

CITY COUNCIL MEETING AGENDA

REMOTE
May 10, 2021
City Council Meeting
7:30 PM

Zoom Details

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/89274700940>

Or One tap mobile :

US: +13126266799

Or Telephone:

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US: +1 312 626 6799

Webinar ID: 892 7470 0940

1. CALL TO ORDER

2. LATE FILE

- COMM326_05_10_2021 Late File Hale Street pedestrian/bicycle improvements (CIP)
- COMM327_05_10_2021 Late File Hale Street Fence/Wall at Squires Glen
- ODNC073_03_29_2021 Late File Zoning Amendment Storage Warehousing
(As Amended in Committee 5/5/2021)
- COMM328_05_10_2021 Late File Petition 25 mph Ferry & Laurel Rds.
- APPT246_05_10_2021 Late File Gary Calderwood Acting Bldg. Commissioner

3. PUBLIC COMMENT

4. 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.

5. APPROVAL OF MINUTES

- April 26, 2021 (Approve)

6. COMMUNICATIONS

- COMM325_05_10_2021 Ordinance Review Committee Report (GG)

7. TRANSFER

- TRAN096_05_10_2021 Gen. Budget Contingency \$17,815.35 to POL Sal Officers\$14,192, (B&F)
POL Officer OT \$2500, POL Accreditation Allowance \$707, POL Longevity \$416.35

8. APPOINTMENTS

- APPT242_05_10_2021 Katie Nye 8 Russell Terr. Human Rights Comm. 5/31/2024
- APPT243_05_10_2021 Charles Connell 25 Hill St. Council on Aging 5/31/2026

- APPT244_05_10_2021 Richard A. Eaton 4 Horton St. Council on Aging 5/31/2026
- APPT245_05_10_2021 Barry J. McBride 5 Pine St. Asst. Wiring Inspector 5/31/2022
Salisbury

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

END OF CONSENT AGENDA

Budget & Finance

- COMM314 03 29 2021 FY2022-FY2026 Capital Improvement Program Submission (COTW)
- COMM319 04 12 2021 Memo to Council from Councillor Zeid re: CIP
- TRAN090 04 12 2021 Water Retained Earnings \$155K to Watershed Land Acquisition \$155K with supporting documents
- TRAN095 04 26 2021 DPS Recpts Res for Approp \$35K to Highway Fuel & Oil \$35K

Public Safety

- ODNC075 04 26 2021 Safety Zone Designation Merrimac St.

Public Utilities

- COMM292 02 08 2021 Memo - Electricity Aggregation Program
- ODNC078 05 10 2021 (redraft of ORDR245 04 26 2021)

REGULAR AGENDA

9. MAYOR'S UPDATE

10. COMMUNICATIONS

- COMM326_05_10_2021 Late File Hale Street bicycle/pedestrian improvements (CIP)
- COMM327_05_10_2021 Late File Hale Street fence/wall at Squires Glen
- COMM328_05_10_2021 Late File Petition 25 mph Ferry & Laurel Rds.

11. FIRST READING APPOINTMENTS

- APPT246_05_10_2021 Late File Gary Calderwood Acting Bldg. Commissioner

12. SECOND READING APPOINTMENTS

- APPT241_04_26_2021 Bonnie Sontag 21 Smith St. Fruit St. Hist. Comm 5/31/2024

13. ORDERS

- ORDR244_04_26_2021 Charter Amendment Home Rule Petition (Continued from 04/26/2021)
- ORDR246_05_10_2021 Updated City Council Meetings 2021
- ORDR247_05_10_2021 Health Insurance Reserve Fund
- ORDR248_05_10_2021 Budget Order 2022 w/memo from the Mayor
- ORDR249_05_10_2021 Congratulations Valedictorian Salutatorian
- ORDR250_05_10_2021 Merrimac St signs, signals and striping

14. ORDINANCES

- ODNC076_05_10_2021 Proposed Zoning Amendment Mini-Reform
- ODNC077_05_10_2021 Merrimac St. Parking Restrictions

15. COMMITTEE ITEMS

Ad Hoc Committee on Economic Development

In Committee:

- COMM262_08_31_2020 Gasbarro Ltr re: Awareness

Ad Hoc Committee on Market Landing Park and COTW

In Committee:

- COMM261_08_31_2020 Proposed Timeline, Waterfront
- ORDR227_12_14_2020 Appropriate NRA funds for RFP award

Budget & Finance

In Committee:

- COMM311_03_08_2021 Cllr Tontar letter re: KP Law Legal Opinion on Council Salaries
- COMM314_03_29_2021 FY2022-FY2026 Capital Improvement Program Submission (COTW)
- COMM319_04_12_2021 Memo to Council from Councillor Zeid re: CIP
- TRAN090_04_12_2021 Water Retained Earnings \$155K to Watershed Land Acquisition \$155K with supporting documents
- TRAN095_04_26_2021 DPS Recpts Res for Approp \$35K to Highway Fuel & Oil \$35K
- ODNC074_04_12_2021 Council Salaries with Supporting Memo

Education

In Committee:

- COMM273_10_13_2020 Ltr of Non-Support from Mayor on Acts of 1987

General Government

In Committee:

License & Permits

In Committee:

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

Neighborhoods & City Services

In Committee:

- COMM234_03_30_2020 Ltr from Newburyport Livable Streets March 11, 2020
- COMM285_01_27_2021 Memorandum from Councillor Christine Wallace
- COMM299_02_08_2021 LATE FILE Phillips Dr. Neighborhood Committee Ltr.

Planning & Development

In Committee:

- COMM215_01_13_2020 Ltr re: Colby Farm Open Space Beautification
- ODNC046_01_27_2020 Zoning Amendment - Short Term Rental Units Definition
- COMM231_03_09_2020 Ltr re: Short-Term Rental Ordinance
- ORDR196_07_13_2020 Open Space and Recreation Plan 2020 (COTW)
- ODNC073_03_29_2021 Late File Zoning Amendment Storage Warehousing
(As Amended in Committee 5/5/2021)

Public Safety

In Committee:

- COMM216_01_13_2020 Ltr re: Ban the Use of Glyphosate
- APPT165_04_13_2020 Dr. Robin Blair 18 Market St. Board of Health 4/30/2023
- COMM243_05_11_2020 Ltr from Jane Rascal re: NMMCD
- ORDR200_07_30_2020 List of Crosswalks Amended
- COMM282_01_27_2021 Ltr from Jim McCarthy re: Sign Proposal
- COMM283_01_27_2021 Ltr from Jim McCarthy-speed limit
- APPL023_03_08_2021 LATE FILE Event App The Moving Wall
- **ODNC075_04_26_2021 Safety Zone Designation Merrimac St.**

Public Utilities

In Committee:

- COMM290_02_08_2021 Falmouth Broadband Feasibility Study (full text in Clerk's office)
- **COMM292_02_08_2021 Memo - Electricity Aggregation Program**
- COMM295_02_08_2021 Best Best & Krieger Small Cells Order Annual Meeting
- COMM296_02_08_2021 Ntoa FCC Small Wireless Facilities Rules Compliance Guide
- **ODNC078_05_10_2021 on Elec Agg (redraft of ORDR245_04_26_2021)**

Rules

In Committee:

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

16. GOOD OF THE ORDER

17. ADJOURNMENT

CONSENT AGENDA

CITY COUNCIL MEETING MINUTES

REMOTE
April 26, 2021
CIP Meeting
7:00 PM

City Council Meeting
7:30 PM

Zoom Details

Please click the link below to join the webinar for both meetings:

<https://us02web.zoom.us/j/81347304503>

Or One tap mobile :

US: +13126266799 Or Telephone:

Dial(for higher quality, dial a number based on your current location):

US: +1 312 626 6799 Webinar ID: 813 4730 4503

International numbers available: <https://us02web.zoom.us/u/kb8vROW3Ph>

CIP Meeting:

CALL TO ORDER The City Council President, Jared Eigerman called the CIP meeting to order at 7:00 pm and asked the City Clerk, Richard B. Jones to call the roll. The following Councillors answered present, Vogel, Wallace, Zeid, Khan, McCauley, Connell, Shand, and Eigerman. 8 present, 3 absent (CT, JD, BL) using Zoom as a platform.

The clerk read the CIP notice. Council President opened to the floor to discussion.

ADJOURNMENT

Motion to adjourn by Councillor Connell, seconded by Councillor Vogel at 7:06pm. Roll call vote. 8 present, 3 absent (CT, JD, BL). Motion passes.

City Council Meeting:

Remembering Tom Daley and Bill Harris.

1. **CALL TO ORDER** The City Council President, Jared Eigerman called the meeting to order at 7:30 pm and asked the City Clerk, Richard B. Jones to call the roll. The following Councillors answered present, Tontar, Vogel, Wallace, Zeid, Devlin, Khan, Lane, McCauley, Connell, Shand, and Eigerman. 11 present using Zoom as a platform.

2. **LATE FILE: COMMITTEE ITEMS**

- COMM240_04_27_2020 Memo re: SOI Submission Info
- COMM293_02_08_2021 Ltr. From Jane Snow

Motion to waive the rules and accept the late file items by Councillor Zeid, seconded by Councillor Khan. Roll call vote. 11 yes. Motion passes.

