

**END OF CONSENT AGENDA
BEGINNING OF REGULAR AGENDA**

MAYOR'S UPDATE
January 11, 2021
Mayor Donna D. Holaday

Water and Sewer Fees – On your agenda are proposed fee changes from DPS Water and Sewer. The Water and Sewer Commission has reviewed the proposal and voted to recommend approval by the City Council. The changes would bring service fees in line with the associated costs to administer these services. Increasing the service fees, which has not happened since 2006, will help to offset future increases to rates and fees for all users. DPS staff will be available to answer any questions or attend subcommittee meetings throughout your review.

Ordinance Amendment on Snow and Ice on Sidewalks and Streets – I want to thank Councillors Khan and Wallace for sponsoring and for working with my administration on important and much-needed changes to the Snow and Ice on sidewalks. We had a very productive meeting with the Neighborhood Subcommittee last week as well. The most important change is granting DPS staff the authority to ticket and enforce those throwing snow into the street during the storm and affecting their ability to plow our streets. Thank you again for the Councillors' collaboration on this effort and I fully support the ordinance as amended in committee.

WWTF Shoreline Resiliency Project – The project is well underway and our contractor George R. Cairns and Sons, Inc. has made significant progress since mobilizing a month ago. The contractor has cleared vegetation, removed debris, and installed over 350 feet of sloped stone revetment to date, as well as begun bringing in fill to raise the grade. The project should be completed by the end of June 2021 and remains on schedule.

High Street Safe Routes to School - A subcontractor is currently installing the flashing beacons and decorative posts at the four crosswalks on High Street. The state contractor RM Pacella, Inc. has demobilized for the winter and will be removing their remaining equipment and materials from Cushing Park in the coming days. The contractor will return in the spring of 2021 to complete the sidewalk work and some landscaping as well as mill and overlay this section of High Street at the completion of the job.

Free Cash and Joint Budget Meeting – In advance of our Joint Budget Meeting with the City Council and School Committee meeting tomorrow night, I am pleased to report that our Free Cash was just certified at \$3.1 million. This is higher than expected and encouraging as we head into our FY2022 budgeting process. In addition, Water Enterprise Fund was certified at \$1.398M, Sewer Enterprise Fund \$999,799 and Harbormaster at \$543,618

I look forward to our discussion tomorrow night on the financial outlook for this upcoming fiscal year.

Plum Island Reservation Terrace – Since the December 17th storm I continue to work with state official and our elected delegation and advocate on behalf of the City to find a solution for Reservation Terrace in order to protect our public infrastructure and the homes of our residents. This past Friday I met with Senators Tarr and DiZoglio to discuss the damage from the recent storms and the urgency for the state to find a solution. I have also had direct conversations with Lt. Governor Polito, and I expect a plan coming directly from the secretaries of Energy and Environmental Affairs and MEMA shortly to provide much needed relief and clarity.

Vaccination, 1st Responders – As you may have already heard, Newburyport was chosen as a regional vaccination site for first responders in the area. Thank you to Health Director Frank Giacalone for taking the initiative and coordinating this effort ensure that our first responders are given easy, immediate access to the vaccine.

My office has been receiving many inquiries on the schedule and timing of vaccinations for the general public, and I'm sure Councillors are being asked the same question as well. At this point, we are following the guidance and information that is provided by the Baker-Polito Administration. As soon as we receive guidance and information on Phase 2 and 3 of vaccine plan for the general public, we will be sharing that information with the City Council and to residents through our communication channels.

CSO bill H.4921 – I am pleased to report that the State Legislature passed a bill that will require sewer system operators to issue a public advisory within 2 hours of a sewage discharge every 8 hours until the discharge has ended. This is a vast improvement to the existing notification system, and it will allow for more data collection of pollutants in the Merrimack River as a result of Combined Sewer Overflow (CSO) in upriver communities during a rain event. While the bill does not directly curb the amount of raw sewage being dumped into the Merrimack, it's a critical step in our collective efforts through the Merrimack River District Commission to understand the effects of CSO on the Merrimack and our community and ultimately end CSOs. This also supports our efforts to institute a pilot notification system when CSOs occur targeted to be rolled out this spring.

Fire Station Feasibility – We just received a revised preliminary assessment to replace the West End Cutter Station, and are beginning the process of review. We will be reconvening the feasibility committee in the coming weeks, with an update to the full City Council soon thereafter.

Central Waterfront: We received 14 proposals in response to our RFP on the Central Waterfront (former NRA land). Thursday night the committee will be reviewing the responses.

Phillips Drive Drainage: The consultant BSC will reach 75% design in March and we will have a much better picture of the status of drainage in the area and costs to address.

Covoid Testing in Schools: All school staff will be tested on Wed. 1/13 for Covid-19 for us to establish a baseline for re-opening the schools to resume our hybrid model. We hope to add pool testing for students for specific cohorts as we move forward.

