

Minutes of the Newburyport Parks Commission 15 January 2015

Call to order at 7:05 p.m.

A quorum was present.

In attendance: Steve Sawyer, Kim Turner, Karen Popken, Bob Uhlig

Also in attendance: Lisë Reid, Dick Monahan, Rob Rothberg, Larry Guinta, Robert Cronin

Review of meeting minutes

Commissioners reviewed December 2014 minutes. **Motion to approve with corrections, by Commissioner Sawyer, seconded by Commissioner Turner. So voted on a unanimous voice vote.**

NEW BUSINESS

Issues

Support-a-Spot Policy Review

Commissioners reviewed the Support-a-Spot program and asked Director Reid to revise program documents according to recommended amendments for review at the commission's February meeting.

BUDGET EXPENDITURES REVIEW

Commissioners reviewed the current budget report and approved bills payable for the January 1 and January 15 warrants.

PARKS DIRECTOR UPDATES

Current Projects

Director Reid gave project updates on Atwood Park, Inn Street, Joppa Park, Frog Pond Restoration, field space projects, Cushing Park, and the Clipper City Rail Trail tenth-mile marker program.

Meeting adjourned 8:30 p.m.

ACCOUNT	FY2015 BUDGET	CURRENT FY15 BALANCE	PROJECTED EXPENSES THRU 6/2015	PROJECTED BALANCE AVAILABLE
01630001 51166 PRK PARK ADMIN	\$ 64,000.00			
Total 001 PERSONNEL SERVICES	\$ 64,000.00	\$ 26,826.90	\$ 26,826.90	\$ -

002 PURCHASE OF SERVICES

01630002 52420 PRK PARK MAINT	\$ 64,916.00	\$ 11,817.43	\$ (13,010.00)	\$ (1,192.57)
01630602 53001 PRK FIELD DESIGN	\$ 4,950.00	\$ -		\$ -
01630002 52422 PRK BARTLETT MALL	\$ 4,950.00	\$ 1,820.00	\$ (2,120.00)	\$ (300.00)
01630002 62422 PYC PRK BARTLETT MALL	\$ 896.90	\$ 71.90	\$ (71.90)	\$ -
01630002 52423 PRK MOSELEY WOODS	\$ 1,000.00	\$ 1,000.00	\$ (1,000.00)	\$ -
01630002 52424 PRK ATKINSON COMMON	\$ 20,000.00	\$ -		\$ -
01630002 52426 PRK RAIL TRAIL	\$ 8,000.00	\$ 178.82	\$ (6,400.00)	\$ (6,221.18)
01630002 62426 PYC PRK RAIL TRAIL	\$ 338.40	\$ -		\$ -
01630004 55800 PRK OTHER SUPPLIES	\$ 5,000.00	\$ 347.24	\$ (347.24)	\$ -

Total 002 PURCHASE OF SERVICES	\$ 110,051.30	\$ 15,235.39	\$ (22,949.14)	\$ (7,713.75)
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Total operating funds available		\$ 15,235.39	\$ (22,949.14)	\$ (7,713.75)
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Charles W. Moseley Trust \$ 39,492.04

Donations Account Breakdown

Available for Bartlet Mall	\$ 3,461.41
Available for Moseley	\$ 5,692.04
Available to general parks	\$ 2,960.94
Total donations	\$ 12,114.39

NPC Funds Available

Field Maintenance	\$ 14,735.30
Field Maintenance - Schools	\$ 1,500.00
Bartlet Mall	\$ 482.25
Bartlet Mall Fountain Restoration	\$ 7,000.00
Bench adoption and care of parks	\$ 2,977.70
Clipper City Rail Trail	\$ 1,100.00
Clipper City Rail Trail Marker Sponsorships	\$ 2,093.10
Frog Pond Water Quality	\$ 200.00
General Park Maintenance	\$ 13,638.91
Moseley	\$ 2,027.98
Off Leash	\$ 1,000.00
Tennis Nets	\$ -
Tree Sponsorship Atwood	\$ 350.00
Woodman Park	\$ 2,306.53
TOTAL IN CONSERVANCY FUND	\$ 49,411.77