3. **PUBLIC COMMENT**

Philip Cootey, 22 Philips Drive, Pioneer League/Merrimac Street

Connie Preston, 18 Atwood Street, FONT

Bill Walsh, 4 Norman Avenue, Pioneer League/Merrimac Street

Mark Menery, 5 Morin Road, Pioneer League/Merrimac Street

Raechel Blinderman, 9 Ashland Court, Pioneer League/Merrimac Street

Corey Scrupps, 253 Merrimac Street, Pioneer League/Merrimac Street

Matt Morrissey, 22 Milk Street, Pioneer League/Merrimac Street

4. MAYOR'S COMMENT

CONSENT AGENDA

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5. APPROVAL OF MINUTES

- April 12, 2021 (Approve)

6. COMMUNICATIONS

- COMM320_04_26_2021 Newburyport Retirement Board COLA notice (R&F)
- COMM321_04_26_2021 Newburyport Water Resource Protection District map (R&F)
117 Indian Hill St property
- COMM322_04_26_2021 Appraisal Report 117 Indian Hill St (R&F)
- COMM323_04_26_2021 117 Indian Hill St - outlet stream photo and aerial photo (R&F)
- COMM324_04_26_2021 Cover Ltr DeRosa Environmental (R&F)

7. TRANSFERS

- TRAN095_04_26_2021 DPS Recpts Res for Approp \$35K to Highway Fuel & Oil \$35K (B&F)

8. APPOINTMENTS

- APPT241_04_26_2021 Bonnie Sontag 21 Smith St. Fruit St. Hist. Comm 5/31/2024

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

END OF CONSENT AGENDA

Budget & Finance

- TRAN090 04 12 2021 Water Retained Earnings \$155K to Watershed Land Acquisition \$155K with supporting documents

Removed from the Consent Agenda at the request of Councillor Zeid.

- TRAN091 04 12 2021 HWY Streetlights \$2,646 to Essex North Shore Tech School \$2,646
- TRAN092 04 12 2021 Overlay Surplus Account \$99,010 to ASR Revaluation \$99,010
- TRAN093 04 12 2021 GEN EVENT COORDINATOR \$4K to AUD MISC SUPPLIES \$500 and to GEN SUPPLIES-OFFICE \$3,500
- TRAN094 04 12 2021 RRFA-Paid Parking Fund \$5,550 to PKG Part Time Enforcement Officer \$4,500 and to PKG Clothing allowance \$1,050
- ORDR243 04 12 2021 FONT Gift Acceptance with supporting letter

Public Utilities

- APPT240_04_12_2021 William Creelman 129 Merrimac St Water/Sew 4/30/2023

Motion to approve the Consent Agenda as amended by Councillor Zeid, seconded by Councillor Connell. Roll call vote. 11 yes. Motion passes.

REGULAR AGENDA

9. QUESTIONS AND ANSWERS – CITY SOLICITOR – Department Head Contracts

Council President Eigerman, noting that the City Solicitor was not present in the meeting yet, deferred the questions and answers until later in the meeting.

10. MAYOR'S UPDATE

Motion to receive and file by Councillor Zeid, seconded by Councillor Khan. Roll call vote. 11 yes. Motion passes.

11. COMMUNICATIONS

12. FIRST READING APPOINTMENTS

13. SECOND READING APPOINTMENTS

- APPT239_04_12_2021 Kevin Hunt 14 Tenth St. Veterans Agt. 4/1/2022

Motion to approve by Councillor Khan, seconded by Councillor Tontar. Motion to table by Councillor Lane, seconded by Councillor McCauley. Roll vote. 9 yes, 2 no (BV, BC). Motion passes.

City Solicitor Darren Klein, KP Law appears on or about 8:00 pm to answer questions regarding Department Head contracts.

Motion to remove from table APPT239_04_12_2021 by Councillor Tontar, seconded by Councillor Vogel. Roll call vote. 11 yes. Motion passes. Motion to approve APPT239_04_12_2021 by Councillor Khan, seconded by Councillor Tontar. Roll call vote. 10 yes, 1 no (BL). Motion passes.

14. ORDERS

- ORDR244_04_26_2021 Charter Amendment Home Rule Petition

Motion to move to a date certain, May 10, 2021 by Councillor Eigerman, seconded by Councillor Connell. Roll call vote. 11 yes. Motion passes,

- ORDR245_04_26_2021 Municipal Aggregation Order

Motion to refer to Public Utilities by Councillor Tontar, seconded by Councillor Shand. Roll call vote. 11 yes. Motion passes.

15. ORDINANCES

- ODNC068_01_27_2021 Late File Zoning Amend Sec VI-C re: # of residential structures per lot
(As Amended) 2nd Reading

Motion to approve on 2nd reading by Councillor Shand, seconded by Councillor Tontar. Roll call vote. 10 yes, 1 no (SZ). Motion passes.

- ODNC072_03_29_2021 Parks COVID extend 2nd Reading

Motion to approve on 2nd reading by Councillor Zeid, seconded by Councillor Tontar. Roll call vote. 11 yes. Motion passes.

- ODNC075_04_26_2021 Safety Zone Designation Merrimac St.

Motion to refer to Public Safety by Councillor Wallace, seconded by Councillor McCauley. Roll call Vote. 11 yes. Motion passes.

16. COMMITTEE ITEMS

Ad Hoc Committee on Economic Development

In Committee:

- COMM262_08_31_2020 Gasbarro Ltr re: Awareness

Ad Hoc Committee on Market Landing Park and COTW

In Committee:

- COMM261_08_31_2020 Proposed Timeline, Waterfront
- ORDR227_12_14_2020 Appropriate NRA funds for RFP award

Budget & Finance

In Committee:

- COMM311_03_08_2021 Cllr Tontar letter re: KP Law Legal Opinion on Council Salaries
- COMM314_03_29_2021 FY2022-FY2026 Capital Improvement Program Submission (COTW)
- COMM319_04_12_2021 Memo to Council from Councillor Zeid re: CIP
- TRAN090_04_12_2021 Water Retained Earnings \$155K to Watershed Land Acquisition \$155K with supporting documents
- **TRAN091 04 12 2021 HWY Streetlights \$2,646 to Essex North Shore Tech School \$2,646**
- **TRAN092 04 12 2021 Overlay Surplus Account \$99,010 to ASR Revaluation \$99,010**

Motion to approve by Councillor Zeid, seconded by Councillor Khan. Roll call vote. 11 yes. Motion passes.

- **TRAN093 04 12 2021 GEN EVENT COORDINATOR \$4K to AUD MISC SUPPLIES \$500 and to GEN SUPPLIES-OFFICE \$3,500**

Motion to approve by Councillor Zeid, seconded by Councillor Khan. Roll call vote. 11 yes. Motion passes.

- **TRAN094 04 12 2021 RRFA-Paid Parking Fund \$5,550 to PKG Part Time Enforcement Officer \$4,500 and to PKG Clothing allowance \$1,050**

Motion to approve by Councillor Zeid, seconded by Councillor Khan. Roll call vote. 11 yes. Motion passes.

- **ORDR243 04 12 2021 FONT Gift Acceptance with supporting letter**

Motion to approve by Councillor Zeid, seconded by Councillor Khan. Roll call vote. 11 yes. Motion passes.

- ODNC074_04_12_2021 Council Salaries with Supporting Memo

Education

In Committee:

- COMM240_04_27_2020 Memo re: SOI Submission Info

Motion to remove from committee COMM240_04_27_2021 and COMM293_02_08_2021 collectively by Councillor Khan, seconded by Councillor Zeid. Roll call vote. 11 yes. Motion passes. Motion to receive and file by Councillor Khan, seconded by Councillor Zeid. Roll call vote. 11 yes. Motion passes.

- COMM273_10_13_2020 Ltr of Non-Support from Mayor on Acts of 1987
- COMM293_02_08_2021 Ltr. From Jane Snow

Motion to remove from committee COMM240_04_27_2021 and COMM293_02_08_2021 collectively by Councillor Khan, seconded by Councillor Zeid. Roll call vote. 11 yes. Motion passes. Motion to receive and file by Councillor Khan, seconded by Councillor Zeid. Roll call vote. 11 yes. Motion passes.

General Government

In Committee:

License & Permits

In Committee:

- ODNC047_01_27_2020 General Ordinance - Short Term Rental Units Rules
- COMM229_02_24_2020 Ltr re: Implementation of Short-Term Rental Ordinance
- APPL022_03_08_2021 Banter Barber & Clothier-Pool Table App.

Motion to waive the rules to remove APPL022_03_08_2021 and APPL024_03_29_2021 collectively by Councillor Devlin, seconded by Councillor Tontar. Roll call vote. 11 yes. Motion passes. Motion to approve by Councillor Devlin, seconded by Councillor Tontar. Roll call vote. 11 yes. Motion passes.

- APPL024_03_29_2021 Plum Island Classic Cars

Motion to waive the rules to remove APPL022_03_08_2021 and APPL024_03_29_2021 collectively by Councillor Devlin, seconded by Councillor Tontar. Roll call vote. 11 yes. Motion passes. Motion to approve by Councillor Devlin, seconded by Councillor Tontar. Roll call vote. 11 yes. Motion passes.

Neighborhoods & City Services

In Committee:

- COMM234_03_30_2020 Ltr from Newburyport Livable Streets March 11, 2020
- COMM285_01_27_2021 Memorandum from Councillor Christine Wallace
- COMM299_02_08_2021 LATE FILE Phillips Dr. Neighborhood Committee Ltr.