**APPOINTMENTS
SECOND READING**

SECOND READING APPOINTMENTS

Appointments

- APPT205_12_14_2020 Timothy Rooney 9 Marshview Cir., Seabrook, NH Asst. Harbormaster 12/31/2023

Re-Appointments

- APPT200_12_14_2020 David Zinck 6 Laurel Rd. Electrical Insp. 1/1/2022
- APPT202_12_14_2020 Enrico Caruso 34 Russett Hill Rd., Haverhill Asst. Harbormaster 12/31/2023
- APPT204_12_14_2020 Richard Puopolo 169 Apache Way, Tewksbury Asst. Harbormaster 12/31/2023
- APPT206_12_14_2020 Daniel Scott 16 Johnson St., Windham, NH Asst. Harbormaster 12/31/2023
- APPT207_12_14_2020 Philip Stern 271 Merrimac St., Apt. 2 Asst. Harbormaster 12/31/2023

In City Council December 14, 2020:

Motion to Approve Consent Agenda as Amended by Councillor Zeid, seconded by Councillor Tontar. So voted.

ORDERS



CITY OF NEWBURYPORT

ORDR228_01_11_2021

IN CITY COUNCIL

ORDERED:

December 14, 2020

That the City Council appropriation of Community Preservation Act (CPA) FY'2018 revenues for Project # 5 entitled "Central Congregational Steeple Project," enumerated in Council Order ORDR041_06_26_17 is hereby amended by reducing the final approved appropriation from \$75,000 to \$50,000. This reduction, to that amount already reimbursed to the applicant, is a direct result of the applicant's choice, presumably under advice from their counsel, to proceed with removal and replacement of a number of historic windows in the subject structure prior to recording of the requisite Preservation Restriction (PR) on that structure, which was a clear condition of the original appropriation. Despite advice and/or opinion from applicant's counsel, it was clearly the intent of the City Council that a Preservation Restriction (PR) be placed on the entire structure, and this discrepancy was also identified by the Massachusetts Historical Commission (MHC) on review of terms for a proposed PR. Accordingly, no further funds under this grant award shall be reimbursed to the applicant.

Councillor Heather L. Shand

CITY OF NEWBURYPORT



 IN CITY COUNCIL

ORDERED:

January 11, 2021

THAT the City Council of the City of Newburyport hereby amends the following fees for Department of Public Services' Water and Sewer Division, as recommended and approved by the Water and Sewer Commission on October 28, 2020:

Water Service Charges	Approved June 1, 2013	Proposed
Emergency Call	\$300	\$400
Water On/Off	\$30	\$50
Water off, Meter Out Water on, Meter In	\$60	\$75
Labor – Water	\$60	\$75
Cut & Cap Water Service	\$300	\$400
Water Reconnect	\$300	\$400
Property Transfer	\$50	\$60
Hydrant Flow Test	\$100	\$150
Hydrant Charge	\$200	\$400
Hydrant Charge Newbury	\$65	\$75
Inspection	\$50	\$60

Tap Fees	Approved June 1, 2013	Proposed
Tap 1 - 2 inch	\$300	\$400
Tap 4 – 6 inch	\$550	\$650
Tap 8 inch	\$750	\$800
8 Inch or greater	\$1,000	\$1,200

Connection Fees	Approved June 1,2013	Proposed
1 Inch	\$1,400	\$2,500
2 Inch	\$4,270	No Change
4 Inch	\$7,140	No Change
6 Inch	\$10,000	No Change

Water Main Connections	Approved June 1,2013	Proposed
8 Inch	\$13,000	No Change
12 Inch	\$16,000	No Change
16 Inch	\$20,000	No Change

Meter Charge	Approved June 1,2013	Proposed
5/8 Inch	\$270	Market Cost (Variable)*
1 Inch	\$400	Market Cost (Variable)*
Greater than 1 inch	Cost	Market Cost (Variable)*
Meter horns fittings	No Charge	Market Cost (Variable)*
Meter Test	\$100	\$150
Valve Repair	\$75	\$100
Tamper Fine	\$300	\$500 First offense \$1,000 per subsequent offense

Sewer Connection Fees	Approved June 1,2013	Proposed
Cut & Cap Service	\$1,000	\$1,500
Sewer Reconnect	\$225	\$225
Property Transfer	\$50	\$60
I/I Fee	\$300	No Change

*Market Cost (Variable) refers to market fluctuations in the cost of brass, copper and steel, which has a direct impact on price changes for equipment and infrastructure.

Councillor Charles F. Tontar



CITY OF NEWBURYPORT

DEPARTMENT OF PUBLIC SERVICES

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

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

TO: Mayor Holaday
FROM: Julie Spurr Knight, DPS Business Manager
DATE: December 30, 2020
SUBJECT: Proposed Updates to Water and Sewer Service Fees

The Department of Public Services recently conducted an analysis on the current Water and Sewer service fee structure. The fees were last updated and approved by the Water Commission in July of 2013. Many of the fees have not changed since July of 2006.

The analysis of the current fee schedule indicated that many fees are no longer covering the associated costs, as intended. Labor rates, time and material and vehicle fuel consumption were used to calculate the updated fee amounts.

Bringing these service fees in line with the associated costs will help to offset future increases to rates and fees for all users. Continuing to provide services with fees that do not cover the direct cost of labor and materials will continue to reduce retained earnings and drive further rate increases.

