the site owner and update the Public Art Committee. The applicant is responsible for securing any permits or approvals that are required by other City agencies. This may include approval from the Parks Commission or DPS, depending on the project site, how the project affects access to the public right of way, or if the installation of the project requires temporary street closures.
 - *Maintenance:* Depending on the length and needs of the project the proponent and Artist should submit a narrative describing how they will maintain or repair the artwork if it is damaged.
 - *Deinstallation:* Short-term projects have a specific, predetermined lifespan. The proponent and Artist should include details of the deinstallation of the artwork with their proposal, including any equipment and/or permitting required. The proponent and Artist are responsible for returning the project site to its original condition after deinstallation.
5. **Design and Development for Long-term Public Art:** Long-term artworks are intended to be installed for five years or more. We encourage applicants considering long-term commissions to think about how the artwork will be experienced in the present moment, as well as the future.

The applicant will work with the PAC to develop a schedule that reflects any capital construction schedule associated with the project, Artist's contract milestones, other Board or Commission approvals, PAC reviews, a working budget, and Artist deliverables for each project phase. The PAC reviews and votes on the applicant's design at a public meeting and may allow public

comment or ask for additional information. This public review ensures transparency in the commissioning process. During the presentation of the design at a public meeting, the PAC needs to understand the following:

- *Visualizations*: Drawings, maquettes, renderings, or other plans and renditions of the artwork as it will appear when installed, appropriately scaled, and accurately depicting materials, colors, lighting effects, interpretive text, plaque, and/or signage text.
 - *Public Engagement*: The applicant should describe or summarize their community engagement, showing effort to connect with and involve Newburyport's residents, and should keep in mind accessibility.
 - *Fabrication Plans*: The Fabrication Plan must detail all materials and methods used in the creation of the artwork. The applicant will work with the PAC and City partner agencies to determine design deliverables requirements. Fabrication must substantially conform to the Fabrication Plan, and any significant changes may require amended approvals from the PAC to be voted on at a public meeting.
 - *Maintenance Recommendations*: The applicant must provide a written document of the Artist's maintenance recommendations for all proposed materials, and an estimated schedule for routine maintenance and preservation of the artwork.
 - *Installation Plans*: When the artwork is associated with a capital project, installation should be incorporated into the capital construction timeline to avoid additional costs and disruptions to the finished site. Detailed installation plans may include but are not limited to site preparation, equipment requirements, and site restoration, when applicable. The applicant must coordinate the installation of the artwork with the site owner and update the PAC and any pertinent City partner agencies and their contractors. The applicant is responsible for securing any permits or approvals that are required by other City agencies. This may include approval from the Parks Commission or DPS, depending on the project site, how the project affects access to the public right of way, or if the installation of the project requires any temporary street closures. If the artwork installation diverges significantly from the Installation Plan, the PAC may require amended approvals to be voted on at a public meeting.
 - *Plaques and Signage*: The proponent and Artist should include images showing how they will include or otherwise display their name, the title of the artwork, the year it was installed, and the medium.
 - *Description of Artwork*: The applicant must provide a narrative description of the Artwork for the City to use as a source for descriptions of the project on the City's website, public-facing arts database, and other approved uses, including a final summary of the artwork materials, dimensions, and any collaborations or subcontractors who worked on the project.
6. **Final Acceptance**: The applicant shall submit the following within 30 calendar days of completing the installation:
- Documentation that the artwork was installed in conformance with the Installation Plan.
 - A minimum of five (5) high resolution digital files in JPG format of the installed, finished artwork.
7. **Review and Vote**: At the next public meeting after installation, the PAC will review and vote to accept the artwork into the collection via accessioning.

C. Approval Process for Donations

All proposals to donate works of art to the City must be submitted to the Public Art Committee for review.

1. **The donation request shall contain the following**:
 - Provenance: includes artwork information, conservation history, and donation agreement (see Appendix E).
 - Maintenance recommendations: outlines how the artwork is to be maintained, and what

materials and maintenance procedures are needed to conduct routine maintenance of the artwork (cleaning schedules and minor repairs).

- Proposed site, if any.
2. **The PAC will review the proposed donation based on the following:**
 - Compliance with this policy.
 - Acquisition priorities listed in section II.A.
 - If a site is proposed, the residents adjacent to the site or other stakeholders of the site will be notified and public feedback will be heard.
 - Depending upon the nature of the project, further public engagement and approvals by jurisdictional Boards or Commissions may be required according to the specific requirements for permit application or development review. These approvals must be obtained prior to final approval of the Mayor and City Council appropriation.
 3. **All other processes and procedures**, including final approval and contract execution shall follow the guidelines outlined in this policy.
 4. **Limitations:** Approved proposals for donation must complete the full process, including installation of the artwork, by no more than one year after approval. The Donor may request an extension to the deadline of no more than one additional year. The extension request must be submitted to the PAC for review and approval by the Mayor.

The City is under no obligation to consider for acquisition unauthorized and abandoned art. Instead, the Mayor may choose, at his or her full discretion, to remove and/or dispose of it or consider the work for acquisition consistent with the donation process outlined above.

D. Plaques for Public Artworks

Knowing who created an artwork and when can help provide the context needed to experience an artwork fully. Plaques help the public identify artworks and artists and enable further explorations of artwork in our collection.

Although there are stand-alone commemorative plaques, tablets, and historic markers in the public art collection, the plaques addressed in this section are used to identify artworks and may provide additional interpretive and educational information.

The PAC will work with Artists and proponents to plan for the inclusion of plaques and other educational and interpretive materials as part of the design proposal.

1. **Standard Information for Plaques for Public Artwork:** Plaques for any artwork should be incidental to the artwork and not a competing focus for the viewer. It shall include the following:
 - Artist name
 - Artwork title and year
 - Brief interpretive text (optional)

**Plaques for public artworks may not include logos (e.g. symbols or trademarks designed for definite recognition in order to avoid the use of public art for advertising or endorsement purposes) or any other kind of advertising or sponsorship information.*

2. **Interpretation and Education:** In addition to artwork plaques, additional educational and interpretive information may be shared on the City of Newburyport's website. Such information may include biographical information about the Artist(s) and/or community proponent(s), descriptions and/or histories of the artwork, materials, scheduled repairs or conservation, and images of the design, fabrication, and/or installation process.

E. Mural Commissions

Murals are public art works that are directly painted on walls or other existing surfaces and can be short-term or long-term commissions. They should follow the guidelines below:

1. **Reviews for murals on City-owned sites:** The PAC will help the Artist determine which City department owns the site and obtain their permission to use it. All mural proposals will follow a modified review process at the discretion of the PAC. Mural reviews should generally follow the guidelines listed under section II.B.4, with the exception of processes that are not pertinent to mural commissions. The PAC will assist the applicant in discerning which areas of this document are pertinent.
2. **Street Murals:** Street murals are murals painted directly on a roadway. Because the wear and tear on these artworks is intense, they are usually not considered long-term projects, and should follow the process for short-term commissions described in Section II.B.3. Because they are painted on streets, the applicant and PAC shall work closely with DPS to review these projects.
3. **Murals Proposed for Private Sites:** Mural projects on private property require Artists to obtain approval from the landowner. The PAC should be notified about the project and may offer support. The PAC may be able to assist or offer guidance on approvals from other City departments, like reviews by the Historic Commission for projects in historic districts, or street occupancy permits for the installation from DPS. Murals proposed for privately owned surfaces usually don't require City review, unless they fall within special overlay districts as identified in the City's Zoning ordinance. The PAC won't review or vote on these artworks.

F. Memorial Commissions

A memorial is a public expression designed to shape and honor a shared memory of a particular person, group, or event, and may be long- or short-term. The City of Newburyport has an expansive collection of public art memorials and is unable to accept most new long-term memorial design proposals. We are most interested in those that strongly align with the Curatorial Vision, in particular those that add to the diversity of the City's public art collection.

Memorial Commissions must also meet these additional design criteria:

- **Historical Significance to Newburyport:** The memorial subject must have a direct connection to the City of Newburyport.
- **Public Interest:** Proposals should be considerate of the broader community's interests and needs, particularly the community at the proposed project site.
- **Timing and Timelessness:** Proposed long-term memorials should retain significance and relevance in the future and be meaningful to future generations. The PAC requires a minimum of five years and recommends a minimum of ten years between an event or the passing of an individual and their commemoration to allow for sufficient historical perspective.
- **Subjects Not Previously Memorialized:** The memorial should not honor living individuals or duplicate any existing memorials. We inventory all public memorials and strongly recommend applicants review our Public Art Collections database prior to submitting a memorial proposal. We give preference to proposals that memorialize subjects not currently represented or subjects that are under-represented in the City's collection.
- **Appropriate Location:** The memorial should have a historical or thematic relationship with its proposed location. We prefer proposals for locations where memorials or other artworks do not already exist.
- **Longevity:** Applicants should consider the long-term impact of the memorial and its ability to withstand conditions such as weather or vandalism, as well as changing times and

attitudes about its importance, impact on the community, and relevance to the Curatorial Vision.

Artists or community proponents can submit their memorial proposals to the PAC at least one month in advance of necessary approvals. The Artist or proponent shall present their memorial proposal for the PAC to review based on the criteria above, as well as the priorities listed in Section II.A. The PAC may invite representatives from other relevant City departments, boards or commissions relevant to the proposed memorial. Memorial proposals must also include:

- Identification of the person, group, or event to be memorialized;
- A brief narrative explaining the importance of the person, group, or event and its direct, proven relationship to the City;
- A brief explanation of the visitor experience of the proposed memorial; and
- A rationale for the proposed memorial location.

If approved, the memorial project will then follow a regular commissioning outlined in Section II.B above.

III. Procedures for the deaccessioning of public artwork

A. Removal from the Collection: Deaccessioning

Deaccessioning is the formal removal of an artwork from the City's collection. Under deaccessioning, artworks are not only removed from public view but also permanently removed from the City's collection.

The decision to deaccession is only made after careful deliberation and depends in part on the artwork's accessioning. Deaccessioning requires documentation (e.g., signed Deed of Gift, bill of sale, minutes of the PAC meetings, artist's contract, etc.) proving that the PAC has the right to transfer ownership of the artwork in question. Any deaccession process should be carried out with the utmost caution, especially with regard to the determination of ownership of the artwork.

The PAC must approve the deaccessioning of an artwork by a majority vote at a public meeting. Artworks are permanently removed from the collection by sale, donation, disposal, or destruction. Additionally, the deaccessioning of all City-owned artwork may be subject to State and City procurement statutes.

The PAC will make all reasonable efforts to notify any living Artist, or the estate of any deceased Artist, whose work is being considered for deaccessioning. Any correspondence about the deaccessioning will be included in the collection file.

1. **Criteria for Deaccessioning:** Criteria for determining whether an object should be deaccessioned include, but are not limited to the following:
 - The use of the site has changed, the artwork is no longer appropriate, and the artwork cannot be reasonably protected or maintained.
 - The artwork has been damaged beyond reasonable repair and/or requires extensive conservation or restoration that is cost-prohibitive.
 - The artwork is beyond the capability of the City of Newburyport to properly display, maintain, and/or store.
 - The artwork endangers public safety in its current condition.
 - The artwork was stolen from its location and cannot be retrieved.
 - The artwork was commissioned or accepted with the provision or understanding that it was to have a limited lifecycle or installation period.
2. **Requirements for Deaccessioning:** If the PAC recommends considering an artwork for

deaccessioning, the Public Art Committee will draft a report including information about:

- The Artist (if living, or their estate),
- Provenance,
- Current condition of the artwork and the site,
- Project stakeholders when it was commissioned, and during its' lifespan,
- Evidence of current public opinion and recent community engagements about the artwork,
- Recommendations from the Public Art Committee.

The PAC keeps a permanent record of the conditions and circumstances under which artworks are deaccessioned from City property. Artworks which no longer fit the Curatorial Vision, are severely deteriorated, or otherwise pose a threat to public safety will be relocated or discarded following any relevant City of Newburyport legal processes. The City of Newburyport does not sanction the sale or gift of deaccessioned artworks to its employees, officers, trustees, or to their immediate families or representatives.

3. **Process for Deaccessioning:** If the PAC recommends an artwork for deaccessioning, the following steps shall be followed:
 - Notice to the Artist: Artists whose works are being considered for deaccession will be notified by all diligent means, including a legally-verifiable means of communication,
 - Review by the PAC: the PAC will provide recommendations in the form of a report including the grounds for deaccessioning, written evaluation, photo documentation of the condition of the artwork, damage and/or theft report, and proposed removal and/or demolition work plan,
 - Public Engagement: the PAC will facilitate the opportunity for the public to provide feedback on the decision with the purpose of informing the decision of the PAC,
 - Final decision: the final decision to deaccession a public art piece shall be made by the Mayor. The Mayor may decide to a) accept the recommendation, b) reject the recommendation, or c) delay the decision and request more information,

IV. Procedures for the care of public artwork

A. Collection Care

1. **Use and Activities:** The City of Newburyport shall carry out the reasonable responsibilities required to provide necessary care for all collections acquired.
2. **Maintenance Plan for New Acquisitions:** All public art commissions shall be required to include maintenance recommendations that outline how the artwork is to be maintained, and what materials and maintenance procedures are needed to conduct routine maintenance of the artwork. A maintenance plan shall include the following elements:
 - Materials and sources of the materials used in the artwork
 - Methods of fabrication and the name of any individual other than the Artist who was involved in the construction or creation of the artwork
 - Installation specifications
 - Method and frequency of required maintenance, including planning for protections against the effects of tactile/public interaction and/or environmental conditions
 - Additional contacts for maintenance issues, if warranted
3. **General Maintenance:** Maintenance of the artwork, as distinguished from technical maintenance, restoration or repair, shall be the responsibility of the Department of Public Services (DPS). This

may include cleaning schedules and protective measures against normal wear, weather, and vandalism.

4. **Technical Maintenance:** The City will, by its own qualified member on the PAC and/or a City staff member, be responsible for the following:
 - Maintaining a comprehensive Collection Database of all existing artwork in the City's public art collection. This inventory will include but not be limited to:
 - a. An accession number unique to the specific artwork
 - b. Artwork information – title, year of commission, location of artwork
 - c. Artist information – artist name, contact information, artist copyright
 - d. Gift acknowledgement, bill of sale, Artist contract, or written justification for acquisition
 - e. Photographs
 - f. Significant correspondence relating to the artistic intent of the artwork, provenance of the artwork, and any associated press
 - g. Maintenance and conservation information – materials, fabrication methods, installation specifics, ongoing photographic documentation, additional parties contact information, material-specific warranties
 - h. Commissioning information – commission amount, contract reference number, contract amendments, final contract amount, funding source, additional departments or organizations involved, warranties and insurance.
 - The PAC will conduct biennial condition reports and periodic physical assessment of its public art collection.
 - The PAC will annually identify restoration and repair needs for the public art collection that surpass general maintenance. This reporting will be used in creating annual work plans and appropriating funding.
5. **Funding for Public Art Maintenance:** The Department of Public Services (DPS) is responsible for the care and custody of art owned by the City of Newburyport and as such will make all reasonable efforts to maintain public artworks as determined by maintenance recommendations written by the Artist or proponent. The PAC shall carefully consider the maintenance implications of a public art piece during deliberations on its approval.
6. **Insurance:** The City maintains an umbrella fine arts insurance policy, procured by the City's Finance Director. This policy is reviewed and updated annually by the PAC, DPS, the Mayor's Office and the Finance Director. The policy covers objects owned by the City, subject to certain limitations. Objects are covered at the Artist's stated value. In the case of damage or loss to the collections the PAC may decide to file an insurance claim. The PAC shall request through the Finance Director to file a claim and keep all appropriate documentation in the object record.

GLOSSARY OF TERMS

Accession is the act of formal documentation and legal acceptance of an approved acquisition or loan to the City's collection of artwork.

Acquisition is the formal process used to accept additions to the City's art collection. It includes the initial proposal/donation, evaluation, negotiation, PAC approval, and final accessioning of works of art.

Approval is the action of officially agreeing or accepting a proposal or artwork put before the PAC.

Artist(s) refers to individuals or teams who self-define as Artists for the purpose of creating artworks for the City.

Artistic concept is an early narrative of what the artwork might be and does not include any visual design.

Artwork, alternatively **Work of Art**, refers to all paintings, mural decorations, statues, bas-reliefs, sculptures, monuments, fountains, arches, ornamental gateways, and other structures of a permanent character intended for ornament or commemoration.

Call to Artists is a public solicitation for submissions from Artists and Artist teams for a specific project or opportunity. Calls to Artists include, but are not limited to, Requests for Proposals (RFP) and Requests for Qualifications (RFQ).

Collection refers to artworks that have been commissioned, donated, purchased, or otherwise acquired by the City of Newburyport via majority vote of the PAC this includes artworks colloquially referred to as Public Art. The Public Art Committee documents artworks included within this definition as well as short-term artworks and artworks on private property such as murals and artworks that have been deaccessioned.

Collection record is a digital and adjoining hard-file that retains all physical and intellectual information regarding an individual or grouping of artwork(s).

Commission is the act of requesting and authorizing the production of a work of art.

Commissioning Agreement is a supplemental document to the City's standard contract form that outlines the project schedule, reviews, and votes by the PAC, Intellectual Property rights, and other legal rights.

Community is a group of people with a common interest, whether defined by geography, identity, experience, or activity.

Conservation is the treatment and/or stabilization of a collection object by qualified conservators, identified by the PAC.

Culture is the customs, arts, social institutions, and achievements of a particular nation, people, or other social group.

Curator is a person who researches and interprets a collection of artworks and/or objects.

Deaccessioning is the formal process used to permanently remove an object from the collection.

Diversity, in relation to artworks, means including or involving a wide range of distinct forms, peoples, and/or perspectives. In relation to people, diversity means having a high number of races, cultures, ethnicities and other demographic groups represented within a group, organization, or institution.

Donations are an existing artwork offered as a gift to the City for placement under the City's jurisdiction; alternatively, a monetary gift for the purposes of acquiring a work of art for the City.

Equity is the respectful treatment and fair involvement of all people in a society. It is the state in which everyone has the opportunity to reach their full potential.

Historic refers subjectively to a thing or an event of importance when studied as part of the past.

Historical figure is a person who lived in the past and may be perceived as having had a significant impact on people's lives and society through their deeds and accomplishments.

Inclusion means involving people of all backgrounds, abilities, perspectives, and beliefs within a group, institution, or decision. This is more than achieving diversity; it is ensuring all individuals have a true sense of belonging.

Informational plaque is signage that provides context or additional interpretive and educational information for public artworks.

Long-term refers to the projected lifespan of artworks. Long-term artworks employ durable materials and archival fabrication methods and are intended to be fixed to one site for an enduring lifespan. Long-term artworks require care and maintenance as capital assets. Long-term artworks contribute to the lasting legacy of the City's collection for a minimum of five years.

Memorial is a public expression designed to shape and honor a shared memory of a particular person, group, or event. In public art, memorials may be long or short-term.

Mural is a large painting traditionally applied to a wall or ceiling, especially in a public space. Our definition of mural extends to artworks painted or applied on the ground or other surface.

Project theme is a general idea that conceptualizes the subject matter to be expressed through a public artwork.

Proponent is an individual, group, organization, or business that proposes a work of art for placement or installation on a city-owned site, and/or, when applicable, the Artist(s) who created the proposed gift.

Provenance is the documentation of an object's origins and history of ownership.

Public Art is a colloquial term for Artworks that are intentionally experienced from, or sited upon, publicly accessible locations. These Artworks on City of Newburyport property are part of the City's formal Collection of Artworks or have been approved for temporary placement on City of Newburyport property by the PAC.