Planning & Development

In Committee:

- COMM215_01_13_2020 Ltr re: Colby Farm Open Space Beautification
- ODNC046_01_27_2020 Zoning Amendment - Short Term Rental Units Definition
- COMM231_03_09_2020 Ltr re: Short-Term Rental Ordinance
- ORDR196_07_13_2020 Open Space and Recreation Plan 2020 (COTW)
- ODNC073_03_29_2021 Late File Zoning Amendment Storage Warehousing=

Public Safety

In Committee:

- COMM216_01_13_2020 Ltr re: Ban the Use of Glyphosate
- APPT165_04_13_2020 Dr. Robin Blair 18 Market St. Board of Health 4/30/2023
- COMM243_05_11_2020 Ltr from Jane Rascal re: NMMCD
- ORDR200_07_30_2020 List of Crosswalks Amended
- COMM282_01_27_2021 Ltr from Jim McCarthy re: Sign Proposal
- COMM283_01_27_2021 Ltr from Jim McCarthy-speed limit
- APPL023_03_08_2021 LATE FILE Event App The Moving Wall

Public Utilities

In Committee:

- COMM290_02_08_2021 Falmouth Broadband Feasibility Study (full text in Clerk's office)
- COMM292_02_08_2021 Memo - Electricity Aggregation Program
- COMM295_02_08_2021 Best Best & Krieger Small Cells Order Annual Meeting
- COMM296_02_08_2021 Natoa FCC Small Wireless Facilities Rules Compliance Guide
- APPT240 04 12 2021 William Creelman 129 Merrimac St Water/Sew 4/30/2023

Motion to approve by Councillor Tontar, seconded by Councillor Vogel. Roll call vote. 11 yes. Motion passes.

Rules

In Committee:

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

17. GOOD OF THE ORDER

Councillor Zeid - CIP meeting 5:30pm, Thursday, April 29, 2021, Youth Services to be first on agenda.

Councillor Eigerman – Ad Hoc Committee on Market Landing Park 7:30pm, Thursday, May 6, 2021.

Point of clarification - Councillor Tontar drove a van, not a muscle car in the 70s and 80s.

18. ADJOURNMENT

Motion to adjourn by Councillor Zeid, seconded by Councillor McCauley at 9:53pm. Roll call vote. 11 yes. Motion passes.

COMMUNICATIONS

Special Committee Report on Review of Newburyport's Code of Ordinances

Introduction

The Ordinance Review Special Committee (referred to as "Committee") prepared this report pursuant to *Section 9-5 Periodic Review of Ordinances* of the Newburyport Home Rule Charter which states that every year ending in a five or zero, a committee should be formed under the supervision of the City Solicitor to conduct this activity and file a report with the City Clerk not later than the first day of May in the year following the year in which the committee is appointed. The specific purpose of this effort is to report to the City Council regarding a proposed revision or recodification of the City Code without substantive change, to be acted upon by the City Council.

The information presented in this report is organized into the following sections:

- I. Committee Structure and Timeline
- II. Committee Assignments and Meetings
- III. Review Process and Procedure
- IV. Recommendations

I. Committee Structure and Timeline

The Committee was formed pursuant to *Section 9-5* of the Newburyport Home Rule Charter with the specific purpose of "preparing a proposed revision or recodification" without substantive change. The specific language from the Newburyport Charter, *Section 9-5 Periodic review of ordinances* states:

Not later than the first day of July, at five-year intervals, in each year ending in a five or in a zero, beginning in 2015, the mayor and city council shall provide for a review to be made of the ordinances of the city for the purpose of preparing a proposed revision or recodification of them, without substantive change. This review shall be made by a special committee to consist of nine members, four of whom shall be appointed by the city council president and five of whom shall be appointed by the mayor. At least two of the persons appointed by the city council president shall be members of the city council. All members of said committee shall be voters of the city.

In early August 2020, Mayor Donna Holaday and Council President Jared Eigerman each selected their appointed members to participate in the Committee. The participants of the committee can be seen in Table 1.

Table 1 - Committee Members

Mayoral Appointments	Council President Appointments
Molly Ettenborough, City Recycling Manager	Barry Connell, City Councillor At Large
Gregg Ogden, Member, Licensing Commission	Jim Connolly, Esq.
Richard Siemasko, City Police Lieutenant	Jared Eigerman, Ward 2 Councillor

Mike Strauss, Member, Energy Advisory Council	Afroz Khan, City Councillor At Large
Ron Thurlow, Member, Harbor Commission	

Additional participants served in an advisory role as needed; Chief Christopher LeClaire and City Clerk Richard Jones. As required in the Charter, the review efforts of the Committee were done under the supervision of the City Solicitor, Attorney Mark Reich.

Section 9-5 states that the recommendations of the special committee shall appear on the city council agenda for action before the fifteenth day of June in 2021 and that “no other business shall be in order until the report has been acted upon by roll call vote.”

The committee held an organizational meeting on October 1, 2020, and the group collectively worked together to make chapter review assignments. At the second meeting on October 14, 2020, the group selected City Councillor-At-Large, Afroz Khan to chair the committee.

II. Committee Assignments and Meetings

The committee met on November 18, 2020 and December 17, 2020 to work through criteria, logistics and process. The committee assignments by chapter and date are noted in Table 2. The final meeting for the committee was held on April 28, 2021.

The chair worked with the city solicitor to put together a list of review guidelines for committee members to use as they conducted their review of chapters. Starting in 2021, the committee established a bi-weekly schedule to conduct chapter by chapter review.

Table 2 - Committee Meeting Schedule and Reviewers by Chapter

Chapter	Reviewers	Discussion Date
1 General Provisions	All	January 20, 2021
2 Administration (Article 1-1V)	B. Connell, J. Eigerman & A. Khan	January 20, 2021
2 Administration (Article V)	Lt. R. Siemasko, R. Thurlow	January 20, 2021
3 Animals	J. Eigerman	January 20, 2021
4 Boats, Docks & Waterways	Lt. R. Siemasko, R. Thurlow	March 17, 2021
5 Buildings & Building Regulations	B. Connell, J. Eigerman	February 17, 2021
6 Civil Defense & Disaster Relief	Lt. R. Siemasko, R. Thurlow	March 3, 2021
6.5 Environment	M. Ettenborough, M. Strauss	February 3, 2021
7 Fire Prevention & Protection	Lt. Siemasko, Thurlow	March 3, 2021
8 Health & Sanitation	Ettenborough, Strauss	March 17, 2021
9 Licenses, Permits & Business Regulations	J. Connelly, G. Ogden	April 14, 2021
10 Miscellaneous Offenses	M. Reich	March 3, 2021
11 Parks & Recreation	B. Connell, A. Khan	February 17, 2021
12 Streets, Sidewalks & Other Public Spaces	B. Connell, A. Khan	April 21, 2021
13 Traffic and Motor Vehicles	Lt. R. Siemasko, R. Thurlow	March 31, 2021
14 Utilities	M. Strauss, M. Ettenborough	March 17, 2021
15 Vehicles for Hire	J. Connelly, G. Ogden	March 31, 2021

Chapter	Reviewers	Discussion Date
16 Local Historic District	J. Eigerman	February 17, 2021
17 Stormwater Management	A. Khan, M. Strauss	February 3, 2021

III. Review Process and Procedures

The guidelines for review were established during the initial meetings of 2020. The committee also discussed providing specific chapters for review to the appropriate city personnel based on the subject matter of the content. In addition to establishing guidelines, the group also determined a method to discuss areas flagged for further group deliberation. Prior to our chapter deliberations in committee meetings, chapter reviewers used two methods to capture their findings: *red lining* or *highlighting* in yellow with comments. Edited chapters were sent to the chair prior to the committee meeting. The guidelines for red lining versus highlighting are described below.

Red lining of chapter language was only used for the non-substantive items listed below.

- **Gender Neutrality:** References to She/He, Her/Him, Hers/His were changed to reflect neutrality such as “their”, “they”. In case of Chairman, the name was changed to Chair.
- **Capitalization of Positions:** “City” in the “city of Newburyport” or positions such as the Director of Public Services, Mayor, City Marshal should be capitalized.
- **Department/Position References:** Update references to positions, i.e. supervisor of public works was changed to the director of public services and references to selectmen/alderman was changed to city council.
- **Use of term “Ordinance”:** Use of “ordinance” within the code was removed. Instead, this was replaced with “the Article” or “this Article” or other appropriate wording.
- **Reference to Massachusetts General Laws:** Replace all use of M.G.L.A with M.G.L.
- **Editorial Corrections:** Typos and grammatical errors were corrected as well as incorrect internal cross references to the wrong sections.
- **Review of Statutory References:** All statutory references were updated to reflect the latest revisions or omissions.

Reviewers highlighted areas in yellow for further discussion and deliberation. Examples include the following.

- **Ordinance “Definitions”:** Reviewers noted inconsistency in code on where definitions were located within a section. The city solicitor advised that this section should follow the “purpose” related to the specific Article that the definitions are addressing.
- **Mandatory versus Directory:** Atty Reich provided the guidance that “shall” is intended to reference mandatory actions and “may” is directory. The usage of the term “will” is not advised for legislative matters. The committee reviewed the application of these terms on a case-by-case basis.
- **Clarification of Intent:** In some cases, the committee found language that was confusing or vague. These situations were discussed on a case-by-case basis and when appropriate, clarifying language was added or confusing terms removed.

- **Outdated/Antiquated language:** These situations were discussed by the committee with guidance from our city solicitor in terms of identifying as substantive or non-substantive.

The chair of the committee identified in the meeting minutes all items that were noted as “substantive”. Any changes regarding these findings would need to be brought to the council by any city councilor.

IV. Findings and Recommendations

Based on the deliberations over the last six months, the Committee recommends the following actions.

- **Accept all of the “red-line” modifications to each of the chapters.** The final non-substantive recommendations from the Committee are noted for each chapter in the attachments provided with double underlined in bold for language additions and double strikethrough in bold for language removal.
- **Adopt a Municipal Fees and Fines Schedule.** This document would be a catalogue of all the fees and fines organized by relevant subject area and referenced within the Code of Ordinances. The schedule would reside on the City’s webpage and reviewed by the council on regular basis.