In late November of 2020 the Water & Sewer Divisions developed a rate study team. A scope of work was outlined and quotes were solicited. The Department is moving forward with the rate study and will have the study completed prior to July 1, 2021. The study will review water and sewer historic usage, estimate population growth and performs an asset valuation on the current water/sewer facilities and infrastructure. The engineering firm will provide projected rate structures, fees and projected revenue requirements. The last major rate study was conducted approximately ten years ago prior to the upgrades to the two treatment plants.

We look forward to sharing the results of the rate study. In the meantime, it is our hope that bringing these service fees in line with the associated costs will help to mitigate increases for all ratepayers in the future.

Thank you for your consideration.

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

Amended as follows, with deletions ~~double-stricken and italicized~~, and additions double-underlined and italicized:

Date: January 11, 2021

THAT pursuant to the CITY OF NEWBURYPORT Code of Ordinances Section 13-181 (a) and Section 13-166 the CITY COUNCIL of the CITY OF NEWBURYPORT hereby amends and approves as follows:

Chapter 13	Traffic and Motor Vehicles
Article 4	Specific Street Schedules
Division 6	Stopping, Standing and Parking
Sec. 13-180.1	Paid parking permits

Amend existing Section (a) as follows, with deletions ~~double-stricken through~~, and additions double-underlined:

Preamble. Resident parking permits may be issued to residents of Newburyport and employee parking permits to Downtown Business employees and employers.

(a) *Definitions.* As used in this section:

- (6) *Downtown Business:* A business located in the area bounded by High Street, Federal Street, the Merrimack River and ~~Winter~~ Kent Street.

Councillor Barry N. Connell

Councillor Heather Shand

ORDINANCES

COMMITTEE ITEMS

Committee Items- January 11, 2021
Education Committee

COMM235_03_30_2020

Ltr re: SC apptment of Brett Murphy to Whittier Vo-Tech Cmte

COMM240_04_27_2020 LF

Memo re: SOI Submission Info

Removal from Committee Form

Instructions: Remit to rjones@cityofnewburyport.com; pbarker@cityofnewburyport.com; ksullivan@cityofnewburyport.com by Wednesday, 5 PM preceding Council meeting

Committee Name: Education Committee

Committee Chair: Khan

	Measure Identifier	Measure Title	Amended in Committee? (if yes, attach final version)	Consent Agenda or Regular Agenda?
1.	COMM235_03_30_2020	Ltr re: SC Appt. of Brett Murphy to Whittier Vo-Tech Cmte	NO	Consent
2.	COMM240_04_27_2020	Memo re: SOI Submission Info	No	Regular
3.				
4.				
5.				



NEWBURYPORT PUBLIC SCHOOLS

70 LOW STREET

NEWBURYPORT, MASSACHUSETTS 01950-4086

COMM235_03_30_2020

OFFICE OF THE SUPERINTENDENT
SEAN T. GALLAGHER, SUPERINTENDENT

REC'D
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2020 MAR 10 AM 10:28

TELEPHONE 978.465.4456
FAX 978.462.3495

March 9, 2020

Mr. Brett Murphy
2 Marsh Street
Newburyport, MA 01950

Dear Mr. Murphy:

I wish to inform you that the Newburyport School Committee voted to re-appoint you to serve for 3-years, as one of two Newburyport representatives on the Whittier Regional Vo-Tech School Committee. Your term is from April 1, 2020 through March 31, 2023.

Thank you for serving the students and community of Newburyport. Please do not hesitate to contact me any time via email at sgallagher@newburyport.k12.ma.us or 978-465-4456.

Sincerely,

Sean T. Gallagher
Superintendent of Schools

cc. Mayor Donna Holaday
Jared Eigerman, City Council President
Richard Jones, City Clerk
Maureen Lynch, Superintendent

refer to EC

Educational background and rationale for the proposal for a building project at Newburyport High School

Our future vision for Newburyport High School is that it will provide learning spaces that promote innovation, creation, and student-driven learning; which includes learning environments that are technology rich, provide opportunities for students to pursue their passions, and enhance teacher and student capacity to imagine. Over the last couple of years, teachers have engaged in skills-based instruction and assessing while developing a vision for the Newburyport High School Graduate. Additionally, across the district teachers and programs are aligning practices with the commitments outlined in the 5-year strategic plan.

The efforts towards this vision conflicts with the high school's current learning spaces that were designed for more traditional methods of instruction. Since the high school was renovated, the greatest changes in education and the world have been in the area of STEM and as a result, we are preparing students for jobs that currently do not exist. By making the investment in STEM spaces and instruction we are providing every Newburyport High School student with the skills and tools that will allow them to develop collaboration, problem-solving, and innovation skills that are transferable across content areas. In the end, our students will be globally competitive.