Public Art is a dynamic cultural activity from conception and design, to fabrication and installation, to formal accession or temporary approval at a PAC public meeting. Public Art may affirm or challenge existing

community aesthetics and values and may critique, augment, or invite exploration of established narratives and the physical landscape.

Public Art Committee (PAC) refers to the committee that supports the commissioning, review, selection, acceptance, and care of art in public places. They have exclusive authority to recommend approval and commissioning of artworks intended to be added to the City's collection or be placed on City property. All of its members are residents of the City. Members are appointed by their representative groups and may serve for up to 3 years. The PAC is comprised of 7 members, including 2 members of the Newburyport Cultural Council, 2 members of the Newburyport Arts Collective, 1 member of the Parks Commission, 1 City Staff and 1 representative from the Mayor's office.

Quorum is defined as a simple majority of the members of the public body, unless otherwise provided in a general or special law, executive order, or other authorizing provision.

Request for Proposals (RFP) is a call to Artists to submit a specific project proposal. The RFP outlines all the details of the project, including community values, vision, and site use.

Request for Qualifications (RFQ) is a call to Artists to submit their qualifications. The RFQ outlines all the details of the project and any qualifications needed.

Stakeholder typically refers to community groups, businesses, organizations, or individuals with explicit or implicit interest in a public art project.

Short-term refers to the projected lifespan of artworks. Works of art intended as short-term have an intended lifespan of anything from less than one day up to five years. Short-term works may be at one or more sites, and the artwork may be dynamic in nature.

APPENDIX A: FAQ FOR ARTISTS

City of Newburyport Public Art Policy

FAQs for Artists

Thank you for your interest in advancing Public Art in the City of Newburyport. The City recognizes the value of public art to its citizens and visitors. We are committed to fostering a collection of artworks and public art projects that reflect our people, ideas, histories, and futures, engage our communities and directly respond to, enrich, and enliven our environment. We seek public art that is driven by an artistically strong vision, enhances the diversity and equity of the existing collection, and possesses durability appropriate to the lifespan of the work.

In order to help streamline the process for Artists and other proponents of public art, we have created this document to answer frequently asked questions and outline the steps by which public art is approved. Newburyport's Public Art Committee (PAC) is a transparent, independent entity who has the exclusive authority to recommend approval and commissioning of public artwork. The PAC also acts as a resource for artists and proponents as they navigate this process, and we encourage you to reach out to them for assistance.

A. What does the Public Art Policy apply to?

1. This policy applies to all works of art (both temporary and permanent) that are commissioned, hosted, or displayed on public property.
2. This policy does not apply to 1. artwork that is on display within City offices/ buildings that have restricted or regulated access, or 2. temporary exhibitions such as gallery displays, booth displays at art festivals, and museum exhibits displayed on City-owned or -managed property.

B. What are the PAC's priorities for approving public art?

1. Artistic aims, objectives and goals
 - What has the artist accomplished with the work and does it align with the proposed project goals?
 - Is the work relevant to the City, its values, culture and people and does it contribute to the fabric of the City? Is the work an integral component of the overall project?
 - Is the artwork appropriate for the community it serves?
2. Diversity and accessibility
 - Does the artwork reflect or advance the City's curatorial vision and policy of inclusivity?
 - Does the artwork advance lesser-told or lesser-known stories, non-traditional imagery, diverse perspectives, and/or minority voices?
3. Placement/siting
 - What is the relationship of the work to the site? Is it appropriately scaled?
 - Will the work help to anchor and activate the site and enhance the surrounding area?

- Will there be convenient public access to the site?
 - What are the utility requirements of the artwork?
4. Fabrication, handling, and installation
 - Are the projected costs accurate and realistic?
 - Have written estimates been obtained from qualified contractors?
 - Does a certain site present any special obstacles to installation?
 - Can the work easily be removed if necessary?
 5. Maintenance requirements
 - Is the work suitable for outdoor display or special indoor environments?
 - Are the materials durable? Does the work have a limited lifespan due to any inherent weakness?
 - What are the existing or projected maintenance requirements of the work? Are they excessive or cost prohibitive? Are any unusual or ongoing costs likely?
 - What are the artist's suggestions for protection of the work from vandalism?
 6. Liability and safety
 - Is any aspect of the work a potential safety hazard?
 - Will fencing or other types of security measures be required?
 7. Affordability
 - Is the artwork priced appropriately for the City?
 - How will the artwork impact the capacity for future acquisitions?

C. How do I get my public art project approved and installed?

1. **Initial communication:** The proponent must first initiate communication with the City by submitting a signed letter of intent describing the project and its location.
2. **Project initiation & site selection:** The proponent shall submit a formal application (see attached) to the PAC to approve the artwork design, at least one month in advance of necessary approvals.

The applicant should review the application and scope of the project with the PAC, who will consult with appropriate City staff and the Mayor in order to provide guidance about approvals and permissions that may be required from other Boards, Offices, and Commissions. If the applicant is not self-funding the project, the PAC can assist in helping to identify funding sources for installation, understanding there is no current City fund specifically for public art projects.

3. **Process for Short-term Public Art:** Short-term artworks are intended to be installed for five years or less. Artists should fully design and plan their project before submitting it for review by the PAC at a public meeting. During the public meeting, the PAC may allow public comment or ask for additional information. This public review ensures transparency in the review process.

The following is the list of information requested for review. Most short-term public art projects will not require everything described, and the PAC will help the applicant determine what they should include.

- *Fabrication*: The applicant should provide details of all materials and methods used in the creation, installation, and de-installation of the artwork, understanding that any significant changes may require amended approvals from the PAC to be voted on at a public meeting.
 - *Community Engagement*: The applicant should provide evidence of effort to get community feedback (i.e. images from community meetings, social media postings, or letters of support)
 - *Installation*: The applicant is required to coordinate the installation of the artwork with the site owner and update the Public Art Committee. The applicant is responsible for securing any permits or approvals that are required by other City agencies. This may include approval from the Parks Commission or DPS, depending on the project site, how the project affects access to the public right of way, or if the installation of the project requires temporary street closures.
 - *Maintenance*: Depending on the length and needs of the project, the applicant should submit a narrative describing how they will maintain or repair the artwork if it is damaged.
 - *Deinstallation*: The applicant should include details of the deinstallation of the artwork, including any equipment and/or permitting required. The applicant is responsible for returning the project site to its original condition after deinstallation.
4. **Process for Long-term Public Art**: Long-term artworks are intended to be installed for five years or more. We encourage applicants considering long-term commissions to think about how the artwork will be experienced in the present moment, as well as the future.

The applicant will work with the PAC to develop a schedule that reflects any capital construction timelines associated with the project, contract milestones, other Board or Commission approvals, PAC reviews, a working budget, and Artist deliverables for each project phase. The PAC reviews and votes on the applicant's design at a public meeting and may allow public comment or ask for additional information, ensuring transparency in the commissioning process. During the presentation of the design at a public meeting, the applicant should provide the following:

- *Visualizations*: Drawings, maquettes, renderings, or other plans and renditions of the artwork as it will appear when installed, appropriately scaled and accurately depicting materials, colors, lighting effects, interpretive text, plaque, and/or signage text.
- *Public Engagement*: Describe or summarize community engagement, showing effort to connect with and involve Newburyport's residents, and being sensitive to accessibility.
- *Fabrication Plans*: Detail all materials and methods used in the creation of the artwork. The applicant will work with the PAC and City partner agencies to determine design deliverables requirements. Fabrication must substantially conform to the Fabrication Plan, and any significant changes may require amended approvals from the PAC.
- *Schedule*: Present a schedule detailing the artwork process, proposed installation date and budget.
- *Maintenance Recommendations*: Provide a written document of the Artist's maintenance recommendations for all proposed materials, and an estimated

schedule for routine maintenance and preservation of the artwork.

- *Installation Plans:* When the artwork is associated with a capital project, installation should be incorporated into the capital construction timeline to avoid additional costs and disruptions to the finished site. Detailed installation plans may include site preparation, equipment requirements, site restoration, etc. The applicant must coordinate the installation of the artwork with the site owner and update the PAC and any pertinent City agencies and their contractors. The applicant is responsible for securing any permits or approvals that are required by other City agencies. This may include approval from the Parks Commission or DPS, depending on the project site, how the project affects access to the public right of way, or if the installation of the project requires temporary street closures. If the artwork installation diverges significantly from the Installation Plan, the PAC may require amended approvals.
 - *Plaques and Signage:* Include images showing how the Artist's name, title of the artwork, year it was installed, and medium used will be included or displayed.
 - *Description of Artwork:* Provide a narrative description of the Artwork for the City to use as a source for descriptions of the project on the City's website, public-facing arts database, and other approved uses, including a final summary of the artwork materials, dimensions, and any collaborations or subcontractors who worked on the project.
5. **Final Acceptance:** The applicant will submit the following within 30 calendar days of installation:
- Documentation that the artwork was installed in conformance with the Installation Plan.
 - A minimum of five (5) high resolution digital files in JPG format of the installed, finished artwork.
6. **Review and Vote:** The PAC will review and vote to accept the artwork into the collection.

D. When do I need an RFP?

Calls to Artists are required for Public Art projects with budgets over \$50,000 that are not initiated by an applicant who is currently working with an Artist. If a Call to Artists is required, the PAC will assist the applicant in developing and executing one. Applicants should not initiate RFP's for projects on City property without prior discussions with the City.

E. What kind of legal contract do I need?

Legal agreements for public artworks may be executed in several ways. The City may contract with the Artist or applicant directly. If the applicant is already working with a funder and has a contract for the artwork, the City may request an MOU with the applicant, the funder, or both. Each project is unique and the legal agreements will be specific to that project.

F. Can I make a donation of public art?

All proposals to donate works of art to the City must be submitted to the Public Art Committee for review. Donation requests to the PAC should contain the following:

- Provenance: includes artwork information, conservation history, and transfer of ownership.
- Maintenance recommendations: outlines how the artwork is to be maintained, and

what materials and maintenance procedures are needed to conduct routine maintenance of the artwork (cleaning schedules and minor repairs).

- Proposed site, if any.
- Feedback from abutters to the proposed site or stakeholders of the site, or effort shown to connect with and involve neighbors and stakeholders, including feedback and approvals from jurisdictional Boards or Commissions.
- How the art complies with the criteria listed in section B.

G. Will a plaque be allowed or required for public artworks?

Knowing who created an artwork and when can help provide the context needed to experience an artwork fully. Plaques help the public identify artworks and artists, and enable further explorations of artwork in our collection.

The PAC will work with Artists and proponents to plan for the inclusion of plaques and other educational and interpretive materials as part of the design proposal. Plaques should be incidental to the artwork and not a competing focus for the viewer. Logos, trademarks and symbols designed for recognition and advertising, or endorsement are not allowed. Plaque information should include the following:

- Artist name
- Artwork title and year
- Brief interpretive text (optional)

H. Can I paint a mural?

Murals are public art works that are directly painted on walls or other existing surfaces and can be short-term or long-term commissions. For City-owned properties, the PAC will help the Artist determine which City department owns the site and obtain their permission to use it. All mural proposals will follow a modified review process, at the discretion of the PAC, to meet the guidelines of the City's Public Art Policy. The PAC will assist the applicant in the process.

Mural projects on private property require Artists to obtain approval from the landowner. The PAC should be notified about the project and may offer support. The PAC may be able to assist or offer guidance on approvals from other City departments, like reviews by the Historic Commission for projects in historic districts, or street occupancy permits from DPS. Murals proposed for privately owned surfaces usually do not require City review, unless they fall within special overlay districts as identified in the City's Zoning ordinance. The PAC will not review or vote on these artworks.

Street murals are painted directly on a roadway. Because the wear and tear on these artworks is intense, they are usually not considered long-term projects, and should follow the procedures for short-term public art approvals. The applicant should work closely with DPS to review these projects.

I. Can I propose a memorial?

A memorial is a public expression designed to shape and honor a shared memory of a particular person, group, or event, and may be long- or short-term. The City of Newburyport has an expansive collection of public art memorials and is unable to accept most new long-term memorial design proposals unless they strongly align with the City's curatorial vision, in particular those that add to the diversity of the City's public art collection. Memorials must also

meet these additional criteria:

- **Historical Significance to Newburyport:** The memorial subject must have a direct connection to the City of Newburyport.
- **Public Interest:** Proposals should be considerate of the broader community's interests and needs, particularly the community at the proposed project site.
- **Timing and Timelessness:** Proposed long-term memorials should retain significance and relevance in the future and be meaningful to future generations. The PAC requires a minimum of five years and recommends a minimum of ten years between an event or the passing of an individual and their commemoration to allow for sufficient historical perspective.
- **Subjects Not Previously Memorialized:** The memorial should not honor living individuals or duplicate any existing memorials. We inventory all public memorials and strongly recommend applicants review our Public Art Collections database prior to submitting a memorial proposal. We give preference to proposals that memorialize subjects not currently represented or subjects that are under-represented in the City's collection.
- **Appropriate Location:** The memorial should have a historical or thematic relationship with its proposed location. We prefer proposals for locations where memorials or other artworks do not already exist.
- **Longevity:** Applicants should consider the long-term impact of the memorial and its ability to withstand conditions such as weather or vandalism, as well as changing times and attitudes about its importance, impact on the community, and relevance to the Curatorial Vision.

Applicants can submit their memorial proposals to the PAC at least 3 months in advance of the requested installation date and follow the process for approval listed in C above.

Memorial proposals must also include:

- Identification of the person, group, or event to be memorialized
- A brief narrative explaining the importance of the person, group, or event and its direct, proven relationship to the City
- A brief explanation of the visitor experience of the proposed memorial
- A rationale for the proposed memorial location.

APPENDIX B: APPLICATION APPLICATION FOR PUBLIC ART

Name: _____

Address: _____

Phone: _____

Email: _____

Project Description, including title of artwork, materials and dimensions:

*Please attach photos or drawings of the proposed artwork

Proposed project site:

Property-owning department:

Installation and/or deinstallation details, including equipment required, lighting
and sound plans (if pertinent):

Estimated cost and funding source:

Artist name:

*Please attach resume and selected work samples

Maintenance plan:

Project schedule including installation date, programming and events if applicable,
and deinstallation date:

Insurance value:

*Please attach letters of support from community members or organizers, if available

Questions? Contact _____, at email _____@_____.com

Submit your application to:

City of Newburyport, Public Art Committee

c/o _____

60 Pleasant St.

Newburyport, MA 01950

Councillor Constance Preston

In City Council November 13, 2023:

Motion to collectively refer ORDR00505 and ORDR00508 to Budget & Finance, ORDR00506 and ORDR00507 to Budget & Finance & COTW, and ORDR00510 to Community Services by Councillor Zeid, seconded by Councillor McCauley. Roll call vote 11 yes.

Committee Items – December 11, 2023

General Government

In Committee:

- COMM00461_02_27_2023 Brown School Gymnasium Considerations (COTW)
- COMM00468_03_13_2023 Brown School Proposal (COTW)
- ORDR239_02_08_2021 Council Rule 7 and 10B

BROWN SCHOOL GYMNASIUM – CONSIDERATIONS

1. BROWN SCHOOL GYMNASIUM RENOVATION ESTIMATES

- * Complete Upgrade @ \$4.5 Million +
- * Value Engineered Upgrade @ \$1.8 Million +

Questions:

- * *How would each of these upgrades be financed?*
- * *What is the estimated time frame required to complete the Value Engineered option?*
- * *Were the city to proceed with the Value Engineered option, when might the second phase be implemented at an estimated cost of \$2.5 Million + (2022 dollars)?*
- * *How would this second phase be financed?*
- * *How would implementing the second phase impact use of the gym while the work is in progress?*
- * *Is securing LEED Certification a consideration? If not, why not*

2. LOW STREET GYMNASIUM

EGA Architects Conceptual Design Estimates, November 1, 2022:

- * Gym/Option A @ 1.6 Million
- * Gym/Option B @ \$1.3 Million
- * Future Gym/Option C @ \$1.3 Million - \$1.7 Million

Questions:

- * *Can any decision with regard to upgrading the Brown School gym be made before a final decision is reached regarding the NYS Low Street (or other) location, and whether or not it will include an onsite gym?*
- * *Would it not be more fiscally responsible to invest in a Low Street gym either now or later rather than investing comparable dollars in what would only be a “first phase” renovation of the Brown School gym?*

3. BROWN SCHOOL PLAYGROUND

In accordance with the Playground Order (9.30.13), regardless of what might evolve with regard to the Brown School building, an area at least equal in size to the current schoolyard, including the playground, basketball court, and amphitheater, must be “held permanently.”

To date, the only plans (2014, 2017) that have been proposed relative to this order involve relocating the playground from its current location to the approximately 7,000 square foot area abutting Prospect Street.

This area is currently occupied by the “basketball court,” which comprises four opposing hoops. Therefore, the court would need to be relocated to another area within the schoolyard. This new location must not be proximate to the playground due to obvious reasons of “incompatible activities.”

Also, none of the plans include any reference to the amphitheater. However, in its current location it presents problems in terms of space efficiencies within the schoolyard.

(The Order is unclear as to what constitutes the “schoolyard.” Some might actually argue that assigning the existing open area, or “schoolyard,” to parking is in violation of the Playground Order.)

It seems apparent that however the schoolyard layout evolves, it may not be possible to retain all four basketball hoops. Indeed, it may be difficult to dedicate the space required for one or two hoops.

Questions/Comments:

* *Would reducing the numbers of hoops be in violation of the Order?*

* *Were the playground to be moved to the southern edge of the property, as has been proposed, what measures will be taken to discourage individuals, especially unescorted children, from wending their way to the playground via Milk Street, and through the parking lot in and around cars, both parked and in motion?*

4. BROWN SCHOOL PUBLIC OPINION SURVEY/FEBRUARY 2018

* Question 5. How often do you or your family use the gymnasium at the Brown School for activities NOT through the Newburyport Youth Services? (218 Responses)

- **Rarely/Never @ 86%**
- Monthly @ 6%
- Weekly @ 14%

Questions:

- * *Has any member of the City Council or City Government been made aware of any significant support for bringing the gym “back on line” since the building was closed?*
- * *If so, has this support been quantified and shared publically?*
- * *Why are none of the other school gyms (Bresnahan, Nock Middle School, High School) available during afternoons and evenings when these schools are not in session?*

5. BROWN SCHOOL GYMNASIUM – DEMOLITION + REMOVAL

There are a number of compelling arguments for removing the gym and kitchen/hallway.

- * Improved parking area layouts and locations (^^)
- * Potential increase in numbers of parking spaces
- * Dedicated parking/standing for emergency and service vehicles
- * Increased recreational area(s) for Brown School residents
- * Dedicated location for trash barrels/recycling bins storage
- * Separate areas for playground/basketball courts. (SEE BELOW)
- * Traffic flow options to and from site. (Prospect Street, Lime Street, Milk Street).

In short, removing the gym and the kitchen/hallway results in a significant increase in open space surrounding the Brown School, and provides significant new opportunities for maximizing the efficient allocation of that space.

Doing so will also measurably enhance the overall development prospects.

(^^) Parking area plans as previously submitted do not take in to consideration the proliferation of large Sport Utility (and similar) vehicles. These vehicles will need more room to safely navigate in the areas as currently proposed.

Questions:

Who within the City government might assume responsibility for producing the following?