TRANSFERS



CITY OF NEWBURYPORT FY 2021 TRANSFER/APPROPRIATION REQUEST

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA
MAY 11 2021 4 PM 12:57

Department: Mayor's Office
Submitted by: Donna D. Holaday, Mayor **Date Submitted:** 5/10/2021

Transfer From:

Account Name:	<u>GEN Budget Contingency</u>	Balance:	<u>\$ 189,748.25</u>
Account Number:	<u>01129007-57805</u>	Category:	<u>\$ 193,196.31</u>
Amount:	<u>\$17,815.35</u>	Trans I/O:	<u>\$ -</u>

Why Funds Are Available:

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

Transfer To:

Account Name:	<u>POL Sal Officers</u>	Balance:	<u>\$ 392,827.21</u>
Account Number:	<u>01210001-51142</u>	Category:	<u>\$ 668,114.25</u>
Amount:	<u>\$14,192.00</u>	Trans I/O:	<u>\$ -</u>

Why Funds Are Needed:

Additional funding is needed for the newly settled collective bargaining agreement between the City of Newburyport and the New England Police Benevolent Association Local 31 - Superior Officers Union (SOU) retroactive to July 1, 2020. See attached memo and tentative agreement.

Transfer To:

Account Name:	<u>POL Officer Overtime</u>	Balance:	<u>\$ 54,006.99</u>
Account Number:	<u>01210001-51301</u>	Category:	<u>\$ 668,114.25</u>
Amount:	<u>\$2,500.00</u>	Trans I/O:	<u>\$ -</u>

Why Funds Are Needed:

See above.

Transfer To:

Account Name:	<u>POL Accreditation Allowance</u>	Balance:	<u>\$ (993.17)</u>
Account Number:	<u>01210001-51413</u>	Category:	<u>\$ 668,114.25</u>
Amount:	<u>\$707.00</u>	Trans I/O:	<u>\$ -</u>

Why Funds Are Needed:

See above.

Transfer To:

Account Name:	<u>POL Longevity</u>	Balance:	<u>\$ (280.68)</u>
Account Number:	<u>01210001-51401</u>	Category:	<u>\$ 668,114.25</u>
Amount:	<u>\$416.35</u>	Trans I/O:	<u>\$ -</u>

Why Funds Are Needed:

See above.

Donna D. Holaday, Mayor: *Donna D. Holaday* Date: 5/4/21
 Ethan R. Manning, Auditor: *Ethan Manning* Date: 5/4/21

Sponsor: Charles F. Tontar, Councillor At-Large

City Council Approval:



CITY OF NEWBURYPORT
OFFICE OF THE MAYOR
DONNA D. HOLADAY
60 PLEASANT STREET • P.O. BOX 550
NEWBURYPORT, MA 01950
(978) 465-4413 • (978) 465-4402 (FAX)
WWW.CITYOFNEWBURYPORT.COM

To: President and Members of the City Council
From: Donna D. Holaday, Mayor
Date: May 4, 2021
Subject: New England Benevolent Association Local 31 – Superior Officers FY21 – FY23

The Administration has agreed to terms for a new, three-year collective bargaining agreement with the Newburyport Benevolent Association Local 31 – Superior Officers bargaining unit. The contract would go into effect retroactively from July 1, 2020 through June 30, 2023, subject to appropriation of funding for the first year of the contract by the City Council.

Included with this memo is a transfer request that appropriates funding for the first year of the contract by the City Council. Also included with this memo is the tentative agreement that outlines the terms and changes in the new agreement. A copy of the previous contract which expired on June 30, 2020 is available on the Human Resources website of the City Website: <https://www.cityofnewburyport.com/human-resources/pages/union-contracts>. The Administration worked diligently and collaboratively with the NEBPA Local 31 to agree to terms for a new contract.

My staff, including Chief of Staff Matt Coogan and Finance Director Ethan Manning, are available if you require any additional information regarding information on the appropriation request or terms of the new contract.

Thank you for your consideration.



CITY OF NEWBURYPORT
OFFICE OF THE MAYOR
DONNA D. HOLADAY
60 PLEASANT STREET • P.O. BOX 550
NEWBURYPORT, MA 01950
(978) 465-4413 • (978) 465-4402 (FAX)
WWW.CITYOFNEWBURYPORT.COM

To: Members of NEPBA Local 31

From: Matt Coogan, Chief of Staff
Ethan Manning, Finance Director

Date: April 29, 2021

Re: Memorandum of Agreement

The following is a summary of the agreement that has been reached in principle between the City of Newburyport and the New England Benevolent Association Local 31 – Superior Officers.

Here are the details of the changes that have been agreed to by both parties:

Article 4 (Stability of Agreement):

Add Section 2 as follows: "The failure of the Employer to insist, in any one or more incidents, upon performance of any of the terms, or conditions of this Agreement shall not be considered as a waiver or relinquishment of the rights of the Employer or of the Union to future performance of any such term or condition, and the obligations of the Union, and the Employer to such future performance shall continue in full force and effect."

Article 5 (Dues Deduction):

Replace Article 5 with the following:

"The CITY agrees to deduct SOU dues from the SOU members who voluntarily agree in writing to have their dues deducted and to mail said dues with a list of names from whom dues have been deducted to the New England Police Benevolent Association. In accordance with M.G.L. 150E, the CITY agrees to deduct an agency fee from those who voluntarily agree to pay such fee in writing from all employees who elect to remain nonmembers and mail said fee with a list of names from whom the fee has been deducted to the New England Police Benevolent Association. The Agency Fee for non-members shall be ninety percent (90%), of the weekly dues. The Union agrees to indemnify the City for any damages or costs in complying with this Article."

Article 6 (Grievance and Arbitration Procedure):

Add the following language **in bold** to Step 4:

STEP 4 If the grievance is not resolved in Step 3, the union, within 30 days may demand arbitration to the American Arbitration Association. The Union will provide the City with a copy of the arbitration demand.

Article 9 and 11: Change references in in Articles 9 and 11 to “Article 12, Section 10” to “Article 12, Section 9.”

Article 14 (Wages) Section 3:

	COLA
FY21	2.00%
FY22	2.00%
FY23	2.00%

New wage including proposed and education increases:

			2%	2%	2%
Sergeant		Current	FY21	FY22	FY23
Base		\$77,473.00	\$79,022.46	\$80,602.91	\$82,214.97
Associate	10%	\$85,221.00	\$86,925.42	\$88,663.93	\$90,437.21
Bachelor	20%	\$92,968.00	\$94,827.36	\$96,723.91	\$98,658.39
Master/JD	25%	\$96,842.00	\$98,778.84	\$100,754.42	\$102,769.51
Lieutenant					
Base		\$89,095.00	\$90,876.90	\$92,694.44	\$94,548.33
Associate	10%	\$98,004.00	\$99,964.08	\$101,963.36	\$104,002.63
Bachelor	20%	\$106,913.00	\$109,051.26	\$111,232.29	\$113,456.94
Master/JD	25%	\$111,368.00	\$113,595.36	\$115,867.27	\$118,184.62

Article 15 (Special Assignments and Outside Details):

Union members will be compensated for special assignments and outside details at the same rate of pay as negotiated in the Patrolman’s CBA.

Article 16 (Clothing Allowance):

Increase of \$100 per each year of contract. \$1,000 would be provided on the second pay period of July, and the remainder upon submission of receipts for uniform purchases and/or dry cleaning.

Article 17 (Education Incentive Program):

Replace Section with following:

SECTION 1:

The City of Newburyport recognizes the importance of higher education for Superior Officers. Accordingly, any permanent full-time Superior Officer who has or obtains an eligible degree from an accredited degree program shall receive educational benefits as follows for their highest level of education:

Education Degree or Credits Earned	Percentage Pay
Associates Degree or 60 credits earned toward a Baccalaureate in an approved program	10%
A Baccalaureate degree in an approved program	20%
Master's degree in an approved program, Law Degree (Juris Doctor)	25%

The education incentive will be compensated as a percentage increase to base pay as outlined in the pay scale set forth in Article 14 (Wages) as part of the employees' bi-weekly compensation. The education incentive shall be deemed regular compensation for the purposes of computing overtime, court-time, sick pay, injured pay, holiday pay, vacation pay, or any other form of paid leave and is part of regular compensation for pension-retirement.

SECTION 2:

The City acknowledges that all SOU members with conferred degrees prior to the signing date (date to be determined) of this agreement, have approved degrees and remain eligible for educational benefits under this article.

SECTION 3:

After ratification of this contract (date to be determined), members of the SOU pursuing a new degree (associates, bachelors, masters) may pursue degrees beyond criminal justice and law enforcement at the discretion of the Administration. Eligible degrees include those in the fields of Sociology, Psychology, Counseling, Communications, Leadership, and Business Administration. A degree in a field not expressly listed, that could potentially contribute to better police management and effectiveness, must be approved in writing by the City Marshal and the Mayor prior to enrollment in order to be eligible for compensation under education incentive article. Additionally, employees enrolling in a new program must adhere to the following:

- a. Employees must provide a written letter of intent to enroll in a program.
- b. Enrollment must be signature approved in advance by both the City Marshal and the Mayor.
- c. Employees must provide either a copy of their diploma, an official copy of transcripts denoting credits or degree conferred, or an official letter from the registrar's office confirming the conferred degree in the approved area of study.
- d. The base pay increase will be made immediately upon presentation of the required documentation to the City. The start date for the increase shall be the date of conferment of the approved degree.

- e. If an official letter states the degree will not be conferred until a future date, the pay increase will not be made until additional confirmation of degree conferment is provided.

Article 23 (Duration of Agreement):

Modify dates to reflect the new term of the agreement, July 1, 2020 to June 30, 2023. Upon the signing of an agreement, wage increases shall be retroactive to July 1, 2020.