Recognizing the ever changing work environment and global competition, the Newburyport Education Foundation (NEF) has collaborated with Newburyport Public School's vision to enhance STEM opportunities K-12 by building a multi-year campaign to help fund STEM education. This great community support began in 2016, the NEF built this effort from the ground up by starting with our youngest students at the Bresnahan School. They helped create one of the first elementary STEM lab learning spaces in this state. The NEF then continued their efforts by supporting renovation of the STEM learning environments at both the Molin Upper Elementary and the Nock Middle Schools. Through the renovation, NEF funding supported the tools, technology, and equipment needed for state of the art STEM instruction. Our students are now arriving at the high school with more accelerated STEM learning backgrounds and experiences. The MSBA Statement of Interest supports the continuation of those learning endeavors, by re-imagining teaching and learning within the STEM areas and beyond at Newburyport High School.

Flexible Space Possibilities:

Technology Innovation Space - designed to integrate technology into all curriculum and increase technology literacy for all NHS students.

Passive Solar wet lab - designed as an innovation space for real-world problem solving including global environmental issues, food stability, sailbot (instead of going off campus) and much more.

High Energy lab -innovation space that would have the capability of running high level experimentation such as spectroscopy of elements and gases

Math innovation lab - innovation space where ongoing hands-on projects could be constructed, built and stored temporarily

The building of STEM spaces through the renovation will provide us with the space requirements to apply for the state's Innovation Pathways Grants

- **Innovation Pathways are designed to give students coursework and experience in a specific high-demand industry, such as information technology, engineering, healthcare, life sciences and advanced manufacturing.**

Current Course Offerings	Possible Course Offerings
Science Courses:	
General Science Offerings <ul style="list-style-type: none"> • Biology CP, Honors, AP • Chemistry CP, Honors, AP • Physics CP, Honors, AP Current Electives <ul style="list-style-type: none"> • Organic Chemistry • Environmental Science • Astronomy • Aquaponics • Bioethics • Anatomy and Physiology 	Introduction to Electronics Modern Physics (Honors) Biomedical Pathway Marine Science Medical Assisting Pathway
<u>Recently added due to partnership with NEF and as a result of STEM Proposal 2016*</u> Organic chemistry* Environmental Field Studies* DE (20/21) Biotechnology* Survival Science* (new 20/21) DE - Dual enrollment through SNHU in 20/21	
Technology/Engineering Courses:	
Robotics Sailbot Programing for Game Design <u>Recently added due to partnership with</u> NEF Engineering in the 21st Century co-taught* DE Introduction Industrial Design	Multi-levels of Computer Science Second level Game Design Class Intro to Making (co-taught with Art Wearable Electronics Increase engineering course options Increased availability of higher level courses (currently most upper level classes only run once every 2-3 years)
Mathematics courses:	
General math offerings <ul style="list-style-type: none"> • Algebra • Geometry • Algebra II • Pre-Calculus • Calculus • Statistics 	Data Analysis/Introduction to Statistics to prepare underclassmen for the data analysis needed in a variety of Advanced science, history, and math courses Math Lab or other format for remediation purposes and tutoring Mathematical Modeling Applied mathematics
Cross Curricular courses:	
Engineering in the 21 st Century* (Honors) - <i>Tech/Engineering and Science</i>	Programming for Game Design - <i>Tech/Engineering and Math</i> Intro to Making - <i>Tech/Engineering and Art</i> Biostatistics - <i>Science and Math</i> The Art of Mathematics - <i>Math and Art</i>

Statement of Interest Overview

The Statement of Interest is the tool that districts use to identify deficiencies and/or programmatic issues that exist within their schools. It is a signal to the Massachusetts School Building Authority that the district has identified a need or needs within its buildings and is interested in partnering with the MSBA on a school building project. The MSBA process is a competitive grant program in which SOIs submitted by districts across the commonwealth are compared with one another to determine which are the most urgent and needy.

There are two main programs available through the MSBA process. The Core Program is for full scale renovation and/or addition projects as well as new school construction. The Accelerated Repair Program (ARP) assists districts with the replacement of aging boilers, windows/doors and roofs. As its name indicates, the ARP is a more streamlined process aimed at correcting those issues more quickly.

Consideration has been given to submitting an SOI for the ARP to address the current roof issues at the high school, and thereby separating it from the lengthier process of the Core Program for the Science Wing Project. However, the MSBA only allows districts to submit one SOI per building per year and guidance for submission of an SOI for the ARP includes the following:

...a district should not submit an SOI for consideration in the ARP if:

- *the district plans a future construction project for MSBA participation going beyond roofs, doors/windows, and boilers for the school, or*
- *the district is reviewing facilities deficiencies to further identify its needs and priorities*

The issues with the high school roof are currently under control and funding still exists from an appropriation approved for maintenance and repairs of the roof a couple of years ago by the City Council. We should be able to manage through the next few years with those funds.

According to the MSBA website, they receive between 100 and 125 SOIs each year for inclusion in their Core Program. The number of districts that get invited into the program each year varies based on a number of factors including the MSBA's funding cap for that particular year, the nature and size of the projects that are deemed neediest, and the reimbursement rates of those districts invited into the program. Taking that into consideration along with the current state of the economy it is likely that acceptance into the Core Program will be a multi-year process.