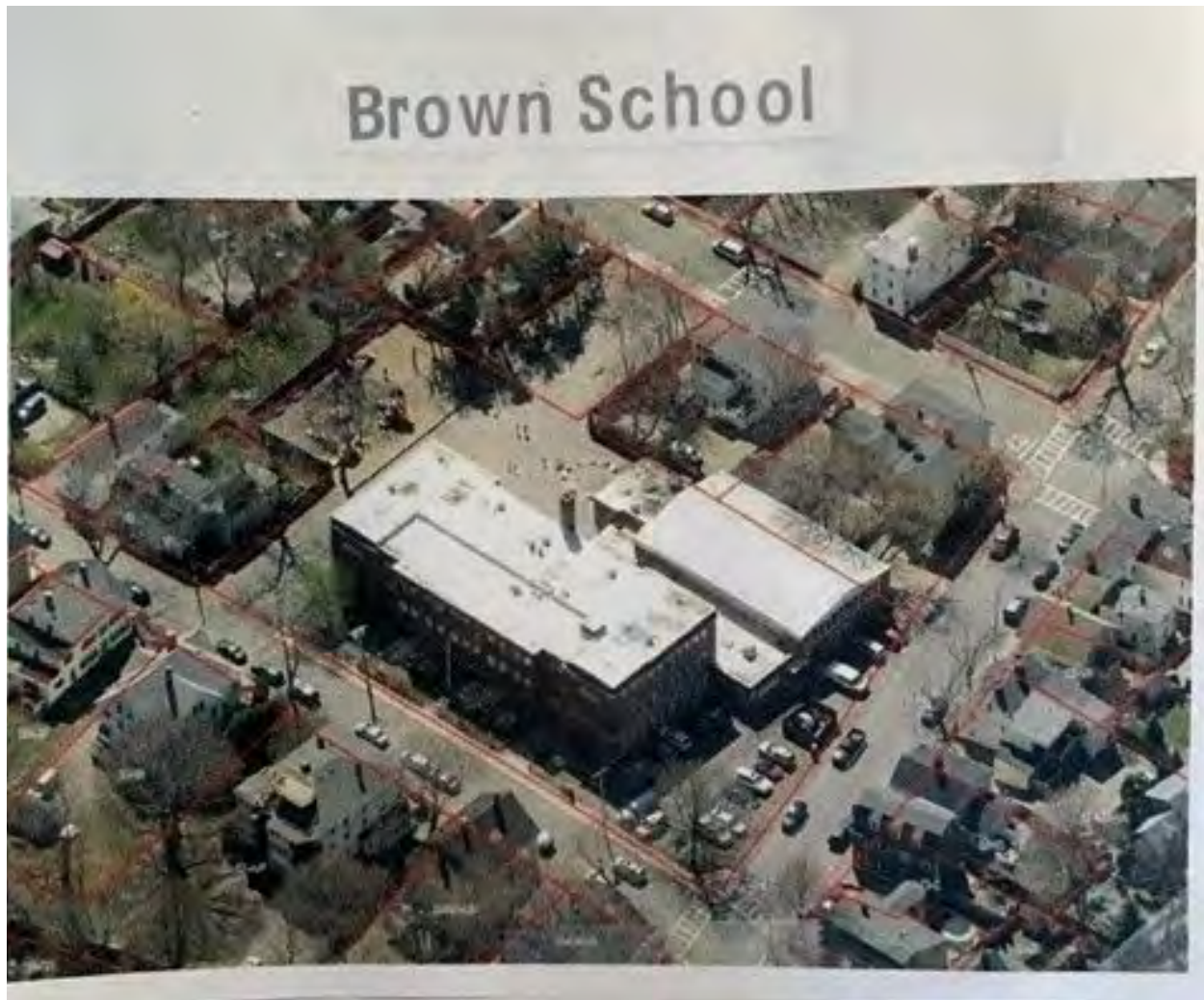
- * Estimate or estimates for demolishing the gym and kitchen/hallway?*
- * Schematic drawings illustrating various space allocation scenarios assuming the gym, kitchen/hallway are removed from the site?*

~ ~ ~

JOHN PEAR
48 – 50 Milk Street

johnpear@comcast.net
978.872.5312

Proposal for Reuse at the Brown School



Definitions:

The Brown school is a complex covering 54,120 sf (1.21 acres) in Newburyport's south end located at 99-101 Prospect St. The building complex was built in 3 distinct phases and has several outdoor features.

1. 1925 The Original Building completed (covers 21,215 sf) over 3 floors
2. 1974 An Addition was completed for Administration, Offices, Classrooms, Library, and Storage (8112sf)
3. 1970 An Addition was completed for Gym, locker rooms, Bathrooms, Kitchen and Storage (9000sf)
4. Additional Outbuildings that include a Boiler room and separate storage area off gym
5. Outdoor features include a Playground (article 97) (4800sf), a Basketball Court (3150sf), an Amphitheater, and some greenspace in the front and sides.

For the purposes of this discussion, we'll break this into 2 groups.

Group 1 will be for items #1 + #2. This portion of the complex will be offered to the developer marketplace (via RFI?) for repurposing into affordable housing, or similar use, that aligns with the Brown School Overlay district.

Group 2 will be for items #3 + #4 + #5. This portion of the complex will be retained by the City of Newburyport.



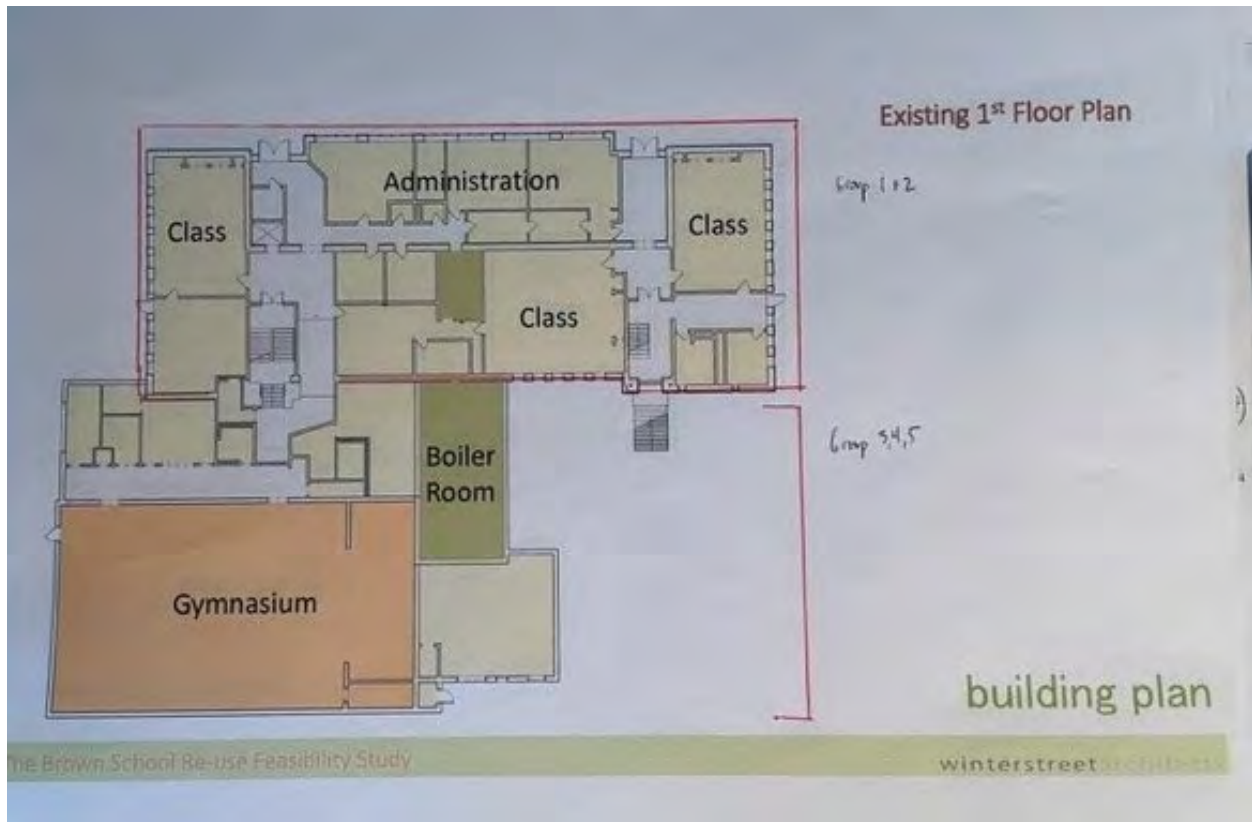
Proposal

Group 1

Packaged within an RFI structure to solicit ideas and proposals to help find the most suitable use while helping to meet the City's needs. Sale of Property is preferred.

Group 2

The City will investigate proposals to reactivate the Gym as community space. Included actions will be to close off this section from the main school building (group 1), renovating the bathrooms, repurposing or demolishing the space for Boiler room, storage, kitchen, locker rooms, etc. Additionally, the outdoor space will be evaluated for the relocation of the Basketball court, and amphitheater so as to maximize parking and/or additional greenspace. The outdoor space configuration is related to the overall repurposing as proposed within Group 1.



Needs

Group 1: The city has stated needs of affordable housing. This complex meets the baselined requirements

Group 2: The city has stated needs of Community Center needs.

CITY OF NEWBURYPORT



 IN CITY COUNCIL

ORDERED:

THAT the City Council of the City of Newburyport hereby orders that Rule 7 entitled "Committees and Committee Business" and Rule 10B entitled "Gaining the Floor" of the Newburyport City Council Rules (2021) be amended to read as follows, with deletions ~~stricken through and in bold~~, and additions double-underlined and in bold.

COMMITTEES AND COMMITTEE BUSINESS

Rule 7. The President, no later than its next Inaugural Meeting, shall appoint all members to all City Council Committees, both standing and ad hoc, designate the Chair of each such Committee, who shall serve as its presiding officer, and fill any vacancies thereon as they arise. Likewise, the President may establish, dissolve, and/or reconfigure ad hoc Committees in ~~his or her~~ their discretion, provided that such ad hoc Committees shall be re-established, as needed, each two-year legislative session. Ad hoc committees may include members other than members of the Council for purposes of deliberation, but they may not vote. Except as otherwise provided in Rule 12, the Council shall, by a majority vote, refer each matter newly introduced through the Council agenda (Agenda) to a single Committee, either standing or ad hoc, for review at a public meeting of such Committee, before such matter may be acted upon again by the Council. Notwithstanding the foregoing, a Councillor may make all parliamentary motions, including a motion to receive and file the newly introduced matter.

GAINING THE FLOOR

Rule 10B. No Councillor shall speak a second time on any motion until each Councillor has the opportunity to speak once, however the President may permit a Councillor to speak out of tum to respond to questions directed to ~~him or her~~ them by another Councillor. A Councillor shall be allowed to speak no more than three (3) times on any one subject for a period not to exceed fifteen (15) minutes. For matters coming before the Council in the first instance

not being referred to committee and/or requiring a question-and-answer period, the foregoing limitations shall not apply. A Councillor shall be allowed an additional five (5) minutes to speak after every other Councillor choosing to speak has spoken.

Councillor Afroz Khan

Committee Items – December 11, 2023

Planning & Development

In Committee:

- APPT00444_11_27_2023 Jennifer M. Bluestein 190A High St. CPC Rep from PB 12/10/2026
- COMM00494_07_10_2023 Planning Board Advisory Report STRU (COTW)
- COMM00500_08_28_2023 STRU Planning Board Final Report (COTW)
- ODNC00164_10_30_2023 Zoning-Amendment-Global-R3-Multi-Family(COTW)

To: President and Members of the City Council
From: Sean R. Reardon, Mayor
Date: November 27, 2023
Subject: Appointment

I hereby appoint, subject to your approval, the following named individual as a member of the Community Preservation Committee as a representative of the Planning Board. This term will expire on December 10, 2026.

Jennifer M. Bluestein
190A High Street
Newburyport, MA 01950

A handwritten signature in black ink, appearing to read "Sean R. Reardon". The signature is written in a cursive, flowing style with a long horizontal stroke at the end.

JENNIFER M. BLUESTEIN
190A High Street, Newburyport
(571) 249-8909 / jenblue5617@gmail.com

PROFESSIONAL SUMMARY:

Jen Bluestein is a seasoned leader of national advocacy, campaign and strategic communications efforts who has spent more than two decades in the non-profit, political and media sectors. Jen has built new organizations and teams from the ground up; managed through crises and opportunities; and nurtured talent at the staff and candidate level.

PROFESSIONAL EXPERIENCE:

The Schusterman Family Philanthropies (Tulsa, OK and Washington, DC) 1/22 - present

Senior Advisor, Policy and Advocacy

- Provide leadership around policy and advocacy priorities in portfolios including Gender & Reproductive Equity, Criminal Justice Reform, Education, Voting Rights and Democracy, etc.

Athena Strategy Partners (Alexandria, VA) 1/21 – 1/22

Consultant, Founder

- Provide strategic, communications, and political insight and support to progressive campaigns, advocacy organizations, and NGOs.
- Clients include Giffords, Arabella Advisors, PL+US, The World Health Organization Foundation, The Democratic Party of VA, among others.

NARAL Pro-Choice America (Washington, DC) 6/2019 – 12/20

Managing Director

- Responsible for Program, Development, Research & Communications, and Human Resources teams. Direct Reports include Chief Research & Communications Officer, Chief Campaigns and Advocacy Officer, Chief Development Officer, and the Vice President for Human Resources.
- Responsible for enterprise-wide efforts including stewarding Diversity, Equity and Inclusion Efforts, strengthening internal communications, and revisioning of internal culture and processes. Launched Diversity, Equity and Inclusion and Continuous Improvement Committees.
- Oversaw overhaul of recruiting, hiring and onboarding practices to align with diversity and equity goals; the majority of staff hired since 10/19 have been non-white or bi-racial, and 50% of the leadership staff hired have been Black women.
- Oversaw March 2020 transition to fully remote organization & program and development shifts necessary for operating during Covid-19 pandemic.
- NARAL has a staff of 112 in 10+ states and a cycle budget of \$32 million for 2020

The Bill and Melinda Gates Foundation (Washington, DC & Seattle, WA) 3/2013 – 6/2020

Deputy Director, US Policy, Advocacy, and Communications (PAC)

8/2014 – 7/2020

- Staff and manage new team of 11 FTE + consultants dedicated to providing cross-cutting policy, advocacy, and communications towards BMGF US efforts to drive economic and social mobility through k12 education, post-secondary education, early learning, and poverty alleviation.
- Team portfolios included Civil Rights & Equity; high & consistent standards; strategic analytics; communications and media grantmaking; launch of new Early Learning policy & advocacy strategy.

- Lead team in identifying & pursuing new advocacy tactics: digital capacity building; public-facing research; analytics portfolio.
- Liaison to key internal partners including the Office of CEO, Pivotal Ventures, and BGC3, as well as key external partners including other philanthropies, political entities.
- Work closely with other funders of policy and advocacy, including \$20m budget donor collaborative.
- Provide ongoing consultation and guidance to Gates Foundation leadership around political risk & opportunity & participate in working groups in support of numerous high-stakes, high-profile Gates Foundation investments.
- Beginning 2016, consolidate communications functions for all US Programs into new team of 10; co-lead process of laying out five year PAC plan for new K12 education strategy; commence major digital communications analysis & investment project.

Senior Program Office, US Policy, Advocacy, and Communications

3/2013 – 8/2014

- Manage portfolio of grantees focused on creating political and public will for positive changes to K-12 public education including teacher voice groups and diverse national organizations;
- Lead effort to build multi-state & national coalition in support of the implementation of Common Core State Standards; including drafting strategy and assessing risk, recruiting consultants, and assembling coalition; co-lead internal cross-team working group focused on protecting the CCSS; supervise build-out and use of sophisticated modeling and tracking systems to monitor legislation and public opinion related to standards & assessments;

Giffords (Washington, DC and Tucson, AZ)

2/2013 – 7/2013

Senior Advisor

- Recruited by former Congresswoman Gabrielle Giffords and retired astronaut and US Navy Capt. Mark Kelly to launch and support the efforts of their new organization to reduce gun violence, Americans for Responsible Solutions (now known as Giffords).
- With Executive Director, articulate strategic vision for organization and identify key opportunities for Giffords and Kelly to use their voices effectively, including coalition opportunities, legislative priorities and testimony, op-eds and interviews, earned media appearances, and media partnerships;
- Directed Communications and media, including message development, media training, recruiting and hiring of consultants and press secretary;
- In ongoing consultative role (7/2013-present), provide political and organizational counsel and co-author opinion pieces in the *New York Times*, *Washington Post*, *Glamour*, *USA Today*, and other outlets; advise on brand-building strategy for Gabby Giffords.

EMILY's List (Washington, DC)

5/2010 – 2/2013

Director, Communications and Research

- Supervise research and communications for one of the country's largest political organizations, supporting pro-choice Democratic women nationally and locally; serve on leadership team and provide strategic advice and perspective to President and Board of Directors; liaise with external political, advocacy, and academic partners.
- Rebuilt team of 8-10 plus multiple consultants to expand focus from campaign services to include new priorities around EMILY's List's mission and growth: increased membership, visibility and effectiveness of institutional messages, and brand awareness.
- Co-manager of major national donor research and branding project; also led major research effort, The Impact Project, assessing last six cycles of EL activity and impact as well as impact of EL women in office in key policy areas over the last three decades. Impact Project deliverables contributed to key messaging for EL at the consumer and partner level.
- Launched multiple public affairs campaigns including *Sarah Doesn't Speak For Me*, framing Sarah Palin's political agenda and mobilizing members to take action on behalf of prochoice Democratic women candidates. Campaign expanded EMILY's List membership and small dollar donor pool, received saturated media coverage and won the 2011 "Pollie" Award for best use of comedy.

- In 2011, created the *Stop the War on Women* campaign, which provided an overall framework for EL's strategic goals for the 2012 cycle, raised significant small dollar donations, and added more than 400,000 new members to the EMILY's List community.
- In 2012, created and implemented new message framework for use across organization. *WHY 2012: Women's Historic Year* highlights the record number of EMILY's List members, record number of women candidates, and record amount of money raised for women and led to growth to 2.4 million members. EMILY's List candidates won decisive victories in 2012, yielding the highest number of women in congress in history at that time.

Teach For America (Washington, DC)

4/2006 – 5/2010

Vice President, Political Leadership and Policy and Advocacy Leadership Initiatives (The Public Leadership Initiative)

- Founded two high-profile initiatives designed to engage Teach For America's then 25,000 alumni and corps members in politics, policy, advocacy and organizing;
- Supervised staff of seven and designed and implemented structure providing direction and support to Executive Directors and Directors of Alumni Affairs in 35 regions. Worked closely with communications, public affairs, legal affairs, program, and development teams.
- Created national tracking system based on indicators of political interest and experience; created bi-weekly regional dashboard to track progress of alumni through the "political pipeline" in all regions.
- Between 2006-2010, increased the number of alumni in elected office from 6 to 41 and quadrupled the percentage of alumni who plan to pursue political leadership.
- Established and managed partnerships with key external stakeholders including training organizations, funders and foundations, professional and trade associations, and labor unions.
- Founded affiliated 501(c)4 organization, Leadership for Educational Equity (LEE), recruiting over a quarter of eligible members in first year and establishing interactive website with robust social networking component. Open rates of weekly LEE email were higher than all comparable Teach For America subscriptions;
- Represent leadership initiatives at board meetings and all internal contexts; represent Teach For America externally at political and advocacy conferences and dialogues.

DATA (Debt, AIDS, Trade, Africa)/The ONE Campaign (Washington, DC and NY)

11/2002 – 12/2004

Tour Director, Heart of America: Africa's Future and Ours

- Planned, managed, and supervised promotion of seven-day, seven-state bus tour founder Bono, actors Ashley Judd and Chris Tucker, and African performers and activists, promoting Americans' historic opportunity to change history in Africa, working to inspire the 1/2013 announcement of the Presidents' Emergency Plan for AIDS Relief.
- Responsible for grassroots and elite events, press opportunities and editorial board meetings, and large town-hall events featuring elected officials at the state, local, and federal level, international figures including Lance Armstrong and Warren Buffet, and local activists. Supervised 38 people including DATA staff, principals, advance team, press and technical staff traveling through Nebraska, Iowa, Illinois, Indiana, Ohio, Kentucky, and Tennessee.
- Tracked progress and reported out to funders, congressional and White House allies, local and national partners.