**APPOINTMENTS
FIRST READING**



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

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2021 MAY -4 PM 3:12

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
Subject: Re-Appointment
Date: May 4, 2021

I hereby re-appoint, subject to your confirmation, the following named individual as a member of the Human Rights Commission. This term will expire on May 31, 2024.

Katie Nye
8 Russell Terrace
Newburyport, MA 01950

8 Russell Terrace
Newburyport, MA 01950
lifeisgood@hotmail.com

May 4, 2021

Dear Commissioner Ibrahim;

I am writing to express my interest in being re-appointed as a Commissioner on Newburyport's Human Rights Commission. This will be my second term.

I have enjoyed my first term serving on the HRC, and hope that we will continue to make strides in making Newburyport a more welcoming and equitable community in the coming years.

Creating and maintaining a community of understanding of inequities, biases, and opportunities for mutual trust and respect are paramount to my interest in the Commission. I look forward to making a positive impact on the Human Rights Commission, and thank you for your consideration.

Sincerely,

Katie Nye

KATHARINE (Katie) R. NYE

8 Russell Terrace
 Newburyport, MA 01950
 lifeisgoodo@hotmail.com
 (978) 766-9339

KEY QUALIFICATIONS: Strong cross-cultural communication, collaborative, organizational and multi-tasking skills. 30+ years of experience organizing, leading, facilitating, evaluating, and participating in experiential education programs in the US and East Africa. Twelve years of experience administering federal grant programs.

EDUCATION: M.A. in International Development and Social Change, February 2000, Clark University, Worcester, MA.

B.A. in Anthropology and African Studies, May 1989, Wheaton College, Norton, MA.

PROFESSIONAL EXPERIENCE:

February 2006-present. Program Coordinator. Massachusetts Office for Refugees and Immigrants, Boston, MA.

- Coordinate and monitor assigned programs and interdepartmental service agreements in order to ensure effective operations with established standards.
- Support providers with technical assistance, coordinate data analysis and reporting, review/analyze data, design and develop RFRs, devise methods for achieving program objectives.
- Coordinate service provider trainings, maintain liaison with various private, local, state and federal agencies, develop partnerships aimed to increase refugee/immigrant access to mainstream services, and respond to agency and outside inquiries in regard to but not limited to field expertise areas of health, mental health, and community development.
- Serve on the EOHHS Interagency Working Group on LGBTQI Youth since 2014. Co-authored ORI's Non-Discrimination Policy. Worked with group to develop an interagency PowerPoint training on Working with LGBTQI consumers and co-workers.

January 2002-March 2005. Social Work Case Manager. Vermont Department of Social and Rehabilitative Services, Burlington, VT.

- Provided case management, counseling, and support to children, families, and others involved in child protection/juvenile services cases.
- Developed and wrote case plans and court documents.
- Collaborated with wide variety of service providers to promote protection and permanency for children.
- Advocated for children's best interest in the court system, testifying when needed.
- Assisted youth to develop social skills, educational and vocational goals. Acted as juvenile probation officer.

1999-2000. Project Director. US-Kenya Women's Leadership Project, US and Kenya.

- Co-wrote grant proposal funded by the US State Department.

- Provided leadership for committee of eight and coordinated sub-committees.
- Designed and facilitated orientation and training program for Kenyan and US women leaders, collaborating with community organizations.
- Designed and implemented program evaluation.
- Maintained records and wrote all quarterly and final reports.

1997-99. Program Coordinator. US-Africa Sister Cities Conference, US and Kenya.

- Planned program for nine day Nairobi conference for over 300 participants.
- Supervised 15 US and Kenyan conference volunteers.
- Maintained collaborative working relationship with US and African community leaders, government officials, and non-governmental staff.
- Negotiated and coordinated all conference logistics including participant health and safety, food service, accommodation, and transportation.
- Maintained program budget.
- Developed and presented promotional materials including brochures and slide shows.

1997. Group Co-Leader. World Learning Summer Abroad, Kenya. Summer.

- Planned and facilitated cross-cultural orientation for 22 participants.
- Implemented program and budget.
- Performed individual counseling and facilitated group discussion.
- Provided crisis management.
- Cooperated with in-country staff, home stay families, and Brattleboro headquarters.
- Wrote detailed financial and narrative reports.

1991-2001. Adolescent Counselor. Harbor Schools, Newbury, MA.

- Assisted troubled youth to develop vocational and independent living skills.
- Provided crisis intervention and engaged in conflict management.
- Performed one-to-one and group counseling.
 - Collaborated with service providers, families, and clients to develop and evaluate treatment plans.

OTHER EXPERIENCE:

1991-present. **Board Member and past board president.** Amesbury for Africa, Amesbury, MA and Greater Newburyport-Bura Alliance, Newburyport, MA.

- Provide leadership for development and exchange organizations of more than 400 members each.
- Facilitate development and cross-cultural workshops for exchange participants from both sides.
- Plan and lead educational and community service programs for US and Kenyan adults and youth.
- Facilitate processing of immigration documents for students and interns.
- Researched, planned, and evaluated cooperative development and education programs in agriculture, health care, water supply, micro enterprise, and street children's services, using participatory methods.

- Assisted in the founding of a network of 17 Kenyan self-help groups.
- As part of a team, secured over \$100,000 in funding for activities through committee-driven membership drives, local fund-raising, and grant-writing.
- Documented programs through the use of slides, video, and publications.

2008-2020. Board Member, Swasey Fund, Newburyport, MA. Serve on philanthropical board that provides funding to health and social service programs throughout the Greater Newburyport area.

2004-2005. **Committee Member.** US-Kenya AIDS Exchange Program. Organizer of State Department-funded exchange program for Kenyan and US community organizers engaged in AIDS education and outreach. Undertook final project evaluation.

2003. **Volunteer.** Vermont Refugee Resettlement Program. Provided home stays for newly-arrived refugees.

2003-04. **Member** (DCF state child protection agency representative). Interpreter's Task Force. Sat on task force aimed at improving interpreter and translation services for limited English speaking population in the Burlington, VT area.

2003-04. **Member** (DCF state child protection agency representative). Refugee and Immigrant Service Providers' Network (RISPN). Sat on network aimed at improving services to refugees and immigrants and facilitating the exchange of information.

2003-04. **Member.** DCF Policy and Procedure Sub-Committee for the Family Treatment Court. Sat on sub-committee aimed at improving the Family Treatment Court system that provides support through the court system for parents in recovery from substance abuse.

PUBLICATIONS: 2000. "You Cannot Eat Friendship: The implications of US-Africa community linkage." Clark University, Worcester, MA.

1995. Contributor to Power, Process, and Participation: Tools for Change. (Slocum, Wichhart, Rocheleau, and Thomas-Slayter, editors). Intermediate Technology Publications, London.

1989. "The Power of Productivity: Polygyny and Power in Luo Society." Wheaton College, Norton, MA.

LANGUAGES: Kiswahili—working knowledge; dhoLuo—basic knowledge

HONORS/AWARDS: Melder Award recipient, Clark University.

Paul F. Cressey Prize in Anthropology, Wheaton College.

Departmental honors in anthropology, Wheaton College.

Cum laude honors, Wheaton College.



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

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2021 MAY -4 PM 3:12

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: May 4, 2021

Subject: Re-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 May 31, 2026.

Charles Carroll
25 Hill Street
Newburyport, MA 01950



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

RECEIVED
CITY CLERK'S OFFICE
CITY OF NEWBURYPORT, MA
NEWBURYPORT, MA
2021 MAY -4 PM 3:12
2021 MAY -6 P.

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: May 4, 2021
Subject: Re-Appointment

I hereby re-appoint, subject to your approval, the following named individual as a member of the Council on Aging. This term will expire on May 31, 2026.

Richard A. Eaton
4 Horton Street
Newburyport, MA 01950



CITY OF NEWBURYPORT RECEIVED
OFFICE OF THE MAYOR
DONNA D. HOLADAY, MAYOR
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2021 MAY -4 PM 3:56

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

To: President and Members of the
City Council
From: Donna D. Holaday, Mayor
Date: May 4, 2020
Subject: Re-Appointment

I hereby re-appoint, subject to your approval, the following
named individual as Assistant Wiring Inspector. This term
will expire on May 31, 2022.

Barry J. McBride
5 Pine Street
Salisbury, MA 01952

BARRY J. MCBRIDE

978-423-6270 Salisbury, MA
barrymcbride14@gmail.com

LICENSURE: MA Lic. E37144 NH Lic. 9856J

SUMMARY

All aspects of electrical wiring, to include making determination if projects meet current NEC and MA codes. Experienced in all types of electrical work - residential, commercial, industrial, and electrical construction. Projects have included wiring of manufacturing businesses and continued maintenance, new home and commercial construction, as well as maintain and repair.