MSBA Core Program Approximate Timeline of SOI Process

- **Early January**-SOI submission period opens
- **January to April** (May this year)-Districts prepare and submit their SOIs
- **May to August**-MSBA staff evaluates SOIs for completeness and content
- **September & October**-MSBA staff and consulting engineers perform "Senior Study" visits as they deem necessary to gather more information about proposed projects. These visits are conducted on the site of the proposed project and typically take approximately two hours.
- **November**-Further evaluation of SOIs conducted
- **December**
 - MSBA staff make recommendations to MSBA Board of Directors regarding which districts to invite into the program
 - MSBA Board of Directors meets to discuss and approve recommendations
 - Districts receive invitation into the program

Committee Items- January 11, 2021

Neighborhood & City Services

COMM197_10_28_19

COMM233_03_09_2020

COMM252_07_30_2020

COMM269_10_13_2020

ODNC066_11_30_2020

Ltr re: Phillips Drive Neighborhood Drainage (COTW)

Ltr re: MVRTA State Street Bus Stop Shelter

Email re: Masks in Public

DPS Snow and Ice Plan

Snow and Ice Ch 12 Amendments

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2019 OCT 21 AM 8:12

Philip Cootey
22 Phillips Drive
Newburyport MA 01950

October 16, 2019

Newburyport City Clerk's Office
Attn: Larry Giunta
60 Pleasant St.
Newburyport MA 01950

Dear Mr. Giunta and City Councilors:

Thank you to the councilors and candidates who came to our neighborhood meeting on October 5th where we raised awareness of our crumbling drainage infrastructure.

I write to today regarding the ongoing drainage situation. We request an official update from the Council on the plan to address our ongoing problems at its next meeting on October 28.

Regards,

Philip Cootey and residents of Phillips Drive Neighborhood

UCS

COMM233_03_09_2020

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

MVRTA State Street Bus Stop Shelter

February 18, 2020

Dear President Eigerman, and honorable City Council members;

The MVRTA bus stop on State Street by the Library parking Lot has No Shelter for waiting Bus riders.

This Bus Stop is most often used by Senior Citizens and elderly, Disabled residents, Mothers with strollers and children, and downtown employees who have no private means of getting to / from work.

All of them endure freezing winter, down pouring rain, unforgiven winds, and summer scalding sun while waiting for their rides to get home to Storey Ave or Low street. Others, the Bus is their only mean to get to Market Basket for groceries, or Walgreen for the medication refills.

I would kindly ask that funds would be appropriated for installing a proper Bus Stop Shelter to help and protect our vulnerable unfortunate residents.

Respectfully submitted,

Hazem Mahmoud, M.D., Ph.D.

Professor of Pediatric Hematology Oncology

52A Ferry Road, Newburyport, MA 01950

PCS

COMM252_07_30_2020

From: **Margie walentuk** <mwalentuk@gmail.com>
Date: Mon, Jul 27, 2020 at 6:46 AM
Subject: Masks in community

Dear Council President Connell and Distinguished Council Members,

The purpose of this email is to help in the formulation of a plan to address tourists entering the city, mandatory wearing of masks when social distancing is not possible including city officials, keeping our city residents safe and our Covid numbers down.

As a public health nurse and psychiatric nurse practitioner and former business owner in the community, I am very passionate about the health and safety of our community and its residents,

Thank you,

Margery Walenrtuk
24 Warren St.
978-609-1681



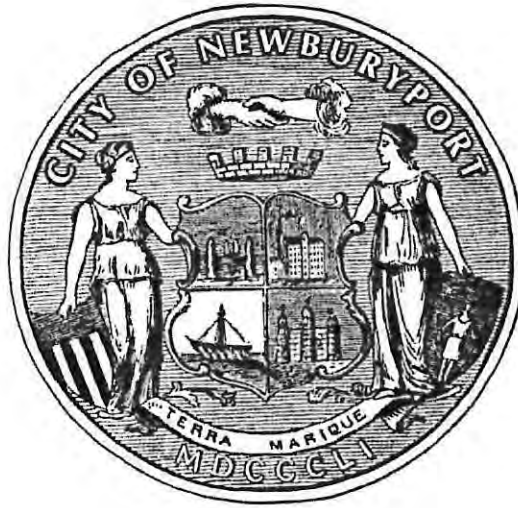
CITY OF NEWBURYPORT
OFFICE OF THE MAYOR
DONNA D. HOLADAY, MAYOR

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

To: President and Members of the City Council
From: Donna D. Holaday, Mayor
Date: October 6, 2020
Subject: DPS Snow and Ice Plan

Please see attached to review the City of Newburyport Department of Public Services Snow and Ice Plan for 2020 and 2021 Season.

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA
2020 OCT -6 PM 2:13



City of Newburyport
Department of Public Services
SNOW AND ICE PLAN
2020 / 2021 Season

Donna D. Holaday, Mayor

Anthony J. Furnari, Director

Jamie Tuccolo, Deputy Director

Ronald Keefe, General Foreman

Introduction:

The City of Newburyport takes great pride in making our public roadways as safe as possible under the worst of winter conditions. Keeping our public ways safe and accessible during snow and ice events is of highest priority in order to reduce the likelihood of personal injury to the general public, automobile accidents and property damage. The City's goal is to quickly open the streets and make them passable so that essential vehicular traffic can safely negotiate roadways. Residents can help us do this by working together.