Consultant, Communications and Advocacy

- Provided communications and advocacy strategy in additional states, including WA, MA, GA, NY, and FL
- Participate in 2004 Democratic National Convention strategy, including events with Bono
- Lead planner of DATA visit coordinating with the Martin Luther King, Jr. Center's Salute to Greatness Awards, including visit to Ebenezer Baptist Church and other grassroots/grasstops strategies

Howard Rubenstein Communications (NYC)

1999 – 2001

Vice President

- Clients included Talk Magazine, The New Republic Magazine, Gotham Magazine, The State of Israel/Ministry of Foreign Affairs, Miramax Films, The Robin Hood Foundation, Phoenix House, The Asian American Business Development Center, The Lower East Side Tenement Museum, the Whitney Museum of American Art, the American Museum of the Moving Image, the Downtown Brooklyn Council, and the Mayor's Office, among others.

Vice President, Publicity and Special Projects, Harper's Magazine	1998
Senior Publicist, The New Yorker Magazine	1997
Press Secretary, NYC Schools Chancellor Rudolph F. Crew	1996
MassChoice (now NARAL Pro-Choice Massachusetts)	1994

POLITICAL CAMPAIGN HIGHLIGHTS:

Fernando Ferrer for Mayor (NYC, NY) 2005

Deputy Campaign Manager/Communications Director. Supervised ten direct reports in communications, press, research, policy, scheduling, and advance; Candidate won the four-way primary to become first Latino mayoral nominee of the Democratic Party in NYC.

Cory Booker for Mayor of Newark (Newark, NJ) 2001 – 2002

Communications Director. Responsible for message development and strategy and all daily press interactions, worked closely with policy, legal, fundraising and field teams, as well as primary aide to candidate for speechwriting and debate preparation and served as a liaison to high-profile local and national surrogates. Candidate received coverage on the Today Show, CNN, FOX, ABC, CBS, NPR, The Economist, the Washington Post, the Wall Street Journal, the New York Times magazine, and Business Week, in addition to local NJ and NY media; endorsements from Newark Star Ledger, NY Post, and NY Times.

Betsy Gotbaum for Public Advocate (New York, NY) 3/2001 – 1/2002

Deputy Campaign Manager/Communications Director. Supervised communications, press, research, scheduling, advance; liaison to fundraising and media consultants. Candidate received the endorsement of the New York Times, the Daily News, Newsday, and the Queens Tribune. Co-lead campaign's response to September 11th attacks; coordinating with city and state agencies and NGOs to establish priorities for Public Advocate's office. Candidate finished first in a five-way primary, first in a run-off primary election, and first in the general election, and was the highest ranking female elected official in NYC's history.

EDUCATION:

AB, Bryn Mawr College, Bryn Mawr, PA. Double Major in English and Art History

Boards and Other Affiliations:

President's Advisory Council, Bryn Mawr College, 2016—2019.

Founding Board Chair, 1996- 2007, Housing Works Used Book Café, NY, NY.

Former Board member, 826 NYC, Brooklyn, NY.

Former steering committee member, Women's Leadership Forum Network of the DNC, 2003-2004

Former Trustee, Commonwealth School, Boston, MA

One of Elle Magazine's "Eight Women with Extraordinary Careers" and featured in the New York Observer's "Thirty Five Most Powerful People in New York Under 35".

Proposed Zoning Amendment Regarding Short-Term Rental Units (ODNC00141)
Planning Board Report and Recommendations
June 21, 2023

In accordance with MGL c.40A s.5, the Planning Board submits to the City Council this report with recommendations concerning ODNC00141, a proposed amendment to the zoning ordinance to allow Short-Term Rental Units (STRUs).

The Planning Board discussed the proposed zoning ordinance amendment in a joint public hearing with the City Council’s Planning and Development Committee on April 19, 2023; and in the Board’s meetings on May 3, May 17, June 7 and June 21, 2023. The Board adopted this report at its meeting on June 21, 2023.

The Planning Board recognizes that it is necessary to adopt zoning regulations to define both the locations where STRUs may be located and the standards for such uses. The Board strongly supports the proposed ordinance’s stated purposes, as follows (emphasis added):

- To define short-term rental use and regulate the use of short-term rentals in the City;
- *With the overall well-being of residents and neighborhoods in mind*, to strike a balance between competing interests such as *the need for long-term rental housing* and the benefits of STRUs; and
- *To minimize the adverse effects on residential properties and neighborhoods* that may arise from residential properties being used as STRUs.

The Board generally supports the overall approach represented by the current proposed ordinance, which contains separate regulations and standards for three classes of STRUs: owner-occupied, investor, and Plum Island. The proposed ordinance appropriately recognizes Plum Island’s distinct history and character as a beach community with numerous seasonal short-term rentals, while being more restrictive of STRUs in mainland residential neighborhoods.

Board members (as well as residents) have raised concerns about the following specific issues with the proposed ordinance:

- Owner-Occupied STRU definition: The proposed ordinance defines “Owner-Occupied STRU” as including “a unit on the same lot as the Operator’s Primary Residence.” An STRU that is a separate unit on the same lot as the owner’s primary residence is not very different in nature or neighborhood impact from an Investor STRU, since an owner of an Investor STRU may live on an adjacent lot to the STRU or nearby in the same neighborhood.
 - The current proposed definition of “Owner Occupied STRU” combines three separate concepts from the 2021-2022 proposed ordinance: “home share,” “limited-share” and “owner-adjacent” units. An STRU that is “a unit on the same lot as the Operator’s Primary Residence” in the current proposal corresponds to the “owner-adjacent rental unit” in the 2021-2022 proposal, but the 2021-2022 proposal would have required the owner to be “personally and physically present overnight” whenever the “owner-adjacent unit” was rented as an STRU.

- If the Operator is not required to be present, a proposed STRU use of a second unit on a lot should be subject to additional scrutiny and perhaps be regulated differently than STRU use of the owner's primary residence. For example, it may be more appropriate to regulate a second unit on an owner-occupant's lot in the same way as an Investor STRU rather than treating it as an owner-occupied unit.
- Owner's absence from Owner-Occupied STRU: When an Owner-Occupied STRU is a second unit on the same lot as the owner's primary residence (as opposed to the unit that is the owner's primary residence), the 120-day allowance for the owner-occupant to be absent from the property blurs the line between owner-occupants and investors.
 - If the definition of Owner-Occupied STRU is changed to apply only to the unit that is owner's primary residence, the 120-day absence allowance could remain.
 - However, if "Owner-Occupied STRU" includes a second unit on the lot, the absence allowance should be reduced or eliminated altogether.
- Off-street parking requirements: The proposed ordinance sets limits on both the number of bedrooms and the number of guests but links the off-street parking requirement only to the number of bedrooms. This creates a potential ambiguity in determining the required number of parking spaces. This ambiguity could be resolved by tying the number of occupants to the number of bedrooms (e.g., two adult occupants per bedroom).

In addition, it is important that the ordinance clarify the intent regarding nonconforming situations with respect to off-street parking. For example, if a two-bedroom single-family dwelling does not already have two off-street parking spaces, does it need to provide only one space for the STRU use (recognizing the existing nonconformity), or does it need to fully conform to the ordinance and provide three spaces (two for the dwelling plus one more for the STRU use)?

- Neighborhood input: The proposed ordinance allows owner-occupied STRUs as of right ("P") in residential districts as well as business districts. This precludes any opportunity for input by neighbors prior to zoning approval of the STRU.
 - Some Planning Board members strongly believe that in the absence of explicit limitations or controls in the zoning ordinance, a formal process for notice to and input from abutters and other neighbors should be required for proposed STRUs in residential neighborhoods. Such a process would reinforce the ordinance's stated purposes of ensuring "the overall well-being of residents and neighborhoods" and "minimiz[ing] the adverse effects on residential properties and neighborhoods that may arise from residential properties being used as STRUs.
 - If a formal process for abutter notice and input is not included as part of the licensing ordinance, these members would oppose allowing any STRUs as of right ("P") in residential neighborhoods. In prior iterations of proposed STRU zoning, broader use of a Special Permit hearing was included, as a means by which to ensure abutter and neighborhood input. However, a primary area of debate relative to STRUs – in residential districts on the mainland, that is – has been the amount of time and process

- required to facilitate any such abutter or neighborhood input – for applicants, staff, and in particular the City’s volunteer boards.
- Conversely, some members do not think any neighborhood input is necessary, nor applicable, if an application satisfies all other codified requirements for operation of an STRU.
 - Treatment of existing STRUs: There are a number of investor-owned STRUs in the residential zoning districts, and also a number of STRUs (both owner-occupied and investor-owned) that do not comply with the off-street parking requirements of the proposed ordinance.
 - Some Planning Board members would like to see an allowance in the ordinance for continued STRU use of investor-owned properties in residential neighborhoods, which could be either a time-limited “amnesty” provision (i.e., a “sunset” provision) or an amnesty tied to the current owner (i.e., not transferable to a future owner).
 - Planning Board members generally oppose continued STRU use when off-street parking is not provided, for both owner-occupied and investor units.
 - Some Planning Board members do not agree with the concept of granting amnesty for any unit that does not comply with all provisions of the ordinance as ultimately enacted.
 - Special permit findings and criteria: The Planning Board recommends that the ordinance provide guidance to the Zoning Board of Appeals with respect to required findings for granting a special permit.
 - Sec. X-H.7.A.(7) requires a finding that “The requested use will not, by its addition to a neighborhood, cause an excess of that particular use that could be detrimental to the character of said neighborhood.” The ordinance should include a measurement or other guidance to assist the ZBA in making this finding. Examples could include (a) a limitation of one or two STRUs per block face, (b) a minimum separation of 300 feet between any two STRUs, or (c) an absolute cap on the number of STRUs in the City. These could be either established as absolute standards in the ordinance, or provided as presumptions for the ZBA to use in finding that granting a special permit for a particular property would or would not result an “excess” of STRUs in the neighborhood.
 - Sec. X-H.7.A.(2) requires a finding that “The requested use is essential and/or desirable to the public convenience or welfare.” The ordinance should include a general statement regarding the public benefits of STRUs in residential and business districts to which the ZBA can refer in making this finding.
 - Another criterion to consider in the granting of an STRU special permit could include a history of operation without issues or complaints.
 - Licensing and enforcement: Although the Planning Board’s purview is limited to advising the Council on the zoning ordinance, the issue of enforcement – and thus the licensing ordinance – is inextricable from the zoning discussion. There is a concern that the City does

not have the resources to respond effectively and expeditiously to ordinance and license violations or to neighbor complaints, particularly on weekends when problems may be more likely. Board members believe that two steps are necessary before the zoning ordinance is amended to permit STRUs:

- (1) A licensing ordinance with strong monitoring and enforcement provisions must be enacted, and
- (2) The City must provide the necessary resources (financial and/or staffing) to effectively monitor STRUs and enforce the applicable zoning and licensing requirements.

The Planning Board recommends that the above issues be further reviewed and addressed before a final ordinance is enacted.

Proposed Zoning Amendment Regarding Short-Term Rental Units (ODNC00141)
Planning Board Report and Recommendations
August 16, 2023

In accordance with MGL c.40A s.5, the Planning Board submits to the City Council this report with recommendations concerning ODNC00141, a proposed amendment to the zoning ordinance to allow Short-Term Rental Units (STRUs).

The Planning Board discussed the proposed zoning ordinance amendment in a joint public hearing with the City Council's Planning and Development Committee on April 19, 2023; and in the Board's meetings on May 3, May 17, June 7 and June 21, 2023. The Board adopted this report at its meeting on June 21, 2023.

Because the statutory time limit for acting had expired, the Planning Board and the Planning and Development Committee held a second joint public hearing on the same proposed zoning ordinance on August 16, 2023. Following the close of the Planning Board's public hearing, the Board voted to resubmit this report to the Council, with no changes, on August 16, 2023.

The Planning Board recognizes that it is necessary to adopt zoning regulations to define both the locations where STRUs may be located and the standards for such uses. The Board strongly supports the proposed ordinance's stated purposes, as follows (emphasis added):

- To define short-term rental use and regulate the use of short-term rentals in the City;
- *With the overall well-being of residents and neighborhoods in mind*, to strike a balance between competing interests such as *the need for long-term rental housing* and the benefits of STRUs; and
- *To minimize the adverse effects on residential properties and neighborhoods* that may arise from residential properties being used as STRUs.

The Board generally supports the overall approach represented by the current proposed ordinance, which contains separate regulations and standards for three classes of STRUs: owner-occupied, investor, and Plum Island. The proposed ordinance appropriately recognizes Plum Island's distinct history and character as a beach community with numerous seasonal short-term rentals, while being more restrictive of STRUs in mainland residential neighborhoods.

Board members (as well as residents) have raised concerns about the following specific issues with the proposed ordinance:

- Owner-Occupied STRU definition: The proposed ordinance defines "Owner-Occupied STRU" as including "a unit on the same lot as the Operator's Primary Residence." An STRU that is a separate unit on the same lot as the owner's primary residence is not very different in nature or neighborhood impact from an Investor STRU, since an owner of an Investor STRU may live on an adjacent lot to the STRU or nearby in the same neighborhood.
 - The current proposed definition of "Owner Occupied STRU" combines three separate concepts from the 2021-2022 proposed ordinance: "home share," "limited-share" and "owner-adjacent" units. An STRU that is "a unit on the same lot as the Operator's

Primary Residence” in the current proposal corresponds to the “owner-adjacent rental unit” in the 2021-2022 proposal, but the 2021-2022 proposal would have required the owner to be “personally and physically present overnight” whenever the “owner-adjacent unit” was rented as an STRU.

- If the Operator is not required to be present, a proposed STRU use of a second unit on a lot should be subject to additional scrutiny and perhaps be regulated differently than STRU use of the owner’s primary residence. For example, it may be more appropriate to regulate a second unit on an owner-occupant’s lot in the same way as an Investor STRU rather than treating it as an owner-occupied unit.
- Owner’s absence from Owner-Occupied STRU: When an Owner-Occupied STRU is a second unit on the same lot as the owner’s primary residence (as opposed to the unit that is the owner’s primary residence), the 120-day allowance for the owner-occupant to be absent from the property blurs the line between owner-occupants and investors.
 - If the definition of Owner-Occupied STRU is changed to apply only to the unit that is owner’s primary residence, the 120-day absence allowance could remain.
 - However, if “Owner-Occupied STRU” includes a second unit on the lot, the absence allowance should be reduced or eliminated altogether.
- Off-street parking requirements: The proposed ordinance sets limits on both the number of bedrooms and the number of guests but links the off-street parking requirement only to the number of bedrooms. This creates a potential ambiguity in determining the required number of parking spaces. This ambiguity could be resolved by tying the number of occupants to the number of bedrooms (e.g., two adult occupants per bedroom).

In addition, it is important that the ordinance clarify the intent regarding nonconforming situations with respect to off-street parking. For example, if a two-bedroom single-family dwelling does not already have two off-street parking spaces, does it need to provide only one space for the STRU use (recognizing the existing nonconformity), or does it need to fully conform to the ordinance and provide three spaces (two for the dwelling plus one more for the STRU use)?

- Neighborhood input: The proposed ordinance allows owner-occupied STRUs as of right (“P”) in residential districts as well as business districts. This precludes any opportunity for input by neighbors prior to zoning approval of the STRU.
 - Some Planning Board members strongly believe that in the absence of explicit limitations or controls in the zoning ordinance, a formal process for notice to and input from abutters and other neighbors should be required for proposed STRUs in residential neighborhoods. Such a process would reinforce the ordinance's stated purposes of ensuring “the overall well-being of residents and neighborhoods” and “minimiz[ing] the adverse effects on residential properties and neighborhoods that may arise from residential properties being used as STRUs.
 - If a formal process for abutter notice and input is not included as part of the licensing ordinance, these members would oppose allowing any STRUs as of right (“P”) in

- residential neighborhoods. In prior iterations of proposed STRU zoning, broader use of a Special Permit hearing was included, as a means by which to ensure abutter and neighborhood input. However, a primary area of debate relative to STRUs – in residential districts on the mainland, that is – has been the amount of time and process required to facilitate any such abutter or neighborhood input – for applicants, staff, and in particular the City’s volunteer boards.
- Conversely, some members do not think any neighborhood input is necessary, nor applicable, if an application satisfies all other codified requirements for operation of an STRU.
- Treatment of existing STRUs: There are a number of investor-owned STRUs in the residential zoning districts, and also a number of STRUs (both owner-occupied and investor-owned) that do not comply with the off-street parking requirements of the proposed ordinance.
 - Some Planning Board members would like to see an allowance in the ordinance for continued STRU use of investor-owned properties in residential neighborhoods, which could be either a time-limited “amnesty” provision (i.e., a “sunset” provision) or an amnesty tied to the current owner (i.e., not transferable to a future owner).
 - Planning Board members generally oppose continued STRU use when off-street parking is not provided, for both owner-occupied and investor units.
 - Some Planning Board members do not agree with the concept of granting amnesty for any unit that does not comply with all provisions of the ordinance as ultimately enacted.
 - Special permit findings and criteria: The Planning Board recommends that the ordinance provide guidance to the Zoning Board of Appeals with respect to required findings for granting a special permit.
 - Sec. X-H.7.A.(7) requires a finding that “The requested use will not, by its addition to a neighborhood, cause an excess of that particular use that could be detrimental to the character of said neighborhood.” The ordinance should include a measurement or other guidance to assist the ZBA in making this finding. Examples could include (a) a limitation of one or two STRUs per block face, (b) a minimum separation of 300 feet between any two STRUs, or (c) an absolute cap on the number of STRUs in the City. These could be either established as absolute standards in the ordinance, or provided as presumptions for the ZBA to use in finding that granting a special permit for a particular property would or would not result an “excess” of STRUs in the neighborhood.
 - Sec. X-H.7.A.(2) requires a finding that “The requested use is essential and/or desirable to the public convenience or welfare.” The ordinance should include a general statement regarding the public benefits of STRUs in residential and business districts to which the ZBA can refer in making this finding.
 - Another criterion to consider in the granting of an STRU special permit could include a history of operation without issues or complaints.

- Licensing and enforcement: Although the Planning Board’s purview is limited to advising the Council on the zoning ordinance, the issue of enforcement – and thus the licensing ordinance – is inextricable from the zoning discussion. There is a concern that the City does not have the resources to respond effectively and expeditiously to ordinance and license violations or to neighbor complaints, particularly on weekends when problems may be more likely. Board members believe that two steps are necessary before the zoning ordinance is amended to permit STRUs:
 - (1) A licensing ordinance with strong monitoring and enforcement provisions must be enacted, and
 - (2) The City must provide the necessary resources (financial and/or staffing) to effectively monitor STRUs and enforce the applicable zoning and licensing requirements.

The Planning Board recommends that the above issues be further reviewed and addressed before a final ordinance is enacted.