- Sales and Customer Service
- Invoicing and Accounting
- Blueprints
- Hiring and Training of Staff
- Proposal Writing
- Inventory Control
- Schematics
- Utility Solar Fields
- Project Management
- Estimating/Work Scheduling
- Continued Maintenance
- Layout
- Problem Resolution

EXPERIENCE:

July 2019 – October 2019	All-Pro Electric, Electrical Estimator	Bradford, MA
April 2019 – June 2019	Modern Electric, Electrical Estimator	Wilmington, MA
2001 – 2018	City of Amesbury, Inspector of Wires	Amesbury, MA
1995 – 2018	Barry J. McBride, Electrician, Owner	Salisbury, MA
2014 – Present	City of Newburyport, Asst. Inspector of Wires	Newburyport, MA

RELEVANT TRAINING

- Whittier Vocational Technical School
Electrical Journeyman/Masters Preparation Haverhill, MA
- Northern Essex Community College
Electrical Masters/Business Preparation Haverhill, MA

MEMBERSHIP: Central New England Electrical Inspectors Association

Continuing Education

CERTIFICATION:

2019-2022	Inspector of Wires 237 CMR 17.01 (1)	The Commonwealth of Massachusetts
2019-2022	Journeyman License 15 Hour	The Commonwealth of Massachusetts
2019-2022	Journeyman License 15 Hour	State of New Hampshire
2019-2022	Journeyman License 6 Hour	The Commonwealth of Massachusetts
2019-2022	Journeyman License 6 Hour	State of New Hampshire
2020	OSHA 10 – Construction	Federal
2020-2022	CPR	Emergency Care & Safety Institute

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

SECOND READING APPOINTMENTS

- APPT241_04_26_2021 Bonnie Sontag 21 Smith St. Fruit St. Hist. Comm 5/31/2024

In City Council April 26, 2021:

Motion to approve the Consent Agenda as amended by Councillor Zeid, seconded by Councillor Connell.
Roll call vote. 11 yes. Motion passes.

COMMUNICATIONS

10 Dexter Street
Newburyport, MA 01950
5 May 2021

City Council
City of Newburyport
City Hall
Newburyport, MA 01950

By Email

RE: Capital Improvement Plan – Hale Street Pedestrian and Bicycle Improvements

Dear City Councilors:

I am writing to request that the funding for Hale Street pedestrian and bicycle improvements in the proposed Capital Improvement Plan be expanded and better defined as described in this letter.

This project has long been identified as an important one for giving West End residents a safe walking and cycling connection to schools, recreation areas and the downtown.

- The 2005 Strategic Land Use Plan noted, “Neighborhood residents have expressed a desire for provision of a sidewalk along the length of Hale Street; however, the proximity of wetlands along the edge of the roadway would make it extremely difficult and costly to widen the road to accommodate a sidewalk.” (p. 17)
- In the 2016 Safe Routes to Schools Preliminary Assessment report, MassDOT recommended that multimodal enhancements be constructed on the north side of Hale Street all the way to Turkey Hill Road, “to provide a separate facility for pedestrians. The widening should accommodate a multimodal path with roadway vehicle barrier and should consider traffic calming devices along Hale Street.” (pp. 27-28, emphasis added)
- Most recently, the City’s Complete Streets Prioritization Plan (March 2019) includes two alternative strategies for improving bicycle and pedestrian accommodations on Hale Street between Low Street and Turkey Hill Road – a sidewalk plus striped bike lane (projects 3G and #3H and a shared use path (project 3I).

In February 2020 Newburyport Livable Streets hosted a community meeting to present some preliminary concepts for how pedestrians and bicyclists could be accommodated more safely on Hale Street, and to provide an opportunity for residents to raise questions and concerns. We followed that up with a letter to the City Council on March 11, 2020, requesting that \$125,000 in funding be appropriated to hire consultants to carry out a survey and wetlands delineation of the corridor, and to prepare a conceptual design plan for improvements. However, before that request could be considered by the Council, the City was faced with the pandemic which dominated policy and funding discussions for the ensuing months, and as a result there was no opportunity at that time to follow up on our letter.

I welcome the inclusion of a portion of the requested funding in the proposed Capital Improvement Plan as a first step in resuming the conversation about Hale Street. However, I am concerned that the current CIP does not give enough weight to this long-identified need in the City. First, the proposed CIP shows the funding for survey and wetlands delineation as depending on the City receiving an as yet unidentified grant. This is somewhat unusual in that grant funds are not usually available for this type of project: more typical is the approach shown in the CIP for Complete Streets projects, where the City proposes to pay for planning and design from General Fund/Free Cash and then to apply for grants (or issue debt) to pay for the construction.

RE: Capital Improvement Plan – Hale Street Pedestrian and Bicycle Improvements

Page 2

Second, I am concerned that the proposed CIP does not include funding for a conceptual design. This is a necessary step that must be taken, as it is essential to receive public input and obtain consensus before the City's Engineering staff can begin detailed design.

Finally, the proposed CIP does not show any construction funding in the next five years, which implies that no substantive action on this project will take place in that time period.

It is important not to shortchange this important project. A critical aspect of bike/ped safety is to reduce speed differentials between vulnerable users and cars, and to provide physical separation where speed differential is great. Providing a wider shoulder may be enough for able adults, but children need a raised sidewalk or separated path to protect them from traffic. This is reflected in both the 2016 SRTS report and the 2019 Complete Streets Prioritization Plan.

It is also important to recognize that any project that delivers meaningful safety improvements will be costly. Realistic cost estimates should be incorporated into the capital planning. For example, the two options identified in the 2019 Complete Streets Prioritization Plan had estimated costs, including design, of \$2,365,000 and \$2,950,000 for the 1.75-mile distance (approximately \$1,350,000-\$1,686,000 per mile).

Because of this, it may be helpful to think about breaking the overall project into smaller pieces rather than trying to design and build the entire project at once. There are likely different appropriate designs for different parts of this long route, and they can be funded and implemented in stages. There are three logical segments of the corridor – Low St to Doe Run, Doe Run to I-95, and I-95 to Turkey Hill Road. Each of these segments represents about one-third of the total length, and each has its own context and likely its own solution.

In conclusion, I suggest that the Council consider two modifications to the proposed CIP: (a) increasing the FY2022 amount to \$125,000 in order to include funding for conceptual design and making this allocation pay-as-you-go rather than dependent on grant funding, and (b) adding placeholders in at least one future year to represent an initial phase of construction.

Thank you for your consideration of these issues.

Sincerely,



Rick Taintor

May 10, 2021

To: Mayor Donna D. Holiday;
To: Anthony Furnari, Director of Public Safety

From: Committee on Neighborhood & City Services

Memo RE: Hale St at Squires Glen

On 5/4/21 the Committee for Neighborhood & City Services held a meeting with an agenda item to discuss the current status and proposed options for the area at Hale St and Squires Glen Rd. As can be seen from the photo (below) there is currently a temporary fence along this stretch and there has been considerable degradation to the cement retaining wall.



At our meeting over 2 dozen residents attended, and 15 spoke out at public comment. The consistent message was that the residents felt this area was unsafe for their children to walk to school, and the temporary fence was a detriment to the neighborhood as this is the main entrance/exit to the development (100+ homes). The ask was that these items needed immediate attention including closure of the fence discussion, with the installation of an architectural style fence covering the last section of this fence run (est 100ft).

The NCS committee is requesting DPS provide an updated quote for the architectural fence and to provide work estimates for repairing the cement wall.

The recommendation of the NCS committee is to request the administration prioritize the repairs to the cement structure and the installation of the architectural fence, to allocate funds for these actions from the operational maintenance budget, and to target completion prior to 10/31/21.

Thank you,
Neighborhood and City Services Committee
Councillor Barry N. Connell, Chair
Councillor James J. McCauley
Councillor Christine E. Wallace

Signers of this petition for needed signage in our neighborhood are residence of Ferry and Lural Roads; Briggs, Fenders, Azalea, and Brown Avenues.

Although most of us know the city speed limit in Newburyport is 25 miles an hour unless posted different, others don't have a clue. Therefore we are requesting signs of 25 MPH on Ferry Rd. at the turn off from Spofford St., and before the Rt. 95 over pass on Ferry Rd. Traffic on this road is heavy, cars often exceed 40 mph, especially cars going to Maudsley year round. There is also usage by cyclers and runners. People living on Ferry Rd. have a difficult time getting in and out of their driveways safely.

We request signs of 20MPH at the corners of Ferry Rd. Briggs, Azalea Aves, and Lural Dr. On Brown Ave. and the street from the new development. These streets see heavy foot traffic from people walking their dogs, people walking for exercise, parents walking their children, or in carriages and strollers. Children and adults on bicycles, joggers, and children walking or waiting for the school bus. None of these streets have sidewalks.

Recently we have seen people cutting back with clippers, the bushes along the woods side of Ferry Rd. to park their cars while using the rail trail. There is ample parking on all the side streets to accomidate their needs. No Parking signs should be placed on Ferry Rd. from Azalea St. to the fire hydrant just before entering the trail.

CHILDREN

NAME	ADDRESS	AT HOME
Donald G. Rogers	10 Brown Ave	0
Carol L. Rogers	"	0
Peter Rogers	10 Brown Ave	2
Patty Cusack	9 Brown	0
Shirley	"	0
Margaret A. Walsh	7 BROWN AVE	0
William J. Walsh Jr.	7 Brown Ave	0
Joan Walsh	7 Brown Ave	0
Pat Walsh	8 BROWN AVE	0
Janet Walsh	8 Brown Ave	0
Kenneth Gloden	4 Brown Ave	0
Michelle Curet	15 Laurel Rd	1
Anthony Curet	15 Laurel Rd	1
Rob Zircolo	14 Laurel Rd	2
Alison Zircolo	14 Laurel Rd	2
JAMES V. NAGLE	10 LAUREL RD.	1
Michelle W. Rogers	10 Brown Ave	
Patricia	10 Brown Ave	2
Samuel J. Kuhns	8 Laurel Rd	0
Dan Kuhns	8 Laurel Rd	"
Chris Hallides	4 Laurel Road	0

