

# CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

March 13, 2023

## **City of Newburyport Parks Memorial Bench Policy**

Effective January 1, 2023

Approved by the Parks Commission on December 15,  
2022

### Scope:

This policy applies to all existing and future benches located within the City of Newburyport's parks. This policy excludes benches located within State and privately-owned parks, which are under a separate jurisdiction. Residents and non-residents may apply to have a plaque installed on a City bench within a City park, under the lease agreement described below.

### Application Process:

An application (see Appendix A) for the lease of a new or existing bench within the City of Newburyport's Parks may be submitted to the Parks Manager for internal review. Applicants should provide up to three (3) preferred locations for placement of a bench, understanding that bench locations will depend on current or future plans for the requested park, as well as capacity of the park to accept additional benches. After initial review by the Parks Manager, new benches must also be approved by the Parks Commission for style and location during a regularly scheduled Parks Commission meeting, with the recommendation of the Parks Manager. Existing benches will be reviewed and approved by the Parks Manager and need not seek Parks Commission approval if they follow the policy outlined in this document. A non-refundable application fee of \$50 shall be paid at the time of application and may be made payable to the City of Newburyport.

Once benches and plaques are approved by the Parks Manager and/or the Parks Commission, the applicant will be provided the final details of the approval, including bench style and material, plaque specifications, site selection, total cost and tentative schedule for installation. A check for the total project cost (\$5,000, pending approval and acceptance by City Council), minus the application fee, must be received prior to installation. Benches are ordered twice annually on September 15 and April 15, and applicants should target their requests appropriately. Applications are accepted from January 1 through April 1.

#### Terms & Conditions:

From the date of installation, maintenance of the approved bench and plaque is limited to 10 years. Upon expiration of the 10-year period, applicants have the option to renew the leased bench at the current price. The plaque will be removed after the 10-year period unless renewed. Plaques will be available for pick up at the Department.

New benches can no longer be accepted at Joppa Park, the Clipper City Rail Trail from the Wastewater Treatment Facility to the Coast Guard Station, and some sections of Cashman Park. All other requests for benches will be considered on a first come, first served basis with a minimum timeline from application to installation of 3 months. This timeline may be extended based on volume of requests and every effort will be made to respond to requests in a timely manner.

New benches must be compliant with Federal law as delineated in the Americans with Disabilities Act (ADA). This means benches must be adjacent to an existing path or walkway that provides clear access to the bench for people of varying abilities.

Upon installation, all benches and plaques become the property of the City of Newburyport. Neither the donor, nor any former or present parks donation organization, has any claim to ownership of either the bench or the plaque.

This bench policy will be reviewed annually by the Parks Manager and Parks Commission, which may result in policy, procedural, or fee changes. Prices are not guaranteed beyond December 31st of each calendar year.

All proceeds from this program will go towards maintenance of the City of Newburyport's Parks.

#### Plaque Specifications and Parameters:

In recognition an approved lease, a dedication plaque shall be affixed to the leased bench

under the parameters of this policy. Plaques shall measure 2"x10" in size with choice of inscription from options listed below. Personalization of plaques is not allowed.

In Honor  
of Name  
Dedicated Month &  
Year or:  
In  
Memory  
of Name  
Dedicated Month & Year

#### **Maintenance & Replacements:**

Once a bench and plaque are installed, the Parks Manager will monitor and maintain it for a period of ten years. Maintenance may include a one-time application of oil sealer and/or paint for wood benches and paint for metal benches or bench components. It is understood that normal weathering of benches may occur and shall be acceptable to the donor. After ten years, the City will contact the lessee regarding renewal of the lease agreement, at which time further bench renovations and/or maintenance may commence, if desired, at the current pricing.

The City shall not be responsible for loss or damage of any kind. If a bench is stolen or destroyed it will be permanently removed. If possible, the donor will be notified as a courtesy that the bench is no longer in place. If the donor wishes to replace a damaged or stolen bench they will need to begin a new application process and pay for the cost of the bench plus shipping and transportation. The City shall cover the installation, administration, and general maintenance fee for the remainder of the original ten-year lease.

#### **Leasing and Renovations of Existing Benches:**

The renovation of existing, available benches and benches that exist prior to this policy enactment on January 1, 2023, are available for the same rate as new benches (\$5,000, pending approval and acceptance by City Council).

Bench renovations shall consist of the removal of worn or damaged material, stripping and painting of legs, and installation of new material and hardware as needed.

#### **Memorial Benches Installed Prior to January 1, 2023:**

Memorial benches that exist prior to the acceptance of this policy on January 1, 2023 shall be grandfathered until January 1, 2028 at which time every effort will be made to contact their

sponsors for renewal under the terms of this policy. Benches that are not renewed will have their plaques removed and will be available for new sponsorship.

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Councillor Heather L. Shand

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Councillor James J. McCauley

**In City Council March 13, 2023:**

Motion to collectively refer ORDR00431 to Community Services, and to refer ORDR00432 and ORDR00433 to Public Works & Safety by Councillor Zeid, seconded by Councillor McCauley. Roll call vote. 11 yes. Motion passes.

## Appendix A: Bench application

Name:

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Address:

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Phone number:

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Email address:

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Preferred location for bench (up to 3):

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New or existing bench?: \_\_\_\_\_ new \_\_\_\_\_ existing

Plaque selection:

- In Honor of/Name/Dedicated month & year:

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- In Memory of/Name/Dedicated month & year:

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I have read the Memorial Bench Policy and agree to abide by its terms.

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Signed

Please submit this application with a \$50 application fee made payable to the City of Newburyport. Applications and checks may be mailed to:

City of Newburyport  
c/o Mike Hennessey, Parks  
Manager 60 Pleasant Street/ PO  
Box 550  
Newburyport, MA 01950

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