Newburyport Parks Commission Support-A-Spot Program Overview

With more than 16 maintained parks and even more public open spaces within the City of Newburyport, the Newburyport Parks Commission has a continuing need for volunteers interested in keeping our city beautiful. The Support-A-Spot program aims to maintain and enhance Newburyport's parks and open spaces by ongoing volunteer support and special events, and to educate Newburyport residents about the importance of parks and open spaces.

Our Volunteers

Support-A-Spot provides an opportunity for a range of volunteers to play an active and on-going role in cleaning, greening and maintaining our city through supporting a site. Support-A-Spot unites and supports a range of volunteers including:

- Individuals
- Families
- Senior citizens
- Neighborhood associations
- Youth groups
- Scouts
- Schools
- Businesses
- Civic groups
- Churches

Areas to Support

Available sites include portions of parks, flowerbeds, planters, historical markers and other public spaces throughout the city. Please see the Site Availability Guide to choose a site.

Commitments include a range of volunteer activities:

- periodically picking-up litter
- pulling weeds
- pruning and basic maintenance of your site
- landscape design
- planting

Volunteer benefits

- An official certificate of support
- Recognition including a sign bearing your name at your location
- A cleaner community & pride in knowing that you are making a difference in your community

What you have to do

- Select an approved location from the Site Availability Guide or submit a location of your choice for approval
- Commit to maintaining the spot for a two-year, renewable period.
- Submit a landscape plan for approval, if applicable
- Keep track of volunteer hours spent on a Newburyport Parks Volunteer Log Sheet
- Sign the agreement form
- Get started!



Newburyport City Hall
60 Pleasant Street, PO Box 550
Newburyport, MA 01950
978.465.4462
FAX 978.465.4452
parks@cityofnewburyport.com

What the city does

- Approve plans for site improvement and maintenance including advising about plant material, etc.
- Provides training when appropriate
- Order and install your sign
- Help with cleanup supplies and tools upon request
- Arrange for pickup of trash bags and brush after a site cleanups

For more information about becoming a Support-A-Spot volunteer please call 978-465-4462 or email parks@cityofnewburyport.com.

You can also simply fill out the accompanying form and return it to Newburyport Parks, City of Newburyport, 60 Pleasant Street, P.O. Box 550, Newburyport, MA 01950.

Sponsor-a-Spot Wording Recommendation from Mayor's Office

Civic and nonprofit organizations, commercial and private enterprises and individuals are eligible to participate in the Sponsor-a-Spot Program. A proposed sign will be determined ineligible for the Sponsor-a-Spot Program if the City determines that any of the following apply:

1. Demeaning or Disparaging: Contains material that demeans or disparages an individual or group of individuals. For purposes of determining whether an advertisement contains such material, the City will determine whether a reasonably prudent person using prevailing community standards would believe that the advertisement contains material that ridicules or mocks, is abusive or hostile to, or debases the dignity or stature of an individual or group of individuals.
2. Tobacco and Alcoholic Beverages: Promotes the sale or use of tobacco, tobacco-related products or alcoholic beverages.
3. Profanity or Obscenity: Contains profane or obscene language.
4. Unlawful Goods or Services: Promotes or encourages, or appears to promote or encourage, the use or possession of unlawful or illegal goods or services.
5. Unlawful Conduct: Promotes or encourages, or appears to promote or encourage, unlawful or illegal behavior or activities.
6. Political Content: Contains any reference to political party, [campaign](#), or candidate affiliation.
7. Endorsement: Implies or declares an endorsement by the City of any service, product or point of view, without prior written authorization by the City.

This has been vetted by the Mayor. Please let me know what the Parks