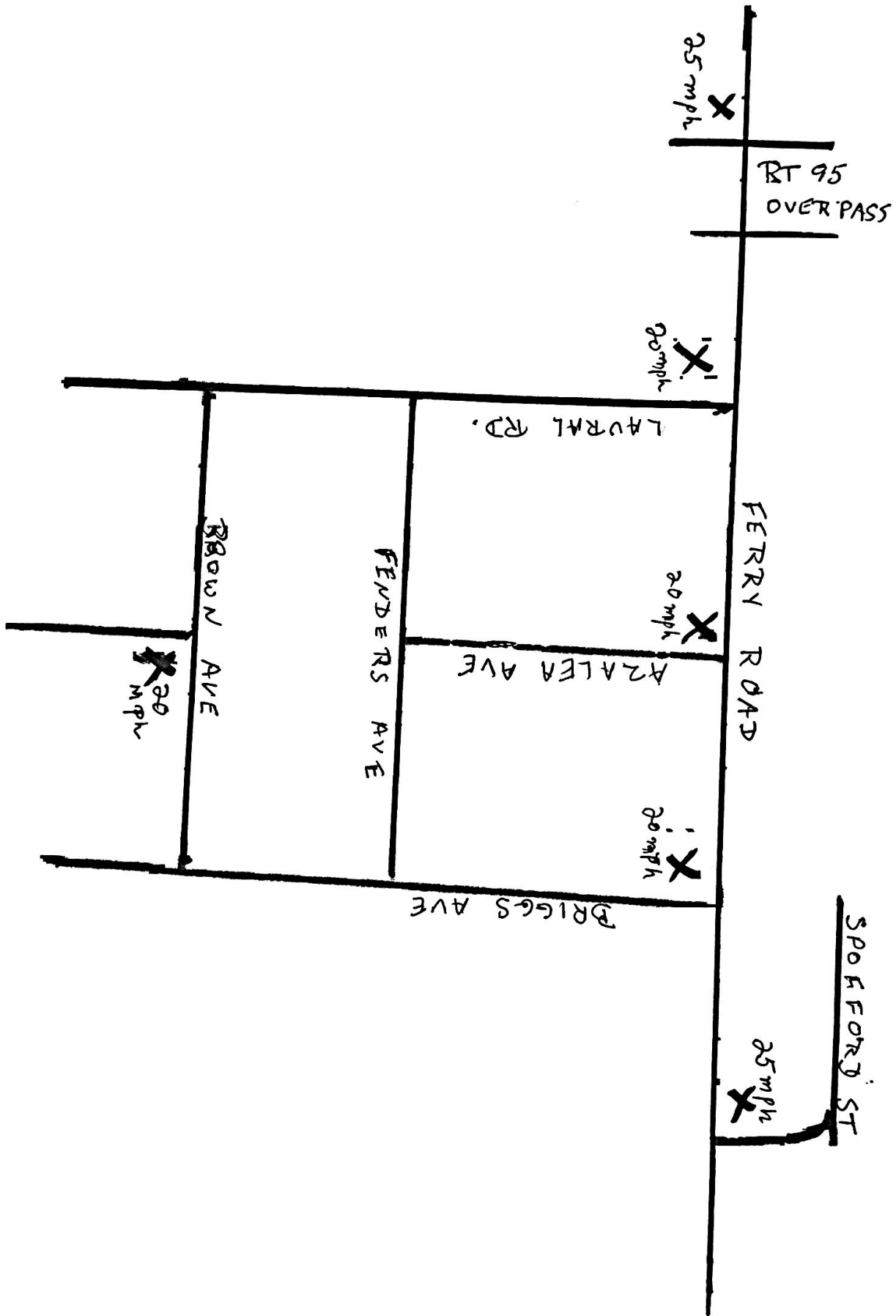
978-255-2650

3 Grandchildren
(visit often)

NAME	ADDRESS	CHILDREN
		AT HOME
C/O Forman	105 Ferry Road	3
Stacy Gijshers	1 Briggs Ave	2
Quintyn	3 Briggs Ave	3
Jessica Raymond	3 Briggs Ave 2 dogs	0
Paul T. Ducker	5 Briggs Ave	0
Justin	6 Briggs ave	4
Rich Szurpiki	13 Briggs Ave	3
D. Metzje	15 Briggs Ave	1
K. B. Lander	10 Fenders Ave	
C. Chase	7 Fenders Ave	2
Gary Chase	7 Fenders Ave	
Stacy Gabriel	5 Fenders Ave	3
Gretchen Mead	4 Azalea Rd	2
ALEX PERCOTT	2 AZALEA RD	1
Tammy DiAmore	107 Ferry Rd	2
SKYLER Ribicandria	107 Ferry Rd	0
Robert Pratt	115 Ferry Rd	0
John Schmidt	3 Fenders Ave.	2
Kristine Schmidt	3 Fenders Ave.	2
Madison Schmidt	3 Fenders Ave.	2
Chris Mead	4 Azalea Rd	

CHILDREN

NAME	ADDRESS	AT HOME
Mike O'Brien	7 BRIGGS AVE	
Chris Sharpe	103 Ferry Rd	
Travis O'Brien	7 Briggs Ave	
Susan O'Brien	7 Briggs Ave	
Christa DeLeon	113 Ferry Road	
OPRAH DILL	113 Ferry Road	
Mark Holliday	4 Laurel Rd	
Dany Holliday	4 Laurel Rd	
William O'Connell	56 Ferry Rd	
John O'Connell	56 Ferry Rd	
R. Chamberlin	94 Ferry Rd.	
Cecelia O'Byrne	99 Ferry Road	3+ year old 10 month old
Deborah Brea	99 Ferry rd.	
Richard Conroy	1118 Ferry Rd	
Audrey Jackson	9 Fenders Avenue	
David O'Connell	13 Laurel Rd	
Audrey McCarthy	13 Laurel Rd	
Paul Norton	13 Laurel Rd	
Luelyn W. Krach	16 Laurel Rd.	
Paul Guld	11 BRIGGS AVE	
Jenny Gules	11 BRIGGS AVE	



**APPOINTMENTS
FIRST READING**



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

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2021 MAY 10 PM 3:41

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

To: Richard Jones, City Clerk

Re: Temporary Appointment of Building Commissioner per City Ordinance Sec. 3-5

Date: May 10th, 2021

I designate Gary Calderwood to perform the duties of the Building Department as Acting Building Commissioner on a temporary basis to train the new staff in the Building Department and certify inspections until the staff completes certification as Building Inspector. Following this certification, staff will be eligible to serve as Acting Building Commissioner. I certify that said person is qualified to perform the duties which will be required and that I make this designation solely in the interests of the city of Newburyport.

A handwritten signature in cursive script that reads "Donna D. Holaday".

Donna D. Holaday, Mayor

**APPOINTMENTS
SECOND READING**

SECOND READING APPOINTMENTS

- APPT24I_04_26_2021 Bonnie Sontag 21 Smith St. Fruit St. Hist. Comm 5/31/2024

In City Council April 26, 2021:

Motion to approve the Consent Agenda as amended by Councillor Zeid, seconded by Councillor Connell.
Roll call vote. 11 yes. Motion passes.

ORDERS

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

**AN ORDER RELATIVE TO A SPECIAL ACT TO MAKE CERTAIN MINOR AMENDMENTS
TO THE CITY OF NEWBURYPORT HOME RULE CHARTER**

WHEREAS, Section 9-1 of the City of Newburyport Home Rule Charter provides that the charter may be replaced, revised or amended in accordance with any procedure made available under the state constitution, or by statutes enacted in accordance with the state constitution; and

WHEREAS, the City of Newburyport seeks to make minor amendments to its home rule charter;

THEREFORE, let it be ordained by the City Council of the City of Newburyport that the Mayor is hereby authorized, on behalf of the City: (a) to submit a Home Rule Petition to the General Court of the Commonwealth of Massachusetts to enact a Special Act for the City in the form attached hereto; (b) to act on behalf of the City relative to any inquiries made by the General Court concerning the proposed Special Act; and (c) to approve amendments to such Special Act provide that that they shall be consistent with objectives of the Home Rule Petition.

Councillor Jared J. Eigerman, Ward 2

**A SPECIAL ACT TO MAKE CERTAIN MINOR AMENDMENTS TO THE CITY OF
NEWBURYPORT HOME RULE CHARTER**

WHEREAS, Section 9-1 of the City of Newburyport Home Rule Charter provides that the charter may be replaced, revised or amended in accordance with any procedure made available under the state constitution, or by statutes enacted in accordance with the state constitution;

WHEREAS, the City of Newburyport seeks to make minor amendments to its home rule charter; and

WHEREAS, the Mayor and the City Council of the City of Newburyport, representing the citizens of the City of Newburyport have petitioned the General Court relative to these matters;

NOW, THEREFORE, BE IT ENACTED by the Senate and the House of Representatives in General Court assembled, and by the authority of the same as follows:

Section 1

The City of Newburyport Home Rule Charter is hereby amended as follows, with ~~deletions italicized and double-stricken through~~, and additions italicized and double-underlined:

Sec. 1-7. – Definitions.

Unless another meaning is clearly apparent from the manner in which the word or phrase is used, the following words and phrases as used in this charter shall have the following meanings:

...

(4) “City office,” a position having charge of a city department, including, without limitation, the position of city solicitor.

(5) “City officer,” when used without further qualification or description, shall mean a person having charge of an office or department of the city who in the exercise of the powers or duties of that position exercises some independent statutory authority, including, without limitation, the city solicitor.

...

Sec. 2-6. – Exercise of powers; quorum; rules.

...

(c) *Rules of procedure.* The city council shall from time to time adopt rules regulating its procedures which shall be in addition to the following:

...

(2) Special meetings of the city council shall be held at the call of the president or at the call of any six or more members, for any purpose, by causing a notice of the meeting to be delivered (i) in hand or to the place of business or residence of each member of the city council; or (ii) by email to each member of the city council with electronic confirmation of receipt...

...

Sec. 2-9. – Ordinances and other measures.

(a) *Measures.* No measure that is an ordinance or an order shall be passed finally on the date on which it is introduced, except in the case of an emergency....