Snow Emergency Parking Ban:

The City of Newburyport implements a snow emergency parking ban when it is predicted that we will receive three or more inches of snow accumulation. If there is a parking ban in effect, it will appear on the City's website www.cityofnewburyport.com. To get email notifications from the website be sure to select the "Notify Me" button on the front page and sign up.

In addition, eleven flashing blue lights will be activated throughout the city at the following locations, usually at least six hours before a declared snow emergency:

March's Hill at Bromfield St.

Route 113 at Hoyt's Lane

Water St. at Shandel Dr.

Market Square

Storey Ave, Ferry Rd and Moseley Ave Intersection

Malcolm Hoyt Dr. at Parker St.

High St. @ State St.

Route 1 Rotary and State St.

Route 1 and Merrimac St.

Merrimac, Moseley and Spofford (Roundabout)

Storey Ave. across from Daniel Lucy Way

You may also contact The Department of Public Services Weather Event and Emergency Information Line at 978-463-0472 to find out the status of the parking ban. Parking regulations are strictly enforced to ensure that streets remain accessible for snowplows, fire apparatus and other emergency vehicles. **Any vehicle that impedes the snow removal process will be towed at owner's expense.**

Alternate Delegated Parking Areas:

The City of Newburyport offers alternative designated parking areas for on-street cars that include the following: Titcomb Street Parking Garage, Green Street Municipal Lot (except in areas posted no parking during snow emergency), Cashman Park (off Merrimac Street), Cushing Park (Washington Street) NRA Waterfront Lots East and West, Hales Court Lot (corner of Hales Court and Prince Place) and State Street Lot (corner of Harris Street and State Street). In order for DPS to clear these lots, temporary parking bans and vehicle removal may be posted and announced on the City website and Weather Event and Emergency Information Line at 978-463-0472. After snow removal is complete in a lot, it will open for parking.

PLEASE NOTE: All vehicles must be removed from the above listed lots within 12 hours following the cancellation of the snow emergency (weekends included) or vehicles will be ticketed and towed at the owner's expense.

SNOW EMERGENCY CANCELLATION INFORMATION can be obtained by checking www.cityofnewburyport.com or calling the Weather Event and Emergency Information Line at 978-463-0472.

DPS will do its best to lift the city-wide Snow Emergency parking restriction as soon as possible. The city-wide parking restriction will only be lifted when the DPS Director or Deputy Director determine that on-street parking will not cause a public safety issue to emergency response vehicles. We may seek advice from the City Marshal or Fire Chief to assist us in making this determination.

On some narrow streets, the DPS may post temporary no parking signs after the snow emergency has been lifted in order to maintain a safe and adequate vehicle travel lane. Many of these streets are located in Wards 1, 2 and 3. We will evaluate these streets on a daily basis to see if these signs may be removed once the roadway has an adequate travel lane width.

Snow Plowing:

The following is a general description of how the Department of Public Services plows snow from city streets.

Step 1. Pretreatment (1"-2" of accumulated snow)

When a snowstorm begins, the department responds by pretreating the main roads. This serves two purposes: to keep traffic safely moving and to prevent the snow from bonding to the pavement. If the snow event is less than 2" or 3" inches of accumulated snow. We may halt operation after all the roads have been pretreated and evaluate if additional treatment is required.

Step 2. Snow clearing (2" or greater)

Snow plowing begins when snow accumulates or is predicted to be two (2) or more inches. Over 48 city and privately operated pretreatment and snow clearing vehicles/equipment may be dispatched to respond to a snow emergency. DPS crews and private contractors will continue to plow until the snow event ends. We will continue to monitor the conditions of the roadways and determine if additional snow clearing equipment is needed or if equipment may need to be reassigned to another section of the city.

Step 3. Post storm clean-up and clearing

Once the snow event has concluded, DPS conducts our city-wide final snow clearing operation. This operation includes one last round of snow clearing and general cleanup to make the roadways safe for vehicular and pedestrian traffic. This operation may take days or weeks, depending on total amount snow accumulation. DPS will prioritize this operation based on the following in order of importance.

1. Main streets and school routes are treated to achieve the safest possible conditions.
2. Inclines and major intersections are treated to improve safety.
3. Flat streets are treated only if icy conditions exist.
4. Downtown and other business areas treated and snow removal may take place if needed.
5. Snow piles at intersections are pulled away from the corners to improve sight lines for existing vehicles. Snow may need to be removed judiciously from these intersections. Snow may be removed from narrow streets to improve the access for emergency and public service vehicles. Snow removal is time consuming and labor intensive; the DPS Director or Deputy Director will prioritize these streets solely based on public safety.
6. Lack of parking is not a safety issue. Nevertheless, if time, staffing and funds allow, we may clear snow from other narrow streets. These streets are determined from input from the Mayor's Office, City Councilors, residents, and emergency agencies.