CITY OF NEWBURYPORT



IN CITY COUNCIL

October 30, 2023

ORDERED:

A ZONING ORDINANCE AMENDMENT TO REZONE LAND AT THE INTERSECTION OF HIGH STREET AND STATE STREET, AND TO UPDATE THE DEFINITION OF MULTI-FAMILY RESIDENTIAL USE TO PERMIT REDUCED MASSING THROUGH THE USE OF MULTIPLE STRUCTURES

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

WHEREAS, the Newburyport City Council has previously initiated proceedings relative to continued “blight” on land which contains an abandoned gas station at the intersection of State Street and High Street; and

WHEREAS, the City wishes to facilitate a viable redevelopment project for this land which is both residential in nature, and more consistent with the surrounding intersection and neighborhood; and

WHEREAS, the definition of Multifamily use within the Newburyport Zoning Ordinance currently, and inadvertently, precludes the use of multiple structures in developments of three or more residential units, for the otherwise beneficial purposes of reducing apparent building volumes,

THEREFORE, LET IT BE ORDAINED THAT the definition for use number 103 within Section V-E of the Newburyport Zoning Ordinance (List of allowable uses) 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-E – List of allowable uses

USE	NUM	
Multifamily	103	<u>One or more A building(s)</u> or structure(s) that <u>together</u> contain(s) three (3) or more dwelling units on the same lot, and, <u>where there is more than one unit in a building</u> , either common floor-ceiling assemblies between the dwelling units, or Common Wall Connectors as defined in section II-B, definitions.

AND FURTHER, THAT the Zoning Map of said Zoning Ordinance entitled “Zoning Map of the City of Newburyport,” referenced in Section III-C (entitled Zoning Map) is hereby amended pursuant to Section III-D “Changes to Zoning Map” by changing the zoning designation of the following parcels of land, in their entirety, from HSR-A (High Street Residential A) to R-3 (Residential Three):

- 107 State Street (Assessors Map/Lot 33-43)
- 95 High Street (Assessors Map/Lot 33-42)

Councillor Jennie L. Donahue

Councillor Edward C. Cameron Jr.

Councillor Heather L. Shand

In City Council October 30, 2023:

Motion to waive the rules and accept the late files by Councillor Zeid, seconded by Councillor Lane. ODNC00164 referred to Planning & Development and COTW. So voted.

Committee Items – December 11, 2023

Public Works & Safety

In Committee:

- COMM00462_02_27_2023 Ltr. From Kathleen O'Connor Ives re: drinking water concerns
- COMM00511_10_30_2023 Streets and Sidewalks Plan FY23-FY28 Update
- COMM00412_05_31_2022 Ltr Ann Jaronyk re: Traffic Safety
- COMM00459_01_30_2023 Ltr. Residents concerned with speeding on Arlington St.
- COMM00479_04_24_2023 Ward 4 Street Sidewalk Traffic Safety Priorities
- COMM00505_09_11_2023 Ltr from Kristen Hunter re Merrimac St. traffic safety progress
- ORDR00449_04_24_2023 Approving Shared Streets Grant, High Street Traffic Calming
- ODNC00103__01_10_2022 Streets, Sidewalks, and Other Public Places Alterations and Maintenance

February 15, 2023

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2023 FEB 15 P 2: 32

Newburyport City Council
60 Pleasant Street
Newburyport City Hall
Newburyport, MA 01950

To the Members of the Newburyport City Council:

I am a resident of the City of Newburyport and am submitting this communication to share with you my concerns regarding the quality of Newburyport's drinking water. Specifically, Newburyport has PFAS in its drinking water, high levels of tri-halo-methanes and high levels of halo-acetic acids, amongst other contaminants.

Massachusetts Sierra Club has published a report detailing 261 public water systems in Massachusetts. Between 2016-2021, Newburyport was tested for six PFAS chemicals and five out of the six chemicals were detected at a total amount of 112 parts per trillion. The DEP limit is 20 parts per trillion.

In comparison, Amesbury tested for 18 chemicals. Six were detected with a total of 4 parts per trillion. Haverhill had a total of 4.9 parts per trillion. Again, the report lists Newburyport with 112 parts per trillion. If this report is not accurate, the city needs to set the record straight.

The PFAS family of chemicals are called "forever chemicals" and come from non-stick and water-repelling chemicals, staying in the environment and human bodies. The EPA confirms through peer-reviewed studies that PFAS chemicals have adverse health impacts.

I submit two questions to the City of Newburyport:

- 1) What is the shorter-term and long-term plan to improve the quality of our drinking water?
- 2) What is the city doing to clearly and successfully notify residents about drinking water quality so we may purchase filters for our homes while the city addresses the problems?

The issue of our drinking water quality should rise to the top of the priority list for the City of Newburyport and merits a meeting of the Committee of the Whole in conjunction with the Water and Sewer Commission.

With sincerity,



Kathleen O'Connor Ives, Resident

2 Prince Place

Newburyport, MA 01950



WAYNE S. AMARAL, DIRECTOR
JON U. CAREY, DPS DEPUTY DIRECTOR

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

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

Memorandum

To: President and Members of the City Council

From: Wayne S. Amaral, DPS Director

Date: October 25, 2023

Re: 2024 DPS Roadway and Sidewalk Plan – City Council Submission

The Department of Public Services in collaboration with the Mayor's Office is proud to submit to the City Council a revised Roadway and Sidewalk Plan. This revised plan was developed by modifying the previous roadway plan with a new focus on roadways and sidewalks.

Over the past six months we have heard from residents, visitors and councillors that our sidewalks are as important as our roadways and attention to both is paramount to the success of a vital transportation network that will improve public safety and be inclusive to all users. This balanced approach was well vetted by DPS staff and the Mayor's Office.

A typical and standard roadway and sidewalk construction project would specify that all of the roadways and sidewalks are upgraded during one construction season. However, understanding that the cost of sidewalk upgrades is far more expensive than simple roadway paving, in fact, the cost per square foot of sidewalk could be five to ten times higher than paving, DPS staff evaluated each street and estimated the length of sidewalk sections that would require upgrades. This estimate was used to calculate the sidewalk upgrade cost in this plan.

This detailed approach of only upgrading the sidewalk sections that need immediate attention will allow for an increased number of sidewalk improvements citywide. Please note that most streets in this plan require an average of 50%-60% of sidewalk upgrades with a handful of streets requiring 100% sidewalk upgrades.

As a result of this new approach, some streets that were originally placed on the previous plan have been moved to later years. It must also be understood that this plan is a working document, and the estimated costs in this plan are estimates with limited funds set aside for unforeseen situations that may occur on any roadway and sidewalk construction project. The plan will require updates on a yearly basis after funding has been reevaluated at the conclusion of each construction season.

With the recent approval of a new DPS engineer, that will assist with the management and oversight of roadway and sidewalk construction projects, we believe that we will see improved

cost controls and project management. These improvements will guarantee a professionally managed roadway and sidewalk program.

This 2024 Roadway and Sidewalk Plan will only succeed if additional funding is secured. We strongly recommend a request for \$6,000,000 to bond this program over five-years. The following break-down of amounts should be allocated for each year;

2024	\$1,830,000.
2025	\$1,170,000.
2026	\$1,000,000.
2027	\$1,000,000.
2028	\$1,000,000.

DPS was also asked to create a list of priority safety and sidewalk projects. In some instances, we have sidewalks that require additional improvements separate from street investments. We also have some intersections that need traffic calming and pedestrian improvements. This is a first draft list and we will add other priority sites that are sent to us. The next step will be to cost out the improvements and create a prioritization of projects within this list. We will aim to complete these improvements using the dedicated general fund budget line for sidewalks and safety and any grant funds we receive that can be used for these purposes.

DPS is in the process of preparing existing and future staff for this new Roadway and Sidewalk program. With financial support from City Council, this program will no doubt be successful and make our city a better place to live for all users.

Attachments:
2024 Five Year Roadway and Sidewalk Plan Version 4
Sidewalk and Safety Priority List

**City of Newburyport
Priority Sidewalk and Safety Projects**

Street	Ward	Project Type	Current Material	Proposed Material	Road Paving Calendar Year	Proposed Sidewalk Calendar Year	Source	Notes
Beacon Avenue		1 Full Sidewalk Repair	Asphalt, Brick, and Concrete	TBD	Not Scheduled	TBD	Petition	Curbs are deteriorated
Charles Street		1 Partial Sidewalk Repair	Asphalt and Concrete	TBD	Not Scheduled	TBD	Petition	Uneven asphalt on sidewalk from stump removal
Federal Street	1 and 2	Full Sidewalk Repair	Asphalt, Brick, and Concrete	Brick	2027	2027	Petition	Street and sidewalk will be done at same time in 2027
Greenleaf Street	2 and 3	Sidewalk repair	Asphalt and Concrete	TBD	Not Scheduled	TBD	Petition	Related to Bartlet Mall project but necessary to replace sidewalks in poor shape. Looking to schedule alongside Bartlet Mall work.
Hale Street		5 Pedestrian and bike safety additions	NA	TBD	Not Scheduled	TBD	City Council	Starting study in fall 2023 and will get to 35% design.
High Street	2/3/4	Traffic calming and crosswalk improvements	NA	NA	NA	NA	City Council	Looking at Olive's intersection, East side, and by Funeral Home in particular, but other priority areas too, including by schools.
High Street 155-161		3 Partial Sidewalk Repair	Asphalt, Brick	TBD	Not Scheduled	TBD	Petition	Looking for repair at 155 – 161 High Street (across from St. Paul's Church).
Johnson Street		3 Full Sidewalk Repair	Asphalt and Concrete	Concrete	2024	2024	Petition	Concrete sidewalk will be repaired in 2024 alongside street.
Lincoln Street		1 Full Sidewalk Repair	Asphalt and Concrete	TBD	Not Scheduled	TBD	Petition	Sidewalks in need of repair.
Lime Street		1 Full Sidewalk Repair	Asphalt, Brick, and Concrete	Concrete	2024	2024	Petition	Will do sidewalk along with street in 2024
Low Street @ Colby Farm & North Atkinson Street		Traffic calming project & sidewalk extension on North Atkinson St	Asphalt	TBD	2028	2028	Safety List	Study commencing in 2023 on Low/ N. Atkinson. North Atkinson is on list for street and sidewalk repair in 2028.
Madison Street		1 Full Sidewalk Repair	Asphalt, Brick, and Concrete	TBD	Not Scheduled	TBD	Petition	Petition states road is in bad shape, and sidewalks are dangerous. Sidewalks used for access to the boat ramp and need repair.
Merrimac Street		4 Partial New Sidewalk	Asphalt, Brick, and Concrete	TBD	TBD	TBD	City Council	Sidewalk requested at Pioneer League to complement safety zone. We are planning to address this through the Lower Atkinson Common safety improvement plan. Also working to install Safety Zone upon approval by State.
Merrimac and Kent Streets		3 Traffic calming and crosswalk improvements	NA	NA	NA	TBD	City Council	Undergoing design now and also under consideration because of potential development at site.
Milk Street		2 Full Sidewalk Repair	Asphalt, Brick, and Concrete	TBD	2022	TBD	Petition	Street was paved last year but sidewalk not deemed in need of assistance. Petitioners believe aging asphalt is in poor condition and need to be replaced.
Moseley Avenue		4 Partial new sidewalk	NA	Asphalt	Not Scheduled	TBD	Petition	Would add sidewalk from Moseley Place to Spofford Street on the north side of the road.
Moulton Street		6 Partial New Sidewalk	Asphalt	Asphalt	Not Scheduled	TBD	Petition	requested from Ferry Road to Moseley
Noble Street		6 Full New Sidewalk	Asphalt	Asphalt	2024	2024	Petition	Adding sidewalk and looking to improve pedestrian crossings at Noble Street at Storey Ave
Norman Ave		5 Full Sidewalk Repair	Asphalt	Concrete	2026	2026	Petition	Will be done in 2026 alongside street.
Olive Street		3 Full Sidewalk Repair	Asphalt, Brick, and Concrete	TBD	Not Scheduled	2023	Petition	Partial repair to begin in 2023 of largest sidewalk issues.
Otis Place		2 Full Sidewalk Repair	Asphalt, Brick, and Concrete	TBD	Not Scheduled	TBD	Petition	Submitted petition asking for repairs to sidewalks.
Rawson Ave		4 Partial New Sidewalk	Asphalt	Concrete	2025	2025	Public Meeting	Will build new sidewalk alongside street paving in 2025.

City of Newburyport
Priority Sidewalk and Safety Projects

Street	Ward	Project Type	Current Material	Proposed Material	Road Paving Calendar Year	Proposed Sidewalk Calendar Year	Source	Notes
State Street	2	Partial Sidewalk Repair	Asphalt, Brick, and Concrete	Brick	2024	2024	Petition	Request to fix sidewalks at 152 State Street. Will repair alongside work taking place in 2024.
State and High Street	2	Traffic calming and crosswalk improvements	NA	NA	2024	2024	Complete Streets	Will look to upgrade some of infrastructure in 2024 between state street repaving and potential redevelopment of Global Site.
Three Roads Intersection	4/5/6	Intersection Improvement	NA	NA	TBD	NA	Complete Streets	Area undergoing study by MVPC to suggest potential solutions. May need to go to another design route.
Toppans Lane	3 and 4	Safe Routes to School	NA	NA	NA	NA	Safe Routes to School	Needs sidewalk and pedestrian improvements because of proximity to schools
Tracy Street	4	Full New Sidewalk	Asphalt	TBD	2022	TBD	City Council	Street paved last year but without a sidewalk. We will need to study whether it will be possible to add this.
Union Street	1	Full Sidewalk Repair	Asphalt, Brick, and Concrete	TBD	Not Scheduled	TBD	Petition	Petition states sidewalks not ADA compliant and are deteriorating, not safe.
Vernon Street	2	Partial Sidewalk Repair	Asphalt, Brick, and Concrete	TBD	Not Scheduled	TBD	Petition	Sidewalk at numbers 6-16 (even side).
Washington Street	3	Partial Sidewalk Repair	Asphalt, Brick, and Concrete	TBD	Not Scheduled	TBD	Petition	Petition states Large pieces of sidewalk are missing and needs maintenance. It's a busy pedestrian street and needs to be fixed.
Water Street	1	Partial New Sidewalk	Asphalt and Concrete	TBD	Not Scheduled	TBD	Petition	Residents are looking for a new sidewalk on Water Street starting around the intersection at Ocean Avenue and running to the Newbury town line.

**2024 City of Newburyport - DPS
Five Year Roadway and Sidewalk Plan - Version 4**

Ward 1 FY 23 (2022 Construction Season)

Street Name	From Street	To Street	Road Repair Calendar Year	General Condition	Proposed Repair Method	Length (Ft)	Length (Miles)	Road Surface Rating (RSR)	Sidewalk Repair Calendar Year	Sidewalk Material Proposed	2022 Estimated Cost	Revised 2023 Estimated Cost
WATER STREET	SHANDEL DR	UNION ST	2022 - COMPLETE	Poor	Mill & Overlay	761.96	0.14	59	NA	NA	\$ 22,750.00	\$ -
WATER STREET	UNION ST	GOODWINS AVE	2022 - COMPLETE	Fair	Mill & Overlay	552.14	0.10	67	NA	NA	\$ 22,750.00	\$ -
WATER STREET	GOODWINS AVE	WOODWELL AVE	2022 - COMPLETE	Fair	Mill & Overlay	405.10	0.08	63	NA	NA	\$ 22,750.00	\$ -
WATER STREET	WOODWELL AVE	MARLBORO ST	2022 - COMPLETE	Poor	Mill & Overlay	274.48	0.05	59	NA	NA	\$ 22,750.00	\$ -
ALTER COURT	BARTON ST	DEAD END	2022 - COMPLETE	Poor	Reclamation	179.25	0.03	29	TBD	Asphalt	\$ 22,800.00	\$ -
BARTON COURT	BARTON ST	DEAD END	2022 - COMPLETE	Poor	Reclamation	203.92	0.04	10	TBD	Asphalt	\$ 32,600.00	\$ -
BARTON STREET	ALTER CT	BARTON CT	2022 - COMPLETE	Poor	Reclamation	250.80	0.05	6	TBD	Asphalt	\$ 40,600.00	\$ -
	BARTON CT	CHESTNUT ST	2022 - COMPLETE	Poor	Reclamation	260.75	0.05	6	TBD	Asphalt	\$ 40,600.00	\$ -
	HIGH ST	ALTER CT	2022 - COMPLETE	Poor	Reclamation	395.97	0.07	20	TBD	Asphalt	\$ 40,600.00	\$ -
GOODWINS AVE	UNION ST	WATER ST	2022 - COMPLETE	Very Poor	Reclamation	179.22	0.03	5	NA	NA	\$ 12,000.00	\$ -
MILK ST	FRANKLIN ST	BROMFIELD ST	2022 - COMPLETE	Very Poor	Reclamation	264.28	0.05	38	NA	NA	\$ 31,666.67	\$ -
	FEDERAL ST	LIME ST	2022 - COMPLETE	Poor	Reclamation	612.10	0.12	59	TBD	TBD	\$ 168,627.53	\$ -
	LIME ST	FRANKLIN ST	2022 - COMPLETE	Very Poor	Reclamation	501.89	0.10	37	TBD	TBD	\$ 105,745.47	\$ -
								TOTAL			\$ 311,866.67	\$ -

Ward 1 FY 25 (2024 Construction Season)

Street Name	From Street	To Street	Road Repair Calendar Year	General Condition	Proposed Repair Method	Length (Ft)	Length (Miles)	Road Surface Rating (RSR)	Sidewalk Repair Calendar Year	Sidewalk Material Proposed	2022 Estimated Cost	Revised 2023 Estimated Cost
LIME STREET 1	WATER ST	MILK ST	2024	Poor	Mill & Overlay	1180.74	0.27	50	2024	Concrete	\$ 242,886.28	\$ 296,090.00
LIME STREET 2	MILK ST	HIGH ST	2024	Poor	Reclamation	1000.00	0.19	n/a	2024	Concrete	\$ -	\$ 274,200.00
											\$ -	\$ -
								TOTAL			\$ 242,886.28	\$ 570,290.00

Ward 1 FY 26 (2025 Construction Season)

Street Name	From Street	To Street	Road Repair Calendar Year	General Condition	Proposed Repair Method	Length (Ft)	Length (Miles)	Road Surface Rating (RSR)	Sidewalk Repair Calendar Year	Sidewalk Material Proposed	2022 Estimated Cost	Revised 2023 Estimated Cost
LANCASTER ROAD	SHANDEL DR	CUL DE SAC	2025	Poor	Mill & Overlay	274.11	0.05	66	n/a	n/a	\$ 17,944.04	\$ 17,672.00
SMITH'S STREET	BECK ST	WATER ST	2025	Poor	Reclamation	575.37	0.11	33	2025	Brick	\$ 104,308.94	\$ 118,930.00
BECK STREET	FEDERAL ST	LIME ST	2025	Poor	Reclamation	580.00	0.06	avg 35	2025	Concrete	\$ 79,107.88	\$ 114,370.00
SHIP STREET	WATER ST	BECK ST	2025	Fair	Mill & Overlay	570.58	0.11	71	2025	Concrete	\$ 72,865.42	\$ 104,886.00
											\$ -	\$ -
								TOTAL			\$ 274,226.28	\$ 355,858.00

Ward 1 FY 27 (2026 Construction Season)

Street Name	From Street	To Street	Road Repair Calendar Year	General Condition	Proposed Repair Method	Length (Ft)	Length (Miles)	Road Surface Rating (RSR)	Sidewalk Repair Calendar Year	Sidewalk Material Proposed	2022 Estimated Cost	Revised 2023 Estimated Cost
											\$ -	\$ -
											\$ -	\$ -
								TOTAL			\$ -	\$ -

**2024 City of Newburyport - DPS
Five Year Roadway and Sidewalk Plan - Version 4**

Ward 1 FY 28 (2027 Construction Season)

Street Name	From Street	To Street	Road Repair Calendar Year	General Condition	Proposed Repair Method	Length (Ft)	Length (Miles)	Road Surface Rating (RSR)	Sidewalk Repair Calendar Year	Sidewalk Material Proposed	2022 Estimated Cost	Revised 2023 Estimated Cost
FEDERAL STREET	HIGH ST	WATER ST	2027	Very Poor	Reclamation	2085.70	0.32	27	2027	Brick	\$ 300,000.00	\$ 844,850.00
											\$ -	\$ -
											\$ -	\$ -
TOTAL											\$ 300,000.00	\$ 844,850.00