...

(c) *Charter objection.* On the first occasion that the question on adoption of a measure that is an ordinance or an order is put to the city council, if a single member present objects to the taking of the vote, the vote shall be postponed until the next meeting of the city council whether regular or special....

Sec. 3-1. – Mayor: Qualifications; term of office; compensation; prohibitions.

...

(d) *Prohibitions.* The mayor shall hold no other city office or city employment for which a salary or other emolument is payable from the city treasury. No former mayor shall hold any compensated appointed city office or city employment, nor shall they appear personally before any city agency as agent or attorney for anyone other than themselves, their spouse, their parents, their children, or their siblings, until one year following the date on which the former mayor's city service has terminated. This provision shall not prevent a city officer or other city employee who has vacated a position in order to serve as mayor from returning to the same office or other position of city employment held at the time the position was vacated, if such position exists, but no such person shall be eligible for any other municipal position until at least one year after the termination of service as mayor. This prohibition shall not apply to persons covered under the leave of absence provisions under the civil service law. Except as state law may otherwise expressly permit, a lawyer who has formerly served as mayor shall at no time represent a client in connection with a matter in which the lawyer participated personally and substantially while serving as mayor, unless the city council gives its informed consent, confirmed in writing, to the representation.

...

Sec. 6-5. – Capital improvement budget.

(a) *Submission.* No later than ~~April~~ May 15 of each year, the mayor shall submit a capital improvement program to the city council....

...

(c) *Adoption.* At any time after the public hearing but before ~~June~~ July 1 of each year, the city council shall by resolution adopt the capital improvements program with or without amendment, provided that each amendment must be voted separately and that any increase in the capital improvements program as submitted must specifically identify the method of financing proposed to accomplish such increase....

...

Sec. 9-7. – Uniform procedures governing multiple-member bodies.

...

- (b) *Meeting documents and submissions.* Each appointed multiple member body shall determine its own rules and order of business and shall provide for the keeping agendas, minutes and related submissions of its proceedings. All such documents shall be a public record, and certified copies shall be placed on file in the office of the city clerk and ~~in the city public library~~ on the website within fifteen days of their approval....

In City Council April 26, 2021:

Motion to move to a date certain, May 10, 2021 by Councillor Eigerman, seconded by Councillor Connell. Roll call vote. 11 yes. Motion passes,

CITY OF NEWBURYPORT



IN CITY COUNCIL

2021

ORDERED:

City Council Meetings 7:30 PM Remote or in the Council Chambers, City Hall.

January 11, 2021
January 25, 2021

February 08, 2021
February 22, 2021

March 08, 2021
March 29, 2021

April 12, 2021
April 26, 2021

May 10, 2021
May 24, 2021

Monday (May 31, 2021 – Memorial Day)

June 14, 2021
June 22, 2021
June 28, 2021

Special City Council Meeting-FY 2022 Operating Budget

July 12, 2021

August 09, 2021
August 30, 2021

September 13, 2021
September 27, 2021

October 12, 2021
October 25, 2021

Tuesday Monday (October 11, 2021–Columbus Day)

November 08, 2021
November 29, 2021

December 13, 2021

Jared J. Eigerman

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

May 10, 2021

WHEREAS Massachusetts General Laws Chapter 40, Section 5B allows municipalities to create multiple stabilization funds, assign different purposes to each, and

WHEREAS healthcare cost trends continue to outpace annual revenue growth, and

WHEREAS health insurance premiums vary from year-to-year depending on a number of factors, including but not limited to, provider price inflation, utilization rates, prescription costs, and regulatory changes, and

WHEREAS healthcare costs temporarily went down in 2020 due to the COVID-19 pandemic, which allowed for "premium holidays" to be offered by insurers, and

WHEREAS the City of Newburyport anticipates receiving a one-month "premium holiday" during fiscal year 2022 as a one-time credit that most likely will not be offered in future years and placing all or a portion of that credit into a reserve fund would help to mitigate budgetary increases in subsequent fiscal years.

NOW, THEREFORE, the CITY COUNCIL of the CITY OF NEWBURYPORT hereby establishes, by a two-thirds vote, a Health Insurance Stabilization Reserve Fund in accordance with Massachusetts General Laws Chapter 40, Section 5B. Said fund shall be utilized for the mitigation of the impacts of year-to-year fluctuations in health insurance spending on the annual operating budget by appropriating monies into or out of the fund based on annual cost projections. Appropriations into the Fund are done by a majority vote of the City Council, while appropriations out of the Fund require a two-thirds vote of the City Council.

Councillor Sharif I. Zeid

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

May 10, 2021

THAT, the City of Newburyport raise and appropriate in the General Fund a sum of \$ _____ as the operating budget for Fiscal Year 2022 (July 1, 2021 to June 30, 2022), of which \$ _____ is appropriated to the School Department.

FURTHER THAT, to support said appropriations in the General Fund, \$ _____ is hereby reserved from the Downtown Paid Parking Fund.

FURTHER THAT, the Enterprise Fund budgets for Fiscal Year 2022 are approved as follows:

Water Enterprise Fund \$ _____

Sewer Enterprise Fund \$ _____

Harbormaster Enterprise Fund \$ _____

The approved budget represents the annual budget for Fiscal Year 2022 as submitted by Mayor Holaday on May 10, 2021, as amended.

Jared J. Eigerman, Council President

Barry N. Connell, Councillor At-Large

Joseph H. Devlin, Councillor At-Large

Afroz Khan, Councillor At-Large

Charles F. Tontar, Councillor At-Large

Bruce L. Vogel, Councillor At-Large

Sharif I. Zeid, Ward 1 Councillor

Heather L. Shand, Ward 3 Councillor

Christine E. Wallace, Ward 4 Councillor

James J. McCauley, Ward 5 Councillor

Byron J. Lane, Ward 6 Councillor



CITY OF NEWBURYPORT
OFFICE OF THE MAYOR
DONNA D. HOLADAY
60 PLEASANT STREET • P.O. BOX 550
NEWBURYPORT, MA 01950
(978) 465-4413 • (978) 465-4402 (FAX)
WWW.CITYOFNEWBURYPORT.COM

To: President and Members of the City Council
From: Donna D. Holaday, Mayor
Date: May 4, 2021
Subject: FY2022 Proposed Budget

On May 10, 2021, I will submit my budget proposal for fiscal year 2022. This budget marks my administration's twelfth budget submission to the Newburyport City Council. I am so pleased by the work that we have accomplished together over these past twelve years and there is much more work to be done.

Unlike the last budget submission, which was prepared to allow the City to weather one of the worst pandemics in history, this budget submission was prepared to move us past the pandemic and into a more optimistic time for the City of Newburyport.

This budget proposal continues my commitment to increasing funding for our five-year capital improvement program; it ensures that core public services are delivered efficiently and effectively and that our schools have the resources necessary to provide the best possible education to our children. I would like to thank all of our department heads for their diligence in helping to develop this year's budget proposal.

I look forward to submitting the FY2022 budget proposal to you electronically on May 10, 2021 with hard copies to be prepared and distributed thereafter.

Thank you for your review and consideration.

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

May 4, 2021

A RESOLUTION CONGRATULATING ALL NEWBURYPORT STUDENTS ON THEIR 2020-2021 SCHOOL YEAR ACCOMPLISHMENTS WITH SPECIAL RECOGNITION OF CAROLINE WALSH, THIS YEAR'S NEWBURYPORT HIGH SCHOOL GRADUATING CLASS VALEDICTORIAN AND DEESE FADIL THIS YEAR'S NEWBURYPORT HIGH SCHOOL GRADUATING CLASS SALUTATORIAN

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

WHEREAS, The City of Newburyport highly values education as the ultimate investment in our collective futures

WHEREAS, The City's students have worked extremely hard throughout this school year to achieve excellence in all pursuits and deserve recognition for doing so

WHEREAS, The City seeks to recognize the achievements of the all of the City's students and the hard work of all those who work towards educating our children

NOW, THEREFORE, BE IT RESOLVED that:

1. Recognition of achievements. The City of Newburyport acknowledges and recognizes all students for their hard work and dedication towards their studies, extracurricular activities, sports, volunteer, work and all other pursuits especially in light of challenges presented by COVID-19
2. Sincere Congratulations. The City of Newburyport congratulates all students who will receive an award
3. Special Congratulations. The City of Newburyport offers special congratulations **Caroline Walsh**, Newburyport High School's Class of 2021 Valedictorian AND **Deese Fadil**, Newburyport High School's Class of 2021 Salutatorian for their superior academic achievement.
4. Expression of Gratitude. The City of Newburyport wishes to extend its gratitude and appreciation to teachers, administrators, staff, coaches and other staff who work towards the education of our children, particularly in light of a school year full of challenges presented by COVID-19.

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

May 10, 2021

WHEREAS, the City of Newburyport Home Rule Charter provides at Section 2-5 that, except as otherwise provided by general law or by the charter, all powers of the City shall be vested in the City Council which shall provide for their exercise and for the performance of all duties and obligations imposed upon the City by law; and

WHEREAS, the Newburyport Code provides at Section 12-30 that the surveying and laying out, relocation or altering of a street, highway, or private way, or part thereof, shall be done under the supervision of the City Council; and

WHEREAS, the Newburyport Code provides at Section 13-46 that the City Council is authorized, and as to those signs and signals required under such code it shall be its duty, to place and maintain or cause to be placed and maintained all official traffic signs, signals, markings and safety zones;

NOW, THEREFORE, the City Council shall review and approve the Merrimac Street striping plan submitted herewith, and authorize the Department of Public Service and the City Engineer to use said plan and complete the same within 14 days from the date of approval of this order.

Councillor James J. McCauley