SAFETY REMINDER: When driving, please stay 200 feet behind any snowplow and NEVER pass a plow truck. Visibility is not good for the snowplow operator.

Sidewalks:

The removal of the snow and ice from sidewalks is the responsibility of tenants, occupants and property owners. The City of Newburyport clears designated sidewalks following each storm, but only after all of the roads has been cleared. These sidewalks are in the downtown areas, surrounding schools and other city-owned property.

The City's Code of Ordinances (Sec. 12-52) requires tenants, occupants and property owners to remove snow and ice from their bordering sidewalks within six hours after the snow ceases to fall if it ceases to fall in the daytime and before 12:00 noon if it ceases to fall in the nighttime. If a property owner/occupant neglects to do so, he/she shall be fined \$50. Violations of this section may be enforced by any police officer, the

health director or his designees.

Driveways

DPS tries to minimize the amount of snow that gets plowed across driveways, but snow plows cannot “go around” driveways. Plow blades cannot be lifted as they pass by a driveway. Unfortunately, snow will be plowed into driveways as we perform curb-to-curb plowing. You may wish to clear your driveway several times during the storm or wait until the storm and plowing activities have ended.

Snowplowing, shoveling, or throwing snow back onto the street when clearing driveways, yards, roofs or sidewalks is prohibited by City Ordinance Sec. 12-7 and violators can be fined \$50.

Mailboxes, Fences & Shrubbery Damage

The City will not pay for damaged mailboxes, fences, and shrubbery unless actual contact is made. Residents should mark out such items in drift prone areas. Claims for these damages should be submitted to the Auditor’s Office no more than 30 days to be considered for replacement or payment at the City’s option.

Notifications

All residents and business owners are strongly urged to sign up for announcements or urgent alerts from any or all City departments. On the City of Newburyport’s website homepage, click on the large gray button that reads “Notify Me” to choose your notification preferences. Weather-related and other emergency notifications are provided by the City via news announcement posted to the website. If you are signed up for notifications, you will receive an e-mail alert letting you know that a new announcement has been posted by the City. This is especially useful in receiving the latest messages about parking restrictions and other information.

GPS Communications:

This assists the DPS of keeping record of time, area, fuel consumption and safety of all city and contracted plowing vehicles. This helps also with making sure roads are cleared in a fair amount of time, any damage to property and break downs.

Please note that this plan is always a work in progress. As we learn from our experiences and technology changes, we may find different ways to conduct pretreatment, snow clearing and snow removal with greater efficiency and lower cost.

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

November 30, 2020

AN ORDINANCE TO AMEND THE MUNICIPAL CODE WITH RESPECT TO SNOW, SLUSH AND ICE

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

Amend Section 12-7 – “Throwing snow and ice into streets” as follows, with deletions ~~double~~ ~~stricken through in bold~~, and additions double-underlined and in bold:

Sec. 12-7. – Throwing snow and ice into streets.

No person shall throw any ice or snow into ~~or place the same in~~ any street outside of the sidewalk. This section shall also apply to snow and ice thrown into any street from any roof or yard. The penalty for violation of this section shall be a written warning for the first offense; fifty dollars (\$50.00) fine to the property owner, tenant, occupant for initial and subsequent offenses for second and subsequent offenses. Any person violating this section shall be subject to a fine of fifty dollars (\$50.00). Violations of this section may be enforced by any police officer, the health director, director of public services, or their designees.

Amend Section 2-52 – “Removal of Snow from Sidewalks,” as follows, with deletions ~~double~~ ~~stricken through in bold~~, and additions double-underlined and in bold:

Sec. 12-52. - Removal of snow and ice from sidewalks.

(a) The owner, tenant, ~~or occupant, and in case there shall be no tenant or occupant, the owner~~ or any person having the care of any building or lot of land bordering on any street, lane, court, square or public place, within the city, where there is a sidewalk, shall cause all snow that may be on such sidewalk to be removed ~~therefrom~~ within six (6) hours after the snow ceases to fall if it ceases to fall in the daytime and before 12:00 noon if it ceases to fall in the nighttime. The provisions of this section shall apply to snow which falls from buildings as well as to that which falls from the clouds.

(b) The owner, tenant, occupant or any person having the care of any building or lot of land bordering on any street, lane, court, square or public place, within the city, where there is a sidewalk, shall cause such sidewalk to be made safe and convenient by removing the ice

therefrom or if removal is not feasible, by making the area passable and keeping it covered with suitable material to prevent slipping within six (6) hours after the ice forms if in the daytime, and by 12:00 noon if it forms in the nighttime.

~~(b)~~ (c) The penalty for violation of this section shall be a written warning for the first offense, fifty dollars (\$50.00) fine for first~~second~~ and subsequent offenses. ~~Each such offense shall be punishable by a fine of fifty dollars (\$50.00).~~ Violations of this section may be enforced by any police officer, the health director, parking clerks or their designees

(d) City snow clearing of sidewalks used as school routes

The department of public services shall clear snow and slush from certain city sidewalks including portions of both school pedestrian routes and specific arterial and collector roadways, subject to appropriation and the availability of city personnel and equipment. The director of public services, after consultation with the superintendent of schools, city marshal and other appropriate city personnel, shall determine the total number of miles of city sidewalks to be cleared for the purposes of this ordinance based on the availability of personnel, vehicles and funding. Each year during the month of November, the director of public service shall publish an updated Snow and Ice plan including sidewalk snow clearing routes. Said list shall include the street names and, where appropriate, the names of intersecting streets up to which the sidewalks will be cleared. The director of public services shall send a copy of Snow & Ice plan to the city council, city marshal and the superintendent of schools, and post on city website.