Ward 1 FY 29 (2028 Construction Season)

Street Name	From Street	To Street	Road Repair Calendar Year	General Condition	Proposed Repair Method	Length (Ft)	Length (Miles)	Road Surface Rating (RSR)	Sidewalk Repair Calendar Year	Sidewalk Material Proposed	2022 Estimated Cost	Revised 2023 Estimated Cost
											\$ -	\$ -
											\$ -	\$ -
TOTAL											\$ -	\$ -

Future Years

Street Name	From Street	To Street	Road Repair Calendar Year	General Condition	Proposed Repair Method	Length (Ft)	Length (Miles)	Road Surface Rating (RSR)	Sidewalk Repair Calendar Year	Sidewalk Material Proposed	2022 Estimated Cost	Revised 2023 Estimated Cost
FRANKLIN STREET	MILK STREET	WATER STREET	Unknown	Poor	Mill & Overlay	1100	0.21	?	Unknown	Concrete	\$ -	\$ 314,680.00
HIGH ST E	BROMFIELD ST	BARTON ST	Unknown	Poor	Mill & Overlay	308.36	0.06	52	Unknown	Brick	\$ 18,633.01	\$ 50,000.00
LUNT STREET	PURCHASE ST	HANCOCK ST	Unknown	Poor	Reclamation	380.85	0.07	45	Unknown	Concrete	\$ 77,342.97	\$ 136,428.00
NEPTUNE STREET	PURCHASE ST	WATER ST	Unknown	Fair	Mill & Overlay	635.18	0.12	72	Unknown	Concrete	\$ 172,342.45	\$ 192,850.00
											\$ -	\$ -
TOTAL											\$ 268,318.44	\$ 693,958.00

Future T.C

**2024 City of Newburyport - DPS
Five Year Roadway and Sidewalk Plan**

Ward 2 FY 24 (2023 Construction Season)

Street Name	From Street	To Street	Road Repair Calendar Year	General Condition	Proposed Repair Method	Length (Ft)	Length (Miles)	Road Surface Rating (RSR)	Sidewalk Repair Calendar Year	Sidewalk Material Proposed	2022 Estimated Cost	Revised 2023 Estimated Cost
FAIR ST	CHARTER ST	SPRING ST	2023 - COMPLETED	Very Poor	Reclamation	139.00	0.03	28	TBD	TBD	\$ 12,598.79	\$ -
	ESSEX ST	MIDDLE ST	2023 - COMPLETED	Poor	Reclamation	172.94	0.03	49	TBD	TBD	\$ 15,675.68	\$ -
	LIBERTY ST	WATER ST	2023 - COMPLETED	Fair	Reclamation	530.66	0.10	61	TBD	TBD	\$ 74,821.35	\$ -
	MIDDLE ST	LIBERTY ST	2023 - COMPLETED	Poor	Reclamation	187.88	0.04	58	TBD	TBD	\$ 26,490.30	\$ -
	ORANGE ST	CHARTER ST	2023 - COMPLETED	Very Poor	Reclamation	63.49	0.01	23	TBD	TBD	\$ 5,754.54	\$ -
	PROSPECT ST	TEMPLE ST	2023 - COMPLETED	Poor	Reclamation	166.30	0.03	60	TBD	TBD	\$ 15,073.10	\$ -
	SPRING ST	ESSEX ST	2023 - COMPLETED	Very Poor	Reclamation	85.72	0.02	8	TBD	TBD	\$ 7,769.37	\$ -
	TEMPLE ST	ORANGE ST	2023 - COMPLETED	Very Poor	Reclamation	171.49	0.03	34	TBD	TBD	\$ 25,727.18	\$ -
FRUIT ST	HIGH ST	PROSPECT ST	2023 - COMPLETED	Poor	Mill & Overlay	576.47	0.11	59	TBD	TBD	\$ 150,834.29	\$ -
TOTAL											\$ 334,744.60	\$ -

Ward 2 FY 25 (2024 Construction Season)

Street Name	From Street	To Street	Road Repair Calendar Year	General Condition	Proposed Repair Method	Length (Ft)	Length (Miles)	Road Surface Rating (RSR)	Sidewalk Repair Calendar Year	Sidewalk Material Proposed	2022 Estimated Cost	Revised 2023 Estimated Cost
STATE ST	MERRIMAC ST	HIGH ST	2024	Poor	Mill & Overlay	1600.00	0.30	n/a	2024	Brick	\$ -	\$ 338,990.00
MIDDLE ST	STATE ST	FEDERAL ST	2024	Very Poor	Reclamation	1250.00	0.24	avg 38	2024	Brick / Concrete	\$ 201,197.73	\$ 323,870.00
											\$ -	\$ -
TOTAL											\$ 201,197.73	\$ 662,860.00

Ward 2 FY 26 (2025 Construction Season)

Street Name	From Street	To Street	Road Repair Calendar Year	General Condition	Proposed Repair Method	Length (Ft)	Length (Miles)	Road Surface Rating (RSR)	Sidewalk Repair Calendar Year	Sidewalk Material Proposed	2022 Estimated Cost	Revised 2023 Estimated Cost
GARDEN STREET	OTIS PL	STATE ST	2025	Poor	Reclamation	338.05	0.06	59	2025	Bricks	\$ 128,333.38	\$ 182,050.00
INDEPENDENT STREET	WATER ST	MIDDLE ST	2025	Poor	Reclamation	602.00	0.12	60	2025	Concrete	\$ 230,221.00	\$ 127,000.00
TOTAL											\$ 358,554.38	\$ 309,050.00

Ward 2 FY 27 (2026 Construction Season)

Street Name	From Street	To Street	Road Repair Calendar Year	General Condition	Proposed Repair Method	Length (Ft)	Length (Miles)	Road Surface Rating (RSR)	Sidewalk Repair Calendar Year	Sidewalk Material Proposed	2022 Estimated Cost	Revised 2023 Estimated Cost
ALLEN STREET	HIGH ST	PROSPECT ST	2026	Poor	Reclamation	655.26	0.12	25	2026	Concrete	\$ 284,496.36	\$ 272,651.00
											\$ -	\$ -
											\$ -	\$ -
TOTAL											\$ 284,496.36	\$ 272,651.00

Ward 2 FY 28 (2027 Construction Season)

Street Name	From Street	To Street	Road Repair Calendar Year	General Condition	Proposed Repair Method	Length (Ft)	Length (Miles)	Road Surface Rating (RSR)	Sidewalk Repair Calendar Year	Sidewalk Material Proposed	2022 Estimated Cost	Revised 2023 Estimated Cost
SCHOOL STREET	FEDERAL ST	LIME ST	2027	Poor	Reclamation	602.86	0.11	59	2027	Mixed	\$ 230,221.80	\$ 304,350.00
TOTAL											\$ 230,221.80	\$ 304,350.00

2024 City of Newburyport - DPS
Five Year Roadway and Sidewalk Plan

Ward 2 FY 29 (2028 Construction Season)

Street Name	From Street	To Street	Road Repair Calendar Year	General Condition	Proposed Repair Method	Length (Ft)	Length (Miles)	Road Surface Rating (RSR)	Sidewalk Repair Calendar Year	Sidewalk Material Proposed	2022 Estimated Cost	Revised 2023 Estimated Cost
											\$ -	\$ -
											\$ -	\$ -
TOTAL											\$ -	\$ -

Future Years

Street Name	From Street	To Street	Road Repair Calendar Year	General Condition	Proposed Repair Method	Length (Ft)	Length (Miles)	Road Surface Rating (RSR)	Sidewalk Repair Calendar Year	Sidewalk Material Proposed	2022 Estimated Cost	Revised 2023 Estimated Cost
BROMFIELD COURT	BROMFIELD ST	DEAD END	unknown	Very Poor	Reclamation	322.31	0.06	27	unknown	Concrete	\$ 32,459.83	\$ 71,240.00
BROMFIELD STREET	HIGH ST	WATER ST	unknown	Poor	Mill & Overlay	322.31	0.06	51	unknown	Concrete	\$ 173,186.42	\$ 507,950.00
ATWOOD STREET	LIME ST	FEDERAL ST	unknown	Poor	Reclamation	597.74	0.11	56	unknown	Concrete	\$ 30,099.77	\$ 158,930.00
BECK STREET	FEDERAL ST	LIME ST	unknown	Very Poor	Reclamation	296.54	0.06	22	unknown	Brick	\$ 29,865.27	\$ 114,370.00
CENTER STREET	LIBERTY ST	WATER ST	unknown	Very Poor	Reclamation	427.35	0.08	40	unknown	Brick	\$ 39,367.60	\$ 219,188.00
SPRING STREET	FAIR ST	FEDERAL ST	unknown	Poor	Mill & Overlay	609.20	0.12	59	unknown	Brick	\$ 53,744.54	\$ 175,540.00
											\$ -	\$ -
											\$ -	\$ -
TOTAL											\$ 358,723.44	\$ 1,247,218.00

**2024 City of Newburyport - DPS
Five Year Roadway and Sidewalk Plan**

Ward 3 FY 23 (2022 Construction Season)

Street Name	From Street	To Street	Road Repair Year	General Condition	Proposed Repair Method	Length (Ft)	Length (Miles)	Road Surface Rating (RSR)	Sidewalk Repair Calendar Year	Sidewalk Material Proposed	2022 Estimated Cost	Revised 2023 Estimated Cost
BOARDMAN ST	ATKINSON ST	MERRIMAC ST	2022 - COMPLETE	Poor	Mill & Overlay	559.14	0.11	54	2022	Brick	\$ 115,000.00	\$ -
	HIGH ST	WASHINGTON ST	2022 - COMPLETE	Poor	Mill & Overlay	441.81	0.08	48	2022	Brick	\$ 115,000.00	\$ -
	WASHINGTON ST	ATKINSON ST	2022 - COMPLETE	Poor	Mill & Overlay	345.41	0.07	48	2022	Brick	\$ 115,000.00	\$ -
BRICHER PLACE	HILL ST	QUILL ST	2022 - COMPLETE	Poor	Mill & Overlay	200.06	0.04	18	TBD	TBD	\$ 16,500.00	\$ -
BRICHER PLACE	QUILL ST	CHERRY ST	2022 - COMPLETE	Poor	Mill & Overlay	166.07	0.03	15	TBD	TBD	\$ 16,500.00	\$ -
CHERRY ST	ROUTE 1	CHERRY ST EXT	2022 - COMPLETE	Poor	Reclamation	815.14	0.15	39	TBD	TBD	\$ 27,500.00	\$ -
	CHERRY ST EXT	BRICHER PL	2022 - COMPLETE	Poor	Reclamation	616.88	0.12	53	TBD	TBD	\$ 27,500.00	\$ -
DEXTER LN	HIGH ST	DEAD END	2022 - COMPLETE	Poor	Mill & Overlay	843.05	0.16	52	TBD	TBD	\$ 36,000.00	\$ -
NEW PASTURE WY	GRAF RD	CUL DE SAC	2022 - COMPLETE	Fair	Mill & Overlay	1484.72	0.28	24	TBD	TBD	\$ 72,000.00	\$ -
QUILL ST	BRICHER PL	DEAD END	2022 - COMPLETE	Poor	Mill & Overlay	201.39	0.04	34	TBD	TBD	\$ 15,000.00	\$ -
STANLEY TUCKER DR	MALCOLM K. HOYT RD	CUL DE SAC	2022 - COMPLETE	Poor	Mill & Overlay	1019.63	0.19	43	TBD	TBD	\$ 61,000.00	\$ -
VERNON ST	CAREY AVE	DEAD END	2022 - COMPLETE	Very Poor	Reclamation	96.53	0.02	0	TBD	TBD	\$ 8,000.00	\$ -
TOTAL											\$ 625,000.00	\$ -

Ward 3 FY 25 (2024 Construction Season)

Street Name	From Street	To Street	Road Repair Year	General Condition	Proposed Repair Method	Length (Ft)	Length (Miles)	Road Surface Rating (RSR)	Sidewalk Repair Calendar Year	Sidewalk Material Proposed	2022 Estimated Cost	Revised 2023 Estimated Cost
JOHNSON STREET	LOW ST	HIGH ST	2024	Poor	Mill & Overlay	1686.14	0.32	42	2024	Concrete	\$ 458,931.11	\$ 595,350.00
EAGLE STREET	KENT ST	CARTER ST	2024	Poor	Reclamation	758.56	0.01	avg 42	2024	Concrete	\$ 178,501.38	\$ 316,050.00
TOTAL											\$ 637,432.49	\$ 911,400.00

Ward 3 FY 26 (2025 Construction Season)

Street Name	From Street	To Street	Road Repair Calendar Year	General Condition	Proposed Repair Method	Length (Ft)	Length (Miles)	Road Surface Rating (RSR)	Sidewalk Repair Calendar Year	Sidewalk Material Proposed	2022 Estimated Cost	Revised 2023 Estimated Cost
BIRCH STREET	MARKET ST	SUMMER ST	2025	Poor	Mill & Overlay	179.28	0.03	40	2024	Brick	\$ 8,124.91	\$ 84,830.00
CALDWELLS COURT	MERRIMAC ST	DEAD END	2025	Poor	Mill & Overlay	147.07	0.03	32	n/a	n/a	\$ 6,665.27	\$ 13,603.00
CUTTERS COURT	WARREN ST	CARTER ST	2025	Fair	Mill & Overlay	233.13	0.04	68	n/a	n/a	\$ 8,217.58	\$ 19,975.00
TOTAL											\$ 23,007.76	\$ 118,408.00

Ward 3 FY 27 (2026 Construction Season)

Street Name	From Street	To Street	Road Repair Calendar Year	General Condition	Proposed Repair Method	Length (Ft)	Length (Miles)	Road Surface Rating (RSR)	Sidewalk Repair Calendar Year	Sidewalk Material Proposed	2022 Estimated Cost	Revised 2023 Estimated Cost
SUMMIT PLACE 1	HIGH ST	#29	2026	Poor	Reclamation	1000.00	0.19	51	2026	Concrete	\$ 387,050.50	\$ 394,500.00
SUMMIT PLACE 2	#29	TOPPANS LN	2026	Poor	Reclamation	675.00	0.13	51	2026	Concrete	\$ -	\$ 200,300.00
TOTAL											\$ 387,050.50	\$ 594,800.00

2024 City of Newburyport - DPS
Five Year Roadway and Sidewalk Plan

Ward 3 FY 28 (2027 Construction Season)

Street Name	From Street	To Street	Road Repair Calendar Year	General Condition	Proposed Repair Method	Length (Ft)	Length (Miles)	Road Surface Rating (RSR)	Sidewalk Repair Calendar Year	Sidewalk Material Proposed	2022 Estimated Cost	Revised 2023 Estimated Cost
											\$ -	\$ -
											\$ -	\$ -
TOTAL											\$ -	\$ -

Ward 3 FY 29 (2028 Construction Season)

Street Name	From Street	To Street	Road Repair Calendar Year	General Condition	Proposed Repair Method	Length (Ft)	Length (Miles)	Road Surface Rating (RSR)	Sidewalk Repair Calendar Year	Sidewalk Material Proposed	2022 Estimated Cost	Revised 2023 Estimated Cost
CURRIERS COURT	KENT ST	DEAD END	moved from 2024	Fair	Mill & Overlay	152.68	0.03	75	TBD	Asphalt	\$ 4,613.01	\$ 10,968.00
PAPANTI COURT	OCEAN ST	DEAD END	moved from 2024	Fair	Mill & Overlay	167.61	0.03	79	n/a	n/a	\$ 6,752.21	\$ 9,670.00
PERKINS WAY	PARKER ST	CUL DE SAC	2028	Fair	Mill & Overlay	1269.38	0.24	ave 72	n/a	n/a	\$ 95,880.58	\$ 199,400.00
PREBLE ROAD	PERKINS WY	CUL DE SAC	2028	Fair / poor	Reclamation	952.34	0.18	avg 56	n/a	n/a	\$ 57,546.64	\$ 117,500.00
											\$ -	\$ -
TOTAL											\$ 57,546.64	\$ 337,538.00

Future Years

Street Name	From Street	To Street	Road Repair Calendar Year	General Condition	Proposed Repair Method	Length (Ft)	Length (Miles)	Road Surface Rating (RSR)	Sidewalk Repair Calendar Year	Sidewalk Material Proposed	2022 Estimated Cost	Revised 2023 Estimated Cost
											\$ -	\$ -
											\$ -	\$ -
TOTAL											\$ -	\$ -

**2024 City of Newburyport - DPS
Five Year Roadway and Sidewalk Plan**

**2024 City of Newburyport - DPS
Five Year Roadway and Sidewalk Plan**

Ward 4 FY 24 (2023 Construction Season)

Street Name	From Street	To Street	Road Repair Calendar Year	General Condition	Proposed Repair Method	Length (Ft)	Length (Miles)	Road Surface Rating (RSR)	Sidewalk Repair Calendar Year	Sidewalk Material Proposed	2022 Estimated Cost	Revised 2023 Estimated Cost
CHRISTOPHER ST	PLUMMER AVE	JEFFERSON ST	2023 - COMPLETED	Very Poor	Reclamation	673.32	0.13	36	NA	NA	\$ 88,154.28	\$ -
PLUMMER AVE	HIGH ST	MERRIMAC ST	2023 - COMPLETED	Very Poor	Reclamation	1543.00	0.29	22	2023	Concrete	\$ 125,000.00	\$ -
TOTAL											\$ 125,000.00	\$ -

\$66,000 est actual cost est did not include S.W. at \$350,000

Ward 4 FY 25 (2024 Construction Season)

Street Name	From Street	To Street	Road Repair Calendar Year	General Condition	Proposed Repair Method	Length (Ft)	Length (Miles)	Road Surface Rating (RSR)	Sidewalk Repair Calendar Year	Sidewalk Material Proposed	2022 Estimated Cost	Revised 2023 Estimated Cost
WILLOW AVE	HIGH ST	MAPLE ST	2024	Very Poor	Reclamation	566.30	0.11	12	2024	Asphalt	\$ 40,000.00	\$ 99,650.00
ASHLAND COURT	ASHLAND ST	DEAD END	2024	Poor	Mill & Overlay	344.92	0.07	48	2024	Concrete	\$ -	\$ 61,645.00
TOTAL											\$ 40,000.00	\$ 161,295.00

Sewer Main not included

Ward 4 FY 26 (2025 Construction Season)

Street Name	From Street	To Street	Road Repair Calendar Year	General Condition	Proposed Repair Method	Length (Ft)	Length (Miles)	Road Surface Rating (RSR)	Sidewalk Repair Calendar Year	Sidewalk Material Proposed	2022 Estimated Cost	Revised 2023 Estimated Cost
ADAMS STREET	JEFFERSON ST	DEAD END	2025	Poor	Reclamation	525.38	0.08	45	2025	Concrete	\$ 120,679.56	\$ 131,250.00
BUTLER STREET	MERRIMAC ST	HOWARD ST	2025	Poor	Reclamation	486.81	0.09	42	2025	Concrete	\$ 90,383.62	\$ 186,450.00
CALIFORNIA STREET		WALNUT ST	2025	Poor	Reclamation	323.16	0.06	43	2025	Concrete	\$ 95,727.90	\$ 88,950.00
FARRELL STREET	RAWSON AVE	COLUMBUS AVE	2025	Poor	Mill & Overlay	849.81	0.16	57	2025	Concrete	\$ 214,518.10	\$ 262,063.28
TOTAL											\$ 521,309.18	\$ 668,713.28

Ward 4 FY 27 (2026 Construction Season)

Street Name	From Street	To Street	Road Repair Calendar Year	General Condition	Proposed Repair Method	Length (Ft)	Length (Miles)	Road Surface Rating (RSR)	Sidewalk Repair Calendar Year	Sidewalk Material Proposed	2022 Estimated Cost	Revised 2023 Estimated Cost
											\$ -	\$ -
											\$ -	\$ -
TOTAL											\$ -	\$ -

Water work needed

Ward 4 FY 28 (2027 Construction Season)

Street Name	From Street	To Street	Road Repair Calendar Year	General Condition	Proposed Repair Method	Length (Ft)	Length (Miles)	Road Surface Rating (RSR)	Sidewalk Repair Calendar Year	Sidewalk Material Proposed	2022 Estimated Cost	Revised 2023 Estimated Cost
ARLINGTON ST	HIGHLAND AVE	HIGH ST	2027	Very Poor	Reclamation (Binder Only)	907.49	0.17	28	2027	Brick	\$ 492,018.10	\$ 520,850.00
DAWES STREET	ASHLAND ST	COOLIDGE ST	2027	Poor	Reclamation	564.15	0.11	55	2027	Concrete	\$ 28,408.30	\$ 108,162.00
COOLIDGE STREET	ASHLAND ST	PARKER RIDGE WAY EAST	2027	Poor	Reclamation	286.52	0.05	42	2027	Concrete	\$ 13,706.61	\$ 73,805.00
TOTAL											\$ 534,133.01	\$ 702,817.00

Water work needed

**2024 City of Newburyport - DPS
Five Year Roadway and Sidewalk Plan**

Ward 4 FY 29 (2028 Construction Season)

Street Name	From Street	To Street	Road Repair Calendar Year	General Condition	Proposed Repair Method	Length (Ft)	Length (Miles)	Road Surface Rating (RSR)	Sidewalk Repair Calendar Year	Sidewalk Material Proposed	2022 Estimated Cost	Revised 2023 Estimated Cost
ASHLAND STREET	HIGH ST	MERRIMAC ST	2028	Very Poor	Reclamation	1310.40	0.25	24	2028	Concrete	\$ 237,549.06	\$ 533,056.00
											\$ -	\$ -
											\$ -	\$ -
TOTAL											\$ 237,549.06	\$ 533,056.00

Future Year

Street Name	From Street	To Street	Road Repair Calendar Year	General Condition	Proposed Repair Method	Length (Ft)	Length (Miles)	Road Surface Rating (RSR)	Sidewalk Repair Calendar Year	Sidewalk Material Proposed	2022 Estimated Cost	Revised 2023 Estimated Cost
ASHLAND COURT	ASHLAND ST	DEAD END	Unknown	Poor	Mill & Overlay	344.92	0.07	48	Unknown	Concrete	\$ -	\$ 61,645.00
MUNROE STREET 1	KENT ST	CARTER ST	Unknown	Poor	Mill & Overlay	700.00	?	?	Unknown	Concrete	\$ -	\$ 48,000.00
MUNROE STREET 2	CARTER ST	OAKLAND ST	Unknown	Poor	Mill & Overlay	820.00	?	55	Unknown	Concrete	\$ 75,000.00	\$ 285,425.00
TYNG STREET	MERRIMAC ST	HIGH STREET	Unknown	Very Poor	Reclamation	1600.00	0.31	31	Unknown	Concrete	\$ 217,155.31	\$ 612,960.00
											\$ -	\$ -
TOTAL											\$ 292,155.31	\$ 1,008,030.00

**2024 City of Newburyport - DPS
Five Year Roadway and Sidewalk Plan**

**2024 City of Newburyport - DPS
Five Year Roadway and Sidewalk Plan**

**2024 City of Newburyport - DPS
Five Year Roadway and Sidewalk Plan**

**2024 City of Newburyport - DPS
Five Year Roadway and Sidewalk Plan**

Ward 5 FY 23 (2022 Construction Season)												
Street Name	From Street	To Street	Road Repair Calendar Year	General Condition	Proposed Repair Method	Length (Ft)	Length (Miles)	Road Surface Rating (RSR)	Sidewalk Repair Calendar Year	Sidewalk Material Proposed	2022 Estimated Cost	Revised 2023 Estimated Cost
HIGHLAWN TER	HIGH ST	DEAD END	2022- COMPLETE	Poor	Mill & Overlay	280.76	0.05	46	NA	NA	\$ 5,000.00	\$ -
HOPE AVE	ALBERTA AVE	IONA AVE	2022- COMPLETE	Very Poor	Reclamation	505.73	0.10	37	NA	NA	\$ 33,000.00	\$ -
QUAIL RUN HOLLOW	DOE RUN DR	FOX RUN RD	2022- COMPLETE	Poor	Mill & Overlay	379.59	0.07	49	NA	NA	\$ 23,333.33	\$ -
	FOX RUN RD	PHEASANT RUN DR	2022- COMPLETE	Poor	Mill & Overlay	374.55	0.07	49	NA	NA	\$ 23,333.33	\$ -
	PHEASANT RUN DR	WILDWOOD DR	2022- COMPLETE	Poor	Mill & Overlay	272.03	0.05	52	NA	NA	\$ 23,333.33	\$ -
FOX RUN DRIVE	SQUIRES GLEN	DRIVEWAY #11	2022- COMPLETE	Fair	Mill & Overlay	583.98	0.11	60	NA	NA	\$ 42,000.00	\$ -
	DRIVEWAY #11	QUAIL RUN HOLLOW	2022- COMPLETE	Poor	Mill & Overlay	587.84	0.11	56	NA	NA	\$ 35,000.00	\$ -
SIMMONS DRIVE	NORTH ATKINSON ST	GOLDEN DR	2022- COMPLETE	Fair	Mill & Overlay	258.37	0.05	66	NA	NA	\$ 12,333.33	\$ -
	GOLDEN DR	GOLDEN DR	2022- COMPLETE	Fair	Mill & Overlay	245.26	0.05	66	NA	NA	\$ 12,333.33	\$ -
	GOLDEN DR	DEAD END	2022- COMPLETE	Poor	Mill & Overlay	228.08	0.04	59	NA	NA	\$ 12,333.33	\$ -
STICKNEY AVENUE	ALBERTA AVE	LOW ST	2022- COMPLETE	Fair	Mill & Overlay	549.74	0.10	70	NA	NA	\$ 26,000.00	\$ -
DOE RUN DRIVE	HALE ST	CUL DE SAC	2022- COMPLETE	Poor	Mill & Overlay	1200.00	0.23	63	NA	NA	\$ 79,000.00	\$ -
PHEASANT RUN DR	QUAIL RUN	SQUIRE GLEN	2022- COMPLETE	Fair	Mill & Overlay	1825.61	0.35	70	NA	NA	\$ 85,000.00	\$ -
TOTAL											\$ 412,000.00	\$ -

Ward 5 FY 24 (2023 Construction Season)												
Street Name	From Street	To Street	Road Repair Calendar Year	General Condition	Proposed Repair Method	Length (Ft)	Length (Miles)	Road Surface Rating (RSR)	Sidewalk Repair Calendar Year	Sidewalk Material Proposed	2022 Estimated Cost	Revised 2023 Estimated Cost
											\$ -	\$ -
TOTAL											\$ -	\$ -

Ward 5 FY 25 (2024 Construction Season)												
Street Name	From Street	To Street	Road Repair Calendar Year	General Condition	Proposed Repair Method	Length (Ft)	Length (Miles)	Road Surface Rating (RSR)	Sidewalk Repair Calendar Year	Sidewalk Material Proposed	2022 Estimated Cost	Revised 2023 Estimated Cost
ALBERTA AVENUE	WILLIAMSON AVE	END	2024	Poor	Mill & Overlay	887.68	0.17	avg 55	NA	NA	\$ 58,197.61	\$ 36,590.00
BOWLEN AVENUE	IONA AVE	MYRTLE AVE	2024	Poor	Mill & Overlay	689.28	0.13	56	NA	NA	\$ 41,651.11	\$ 22,540.00
CHARMANSKI DRIVE	WILDWOOD DR	DEAD END	2024	Poor	Mill & Overlay	256.02	0.05	60	NA	NA	\$ 58,489.60	\$ 17,628.00
CHARRON DRIVE	NORTH ATKINSON ST	CUL DE SAC	2024	Poor	Reclamation	727.00	0.14	20	NA	NA	\$ 80,538.38	\$ 53,500.00
CROW LANE	TURKEY HILL RD	VIRGINIA LN	2024	Poor	Mill & Overlay	1294.63	0.25	60	NA	NA	\$ 78,230.31	\$ 87,520.00
TOTAL											\$ 317,107.01	\$ 217,778.00

Ward 5 FY 26 (2025 Construction Season)												
Street Name	From Street	To Street	Road Repair Calendar Year	General Condition	Proposed Repair Method	Length (Ft)	Length (Miles)	Road Surface Rating (RSR)	Sidewalk Repair Calendar Year	Sidewalk Material Proposed	2022 Estimated Cost	Revised 2023 Estimated Cost
RAWSON AVENUE	HIGH ST	LOIS ST	2025	Poor	Mill & Overlay	1629.04	0.28	60	2025	Concrete	\$ 90,000.00	\$ 405,000.00
											\$ -	\$ -
											\$ -	\$ -
											\$ -	\$ -
TOTAL											\$ 90,000.00	\$ 405,000.00

**2024 City of Newburyport - DPS
Five Year Roadway and Sidewalk Plan**

Ward 5 FY 27 (2026 Construction Season)												
Street Name	From Street	To Street	Road Repair Calendar Year	General Condition	Proposed Repair Method	Length (Ft)	Length (Miles)	Road Surface Rating (RSR)	Sidewalk Repair Calendar Year	Sidewalk Material Proposed	2022 Estimated Cost	Revised 2023 Estimated Cost
GOLDSMITHS DRIVE	TURKEY HILL RD	DEAD END	2026	Poor	Mill & Overlay / Reclamation	1690.000	0.290	59	2026	Asphalt	\$ 461,852.69	\$ 319,552.00
IONA AVENUE	HOPE AVE	MYRTLE AVE	2026	Poor	Reclamation	227.00	0.04	avg 55	n/a	n/a	\$ 12,460.45	\$ 21,100.00
NORMAN AVENUE	NORTH ATKINSON ST	MURPHY AVE	2026	Poor	Reclamation	796.45	0.15	56	2026	Concrete	\$ 90,000.00	\$ 259,950.00
TOTAL											\$ 564,313.14	\$ 600,602.00

Ward 5 FY 28 (2027 Construction Season)												
Street Name	From Street	To Street	Road Repair Calendar Year	General Condition	Proposed Repair Method	Length (Ft)	Length (Miles)	Road Surface Rating (RSR)	Sidewalk Repair Calendar Year	Sidewalk Material Proposed	2022 Estimated Cost	Revised 2023 Estimated Cost
											\$ -	\$ -
											\$ -	\$ -
TOTAL											\$ -	\$ -

Ward 5 FY 29 (2028 Construction Season)												
Street Name	From Street	To Street	Road Repair Calendar Year	General Condition	Proposed Repair Method	Length (Ft)	Length (Miles)	Road Surface Rating (RSR)	Sidewalk Repair Calendar Year	Sidewalk Material Proposed	2022 Estimated Cost	Revised 2023 Estimated Cost
NORTH ATKINSON STREET	HIGH ST	LOW ST	2028	Poor	Reclamation	2100.00	0.40	avg 54	2028	Concrete	\$ 153,504.25	\$ 654,040.00
											\$ -	\$ -
											\$ -	\$ -
TOTAL											\$ 153,504.25	\$ 654,040.00

Future Years												
Street Name	From Street	To Street	Road Repair Calendar Year	General Condition	Proposed Repair Method	Length (Ft)	Length (Miles)	Road Surface Rating (RSR)	Sidewalk Repair Calendar Year	Sidewalk Material Proposed	2022 Estimated Cost	Revised 2023 Estimated Cost
											\$ -	\$ -
											\$ -	\$ -
TOTAL											\$ -	\$ -

**2024 City of Newburyport - DPS
Five Year Roadway and Sidewalk Plan**

Ward 6 FY 24 (2023 Construction Season)

Street Name	From Street	To Street	Road Repair Calendar Year	General Condition	Proposed Repair Method	Length (Ft)	Length (Miles)	Road Surface Rating (RSR)	Sidewalk Repair Calendar Year	Sidewalk Material Proposed	2022 Estimated Cost	Revised 2023 Estimated Cost
DENNETT DRIVE	EVERETTE DRIVE	FINNEGAN WY	2023 - COMPLETED	Poor	Mill & Overlay	953.53	0.18	47	n/a	n/a	\$ 54,342.16	
PETERS ROAD	MARQUAND RD	HAWTHORNE RD	2023 - COMPLETED	Poor	Mill & Overlay	497.63	0.09	55	NA	NA	\$ 30,070.29	\$ -
HOYTS LN	STOREY AVE	CURZON'S MILL RD	2023 - COMPLETED	Poor	Mill & Overlay	497.63	0.09	61	NA	NA	\$ 30,070.29	\$ -
LONGFELLOW DRIVE	TURKEY HILL RD	28 LONGFELLOW DRIVE	2023 - COMPLETED	Poor	Mill & Overlay	1077.33	0.20	58	NA	NA	\$ 92,000.00	\$ -
CURZON'S MILL RD	HOYTS LN	DEAD END	2023 - COMPLETED	Very Poor	Reclamation	3071.61	0.58	33	NA	NA	\$ 262,111.04	\$ -
TOTAL											\$ 414,251.62	\$ -

\$53,000 est actual cost
\$125,000 est actual cost
\$66,000 est actual cost
\$221,000 est actual cost

Ward 6 FY 25 (2024 Construction Season)

Street Name	From Street	To Street	Road Repair Calendar Year	General Condition	Proposed Repair Method	Length (Ft)	Length (Miles)	Road Surface Rating (RSR)	Sidewalk Repair Calendar Year	Sidewalk Material Proposed	2022 Estimated Cost	Revised 2023 Estimated Cost
NOBLE STREET	COOMBS CIR	STOREY AVE	2024	Very Poor	Reclamation	1358.77	0.26	20	n/a	n/a	\$ 164,212.35	\$ 312,800.00
SPRING LN	FERRY RD	DEAD END	2024	Very Poor	Reclamation	1783.71	0.34	8	n/a	n/a	\$ 114,157.28	\$ 141,125.00
PHILIPS DRIVE	STOREY AVE	STOREY AVE	2024	Very Poor	Reclamation	3134.45	0.59	34	2024	Asphalt	\$ 398,230.51	\$ 145,000.00
DREW STREET	HOYTS LN	PHILIPS DR	2024	Poor	Mill & Overlay	1411.34	0.27	53	2024	Asphalt	\$ 63,301.90	\$ 63,700.00
RYAN ROAD	PHILIPS DR	PHILIPS DR	2024	Very Poor	Reclamation	444.05	0.08	36	2024	Asphalt	\$ 62,608.72	\$ 25,300.00
SULLIVAN DRIVE	PHILIPS DR	PHILIPS DR	2024	Very Poor	Reclamation	889.34	0.17	36	2024	Asphalt	\$ 107,480.06	\$ 41,500.00
											\$ -	\$ -
TOTAL											\$ 909,990.84	\$ 729,425.00

Ward 6 FY 26 (2025 Construction Season)

Street Name	From Street	To Street	Road Repair Calendar Year	General Condition	Proposed Repair Method	Length (Ft)	Length (Miles)	Road Surface Rating (RSR)	Sidewalk Repair Calendar Year	Sidewalk Material Proposed	2022 Estimated Cost	Revised 2023 Estimated Cost
BRIGGS AVENUE	FERRY RD	CUL DE SAC	2025	Poor	Mill & Overlay	852.42	0.07	54	n/a	n/a	\$ 50,419.17	\$ 60,550.00
EVERETTE DRIVE	TURKEY HILL RD	CUL DE SAC	2025	Very Poor	Reclamation	1119.31	0.21	32	n/a	n/a	\$ 135,272.43	\$ 113,675.00
TOTAL											\$ 185,691.60	\$ 174,225.00

Ward 6 FY 27 (2026 Construction Season)

Street Name	From Street	To Street	Road Repair Calendar Year	General Condition	Proposed Repair Method	Length (Ft)	Length (Miles)	Road Surface Rating (RSR)	Sidewalk Repair Calendar Year	Sidewalk Material Proposed	2022 Estimated Cost	Revised 2023 Estimated Cost
MOSELEY AVENUE	250'W of ROTARY	50'W OF ROOSEVELT PL	2026	Poor	Reclamation	1500.00	0.29	52	2026	Asphalt	\$ 112,029.92	\$ 409,650.00
											\$ -	\$ -
											\$ -	\$ -
TOTAL											\$ 112,029.92	\$ 409,650.00

2024 City of Newburyport - DPS
Five Year Roadway and Sidewalk Plan

Ward 6 FY 28 (2027 Construction Season)

Street Name	From Street	To Street	Road Repair Calendar Year	General Condition	Proposed Repair Method	Length (Ft)	Length (Miles)	Road Surface Rating (RSR)	Sidewalk Repair Calendar Year	Sidewalk Material Proposed	2022 Estimated Cost	Revised 2023 Estimated Cost
											\$ -	\$ -
TOTAL											\$ -	\$ -

Ward 6 FY 29 (2028 Construction Season)

Street Name	From Street	To Street	Road Repair Calendar Year	General Condition	Proposed Repair Method	Length (Ft)	Length (Miles)	Road Surface Rating (RSR)	Sidewalk Repair Calendar Year	Sidewalk Material Proposed	2022 Estimated Cost	Revised 2023 Estimated Cost
BOURBEAU TER	TURKEY HILL RD	TURKEY HILL RD	2028	Poor	Reclamation	1994.67	0.38	44	2028	Asphalt	\$ 413,568.78	\$ 330,850.00
											\$ -	\$ -
TOTAL											\$ 413,568.78	\$ 330,850.00

Future Years

Street Name	From Street	To Street	Road Repair Calendar Year	General Condition	Proposed Repair Method	Length (Ft)	Length (Miles)	Road Surface Rating (RSR)	Sidewalk Repair Calendar Year	Sidewalk Material Proposed	2022 Estimated Cost	Revised 2023 Estimated Cost
											\$ -	\$ -
											\$ -	\$ -
TOTAL											\$ -	\$ -

**2024 City of Newburyport - DPS
Five Year Roadway and Sidewalk Plan / Cost Summary v5**

Construction Season	Ward 1	Ward 2	Ward 3	Ward 4	Ward 5	Ward 6	Est. Construction Total	Bond Amount	Chapter 90	Meals Tax	Available Funds	Balance
2022 / 2023	\$ 311,000.00	\$ 334,000.00	\$ 625,000.00	\$ 475,000.00	\$ 412,000.00	\$ 414,000.00						
2024	\$ 571,000.00	\$ 663,000.00	\$ 912,000.00	\$ 162,000.00	\$ 218,000.00	\$ 730,000.00	\$ 3,256,000.00	\$ 1,830,000.00	\$ 1,040,000.00	\$ 450,000.00	\$ 3,320,000.00	\$ 64,000.00
2025	\$ 356,000.00	\$ 310,000.00	\$ 119,000.00	\$ 669,000.00	\$ 405,000.00	\$ 175,000.00	\$ 2,034,000.00	\$ 1,170,000.00	\$ 520,000.00	\$ 350,000.00	\$ 2,040,000.00	\$ 6,000.00
2026	\$ -	\$ 273,000.00	\$ 595,000.00	\$ -	\$ 601,000.00	\$ 410,000.00	\$ 1,879,000.00	\$ 1,000,000.00	\$ 520,000.00	\$ 350,000.00	\$ 1,870,000.00	\$ (9,000.00)
2027	\$ 845,000.00	\$ 305,000.00	\$ -	\$ 703,000.00	\$ -	\$ -	\$ 1,853,000.00	\$ 1,000,000.00	\$ 520,000.00	\$ 350,000.00	\$ 1,870,000.00	\$ 17,000.00
2028	\$ -	\$ -	\$ 338,000.00	\$ 533,000.00	\$ 655,000.00	\$ 331,000.00	\$ 1,857,000.00	\$ 1,000,000.00	\$ 520,000.00	\$ 350,000.00	\$ 1,870,000.00	\$ 13,000.00
	\$ 2,083,000.00	\$ 1,885,000.00	\$ 2,589,000.00	\$ 2,542,000.00	\$ 1,879,000.00	\$ 1,646,000.00	\$ 10,879,000.00	\$ 6,000,000.00	\$ 3,120,000.00	\$ 1,850,000.00	\$ 10,970,000.00	\$ 91,000.00 for cost overruns

2022/ 2023 are estimated total cost.

May 25, 2022

Dear City Council and Mayor Reardon

Recently one of my neighbors, Joan Steeves, 5 Woodman Way, was hit by a pick-up truck while she was walking to the supermarket. Joan has been avid walker. Many of her neighbors offered her rides but, with few exceptions, she preferred to walk. She wanted to stay strong and keep her independence. Joan was in the crosswalk at Noble St. a congested area when she was hit. Joan is 82 and is currently in Northeast Rehabilitation in Portsmouth. Please see the attached report which was printed in **The Daily News of Newburyport**, May 17, 2022.

The section of Low St, Woodman Way and Storey Avenue is dangerous. There is a traffic light at this intersection and another one near Shaw's Plaza but they are often ignored. The sidewalk and curbs on both sides of Storey Ave are in disrepair. Several neighbors have expressed concern about the safety when walking along Storey Ave. Many school aged children cross Storey Ave to go to 7-Eleven. My heart stops as I watch them even though they are at the crosswalk. I would like to walk to Panera or CVS safely and so would many neighbors.

I realize that sections of Storey Ave are maintained by the town and other sections by the State. Years ago, area resident, the late Olga MacFarlane, worked to get the traffic lights revamped for safety. I watched her effort. I began to speak to State and local officials to revamp the intersections. A traffic study was conducted, and some improvements were made. Seventeen years have passed since I moved to Newburyport. Traffic has increased. Drivers are distracted. Help is needed.

Mayor Reardon has a five-year plan but this area is not set for work until 2024. What can the city do now to ensure the safety of hundreds of residents who frankly pay a lot of taxes but get few services (no trash pickup, no plowing)?

I would appreciate your attention to this matter.

Regards,

Ann

Ann Jaroncyk
6 Woodman Way, #303
Newburyport, MA 01950
508-612-1880

NEWBURYPORT — An 82-year-old woman was conscious and alert but sustained serious injuries Monday morning after she was struck by a truck on Storey Avenue, according to first responders.

Local firefighters and police officers responded to the intersection of Storey Avenue and Noble Street about 11:45 a.m. after the woman was hit. The victim was driven to an area hospital by an Amesbury Fire Department ambulance. An Atlantic Ambulance also responded to the scene.

City Marshal Mark Murray said the truck driver remained on scene and was cooperating with authorities. No charges were immediately filed but the incident remains under investigation.

The area where the incident took place is very close to ongoing utility work that has reduced Storey Avenue to one lane and diverted traffic to Noble Street.

Shortly after the incident, traffic getting onto Storey Avenue from Noble Street was backed up all the way to Ferry Road. Noble Street cuts through the sprawling St. Mary's Cemetery.

The name of the injured pedestrian was not released.

Dave Rogers is a reporter with the Daily News of Newburyport. Email him at: drogers@newburyportnews.com. Follow him on Twitter @drogers41008.

January 16, 2023

Christine Wallace
 Ward 4 Councillor
 Newburyport City Council
 60 Pleasant Street
 Newburyport MA 01950

Dear Councillor Wallace,

We, the undersigned, live on Arlington Street, within Newburyport's Ward 4. Our block runs between High Street and Highland Avenue, and we experience considerable traffic at times, largely due to our proximity to Anna Jacques Hospital. We, of course, applaud the work of the hospital and its staff, and we also recognize that vehicular traffic is a part of life for many in Newburyport. However, speeding on Arlington Street is a real and significant problem, and we strongly feel that something must be done to mitigate it.

All too many drivers who choose to drive on Arlington Street choose to ignore that they are traveling through a residential block. Cars race to and from the Highland Avenue access to the hospital. Construction and delivery trucks speed up and down the street, shaking our homes. Multiple times a day, drivers pass through at unsafe speeds, hustling to get to wherever they are going, oblivious—or indifferent—to the effect on those who call Arlington Street home.

The situation negatively affects our quality of life and poses undeniable risks. On Arlington Street, our homes sit close to the street, fronted by sidewalks that run directly alongside the curb. The speeding results in a perilous situation for all the block's residents, particularly the many Arlington Street families with young children.

In our view, it is imperative that we, as a community, prioritize on the peace of mind and safety of residents. We urge you and your colleagues on the City Council to consider means of effectively addressing the speeding on Arlington Street, and we would welcome participation in the discussion. Thank you very much.

Stephen Hochbrunn, Mary Jo Palermo
 5 Arlington Street

Susan Stone & Jaimie Stone Carrier
 3 Arlington Street

Laura Kernan, Jean-Francois Fullum
 4 Arlington Street, Unit B

Frank Collazo
 6 Arlington Street, Unit A

Caroline Holland
 6 Arlington Street, Unit B

Peter Fitzsimmons
 7 Arlington Street

Michelle Jewett
 8 Arlington Street

John and Heather Hansen
 10 Arlington Street

Nan Ma
11 Arlington Street

Meghann and Patrick Boyle
13 Arlington Street

Madeline Nash and Robert Glenn Casey
19 Arlington Street

Sarah and Alex Guckenburg
27 Arlington Street

Christine and Anthony Salvatore
12 Arlington Street

Danielle and Konstantin Danilov
14 Arlington Street

Ulrika Gerth
24 Arlington Street

MEMORANDUM

TO: Honorable Mayor Sean Reardon
 FROM: Christine Wallace, P.E., Ward 4 Councillor
 RE: Ward 4 Street, Sidewalk, and Traffic Safety Priorities
 DATE: April 19, 2023

As we begin the second year of the rolling 5-year Street Paving Plan, Wards 2, 4, and 6 have streets and sidewalks slated for construction this season. As a follow-up to my comments at recent City Council meetings, this memorandum provides a summary of the current street, sidewalk, and traffic safety priorities for Ward 4.

Ward 4 has more streets in poor condition relative to the other wards (see attached map). Due to the rolling plan being ward-based, some “poor” streets in Ward 4 will not be paved until after streets in better condition in other wards are paved. (See <https://www.cityofnewburyport.com/streets-and-sidewalks-improvement-plan>)

Ward 4 also has substantial traffic safety needs due to having a large portion of two high-traffic regional roads (High and Merrimac Streets), wide cut-through streets, proximity to the schools, proximity to the Senior Center, Anna Jaques Hospital, the City’s only Safety Zone, one of the largest parks in the City (Atkinson Common), and two large parks on either end of the ward (Moseley Woods and Cashman Park).

The list below includes streets planned for construction, other streets documented with poor conditions, areas I receive numerous calls and emails on, or areas that have previously been brought to the attention of the Mayor and/or City Council. This list is not in any particular order and does not include all the needs in Ward 4.

Street Paving/Sidewalk Improvement Priorities

- Streets Planned for 2023(FY24) – **Plummer Ave, Christopher Street, Willow Ave, Arlington Street**
- Streets Planned for 2025 (FY 26) and 2027 (FY28) – **Adams, Ashland Ct, Butler, California, Dawes, Farrell, Munroe, Coolidge, Tyng, and Ashland Street**
- Other Larger Cut-Through Streets Not in Plan Listed in “Poor” condition (see attached slide from the BETA Dec. 2019 public presentation) – **Forrester, Woodland, Oakland, Tyng**
- Other Smaller Streets Not in Plan Listed in “Poor” condition – **Highland, Howard, Chapel, Collins, Dexter, Payson**

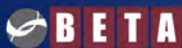
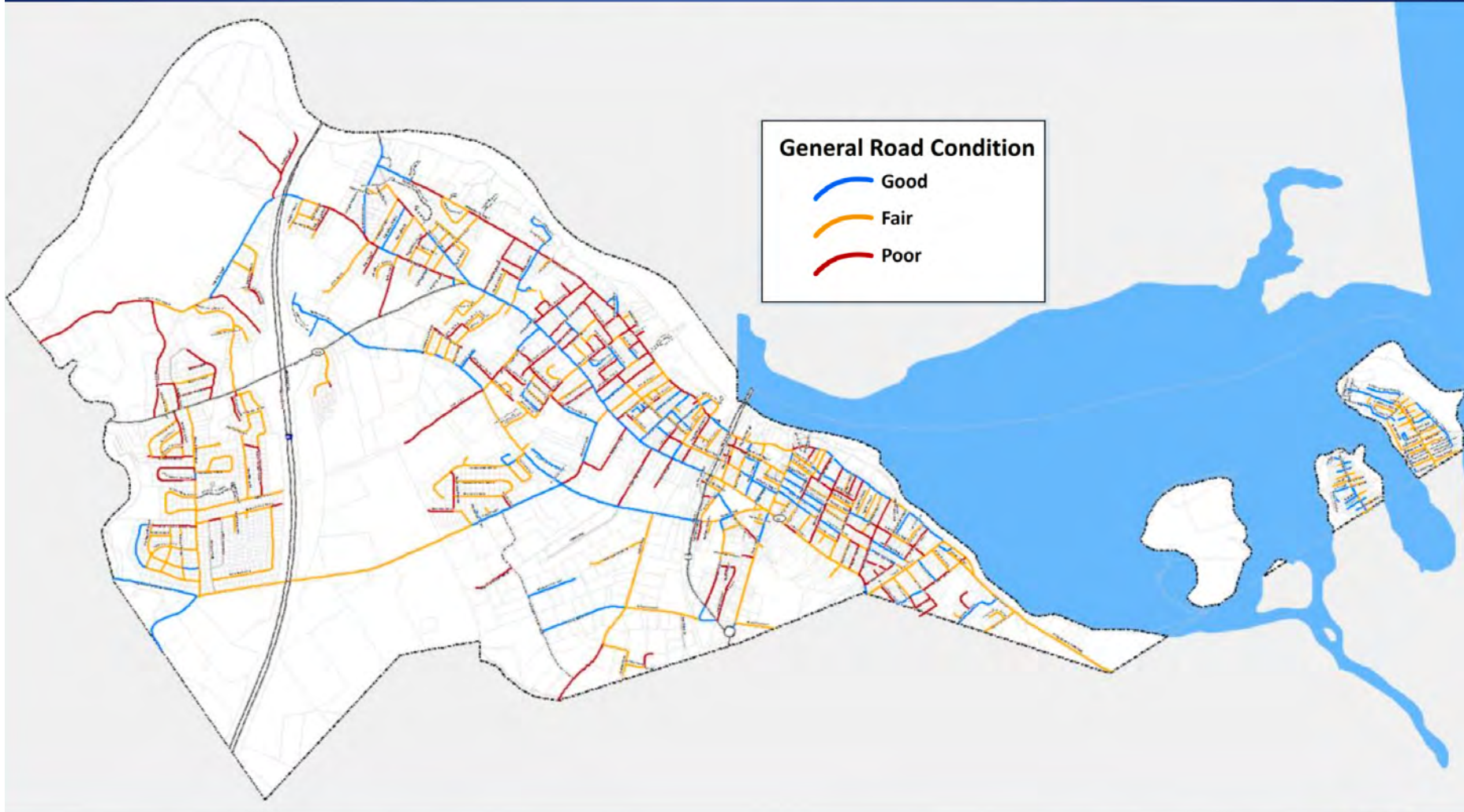
Traffic Safety Priorities

- **Merrimac Street** – Add sidewalk (route to a park), traffic calming, accessible crossings, signage, RRFB pedestrian light at Safety Zone at Lower Atkinson from Moulton to Plummer. Traffic calming, crossing/markings/signage improvements throughout Merrimac.
- **Moseley Avenue** – Add sidewalk to complete connection to roundabout (route to a park), traffic calming, crossings/markings/signage improvements.
- **Rawson Avenue** – Add sidewalk (route to a school), crossings/markings/signage improvements.
- **High Street** – Three Roads improvements project is in the planning phase. A grant for traffic calming from Three Roads to past Myrtle is due for construction before June 30 of this year. Need crosswalks returned that were removed during 2019 construction (near Myrtle, North Atkinson, Woodland), and need crossing/signage/markings improvements throughout High Street.
- **North Atkinson Street (Wards 4/5)** – Traffic calming, add sidewalk to complete connection from Low Street to Bresnahan driveway (route to a school).
- **Tracy Street** – Add sidewalk (route to a school).
- **Jefferson Street** – Requests for traffic-calming retrofits and a good candidate for demonstration projects.
- **Streets near Hospital** – Evaluate traffic patterns in the neighborhoods around the hospital to determine improvements to bus routes, marked emergency and employee routes, wayfinding signage, crossings/signage/markings, and traffic calming.
- **Coffin Street** – Need solutions to provide space for emergency vehicles and safe access at dead-end.

Repairs Needed

- **Savory Street** – Short term pavement/drainage structure fix to remove large ponded area. Longer-term fix to improve road and drainage conditions throughout the street.

Pavement Conditions Map



Source: December 2019 Public Presentation by BETA Engineering at Newburyport City Hall

From: Kristen Hunter <kristenmhunter@yahoo.com>
Sent: Friday, September 1, 2023 8:26:52 AM
To: *City Council*; Richard Jones; Andrew Port
Subject: Fw: Merrimac Street

Good morning,

The email below was sent to Christine Wallace. We have been communicating with her about Merrimac Street since 2019 and are not seeing progress to ensure Merrimac Street is safe.

Regards,
Kristen Hunter
433 Merrimac Street
802-356-0215

[Sent from Yahoo Mail for iPhone](#)

Begin forwarded message:

On Friday, September 1, 2023, 8:03 AM, Kristen Hunter <kristenmhunter@yahoo.com> wrote:
Hi Christine,

Good morning. I was thrilled to see this signage on Plummer at the raised crossing to the park this morning.

Any updates on safety plans for Merrimac Street as we continue to see cars and trucks speeding down the road in both directions with little regard for cyclists, pedestrians and residents of Newburyport?

We need physical barriers to slow traffic, more signage, speed bumps, stop lights, lower the speed limit to 20 mph (Google maps still shows 30 mph!!!), remove Merrimac Street as a dedicated truck route, anything and not just near the ball field, from the rotary into downtown to keep us safe.

I witnessed a car speeding down Merrimac last weekend that hit the 25 mph sign in front of my house to avoid hitting the cyclists on the shoulder of the street because they were going too fast.

With winter on the way, the signage in streets and crosswalks all around town will be removed making our street less safe.

That same weekend I was driving and turned left from Jefferson to Merrimac then put my blinker on to turn left into my driveway and a car was flying up behind me, got right on my bumper (my 7 year old was in the car) and gave me the middle finger.

The weekend prior a cyclist was hit by a car turning from Jefferson onto High Street.

When will something be done?

Thanks,
Kristen
433 Merrimac Street
802-356-0215

[Sent from Yahoo Mail for iPhone](#)



RAISED
CROSSWALK
15
MPH



CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

April 24, 2023

AN ORDER APPROVING THE TRAFFIC MITIGATION ALONG HIGH STREET FROM CUTTING DRIVE TO MYRTLE AVENUE

WHEREAS, the City of Newburyport ("City") was awarded a grant from the Massachusetts Department of Transportation through their Shared Streets and Spaces Program; and

WHEREAS, the City is desirous of reducing vehicle speeds in order to increase traffic safety; and

WHEREAS, the City was awarded \$123,779.00 for a traffic calming island in the center of High Street from Cutting Drive to Myrtle Avenue;

NOW, THEREFORE, the City Council hereby approves the layout plan entitled 'High Street Median @ Plummer & Upland Dated February 27, 2023 prepared by J-E White attached hereto and incorporated herewith and marked 'Exhibit A'

Councillor James J. McCauley

In City Council April 24, 2023:

Motion to waive the rules, accept the late file, and refer to Public Works & Safety by Councillor Zeid, seconded by Councillor Preston. Roll call vote. 9 yes, 2 absent (CW, BL). Motion passes.

EXHIBIT A

File Edit View E-Sign Window Help
Home Tools High St. Median DR... x

11 High St. Median USE ME-Plummer 1a (1 of 1)

Search tools

- Create PDF
- Combine Files
- Edit PDF
- Request E-signatures
- Fill & Sign
- Export PDF
- Organize Pages
- Send for Comments
- Comment
- Scan & OCR
- Protect
- More Tools

Get e-signatures fast
Send PDFs for signing.
Recipients sign online for free.
[Request E-signatures](#)

MONILEY AVE
STOREY AVE
CUTTING DR
PLUMMER AVE
HIGH STREET
UPLAND RD
MOYLE AVE
JEFFERSON ST
OLIVE'S BAK-HOUSE

LAYOUT PLAN - 1"=50'

PLUMMER AVE
CUTTING DR
UPLAND RD

LEGEND
SWEL SINGLE WHITE EDGE LINE
SYCL SINGLE YELLOW CENTER LINE

LEGEND
S-SWALITY FOR SIDEWALK
E-STEELING AROUND
CORNER STONES PLUSH
WITH PAINT TYPE

LAYOUT PLAN - 1"=20'

DRAFT - FOR REVIEW ONLY

CITY OF NEWBURGH
DEPARTMENT OF PUBLIC SERVICES
30 HERRIN WAY
NEWBURGH, NY 10999

DATE: 04/24/23
SCALE: 1"=20'

HIGH STREET MEDIAN @ PLUMMER & UPLAND
LAYOUT PLAN

C-1

MEMORANDUM

To: President and Members of Newburyport City Council

From: Mayor Sean R. Reardon

CC: John-Eric White, City Engineer and Acting Director of Public Services
Andy Port, Director of Planning and Development

Re: High Street Traffic Mitigation

This cover memo serves to introduce the planned improvements to High Street that are intended to mitigate traffic issues and improve the safety of this principal corridor. The City of Newburyport was awarded a grant from the Massachusetts Department of Transportation through their Shared Streets and Spaces Program. This round of funding for the program prioritized reducing vehicle speeds in order to increase traffic safety and supported implementation projects to improve infrastructure for active transportation. The City was awarded \$123,779.00 for a traffic calming island in the center of High Street from Cutting Drive to Myrtle Street. The proposed plan for this work is attached.

The project goal is reduce the speed of vehicles traveling from Storey Avenue, Ferry Road and Mosely Avenue onto High Street. By reducing the speed, it is anticipated that the number of accidents and "near misses" in the area will be decreased. The cobblestone island will be approximately 400 ft. long, ending just beyond Myrtle Street. The work entails digging up the center of High Street the length of the island, laying down a base layer, then putting cobblestone on top of the base layer and pouring concrete to hold the cobblestone in place. The City's Highway Division will do this work and it will take approximately one week to complete. Line painting is the final step of the project and will be conducted by a contractor. The painting will be completed in a day or two once it is on the contractor's schedule.

This project was discussed at the April meeting of the Traffic Safety Advisory Committee and is being brought to the Council now for approval. The Department of Public Services will plan to complete this project upon receiving approval from the Council.

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~~ Submittal Requirements.

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 January 10, 2022:

Motion to refer to Neighborhood & City Services by Councillor Wallace, seconded by Councillor McCauley. Roll call vote. 11 yes. Motion passes.

In City Council January 9, 2023:

Motion to refer to Public Works & Safety by Councillor Wallace, seconded by Councillor Zeid. So voted.