(e) Snow clearing assistance

The department of public services COA in collaboration with NYS shall annually prepare lists of persons available to provide snow clearing assistance either for a fee or on a volunteer basis. The lists shall be prepared in consultation with appropriate school, youth services, council on aging department personnel, interested neighborhood organizations, houses of worship, and other similar groups that indicate a willingness to participate in snow clearing assistance. Said lists shall be included referenced in the Snow and Ice plan submitted November each year.

New Section?

The mayor or their designee is authorized to grant an exemption, renewable annually, for residents who upon written petition demonstrate hardship due to a combination of health and financial duress, or religious circumstances.

Questions about Fire Hydrants

Councillor Afroz Khan

Councillor Christine Wallace

January 11, 2021
Committee Items Rules Committee

COMM279_11_30_2020

Nbpt Email Account

Rules Committee

To: All Newburyport City Councillors
From: Cllr Afroz Khan and Cllr Heather Shand
CC: Richard Jones, Newburyport City Clerk
Mark Kavanaugh, Newburyport IT Director
Date: November 23, 2020
Re: City Council Use of City of Newburyport Email Account

The purpose of this communication is to request that City Council members consider adopting the use of a city email address versus a separate email from other non-municipal services. Currently, contact information is available for each councillor by selecting their name from the City Council's landing page from the city's website. Each councillor has a dedicated page where relevant details can be found including phone number, email address and committee assignments. The email address listed per councillor varies between those who have a cityofnewburyport.com email to those who have their own email for city council via other email services. While this method is transparent and adequate, there are a few problematic aspects to this practice.

1. Open Meeting Law - A key aspect that has been noted over time is that residents may not note all of our emails in their communication which makes it critical on the councillors part to not respond via "Reply All". Oftentimes this engagement inadvertently occurs and can lead to a violation of open meeting laws.
2. Public Records Law – As public officials employed by the city any correspondence related to our role of elected official is public record. According to "A Guide to Massachusetts Public Records Law" located on the Secretary of State's website, "Public records, including emails made or received in an individual's capacity as a government employee, must be maintained and kept in a manner that allows access by the general public, as they are subject to mandatory disclosure upon request. Whenever original public records are created outside the government offices, they shall be transferred on a regular and frequent basis to secure storage by the entity."
3. Accessibility and Consistency – Many residents have noted that the practice of first initial last name @cityofnewburyport.com does not work for all councillors as it does for city employees. The lack of consistency can be confusing for residents.

The decision to make this a policy or a rule can be further discussed by the city council to define future best practices. Once all city councillors adopt a cityofnewburyport.com email address we can explore methods for ease of access by residents through a dedicated email address noted as citycouncil@cityofnewburyport.com or through an online form where a checkbox can be used for specific councillors or a checkbox for ALL. Both of these options are done by many other communities in the Commonwealth and would only serve to benefit our representation here in Newburyport.

Rules Committee meeting notes 1/5/21

The Newburyport City Council Rules Committee met (via Zoom) 10:30 AM, Tuesday 1/5/21 to discuss COMM279_11_30_2020.

In attendance were Chair Vogel and committee members Eigerman and Lane, Councillor Khan, Director of IT Mark Kavanagh and Planning Director Andy Port.

A) Sponsor Councillor Khan spoke of her intention to:

1. Provide a solution that allows constituents to reach all councilors with the press of one button on the City Council website page to citycouncil@cityofnewburyport.com.
 - a. Aside from the ease of use, Director Kavanagh indicated that, with the use of captcha, such a system is a safeguard against spam.
 - b. Such a system centralizes records
2. Provide incentive for all Councillors to use a name@city address by which to conduct constituent service
 - a. By using [@city](mailto:name@city) address, Newburyport City Council helps ensure compliance with the Open Meeting Law and eases access to correspondence when requested through the Public Records law.
 - b. All Councillors have a name@city address

B) Councillor Vogel initiated a discussion on the mechanics of accessing the name@city address:

1. Currently, the only access is through Outlook Web App, thereby requiring more than one email client must be monitored to be timely on receipt and response of constituent emails.
 - a. Director Kavanagh indicated that by February a new system will be in place that will allow access with other email clients.

C) Other discussion:

1. Rule vs. "suggestion" on the use of name@city address:
 - a. Councillors Vogel and Eigerman expressed the preference for the use to be a rule. After discussion it was left by the committee that it would be appropriate to initiate a suggestion, especially until the use by other email clients is in place.
2. Adopting of citycouncil@cityofnewburyport.com:
 - a. It was agreed that is a "best practice" and the committee recommends it be implemented. Meeting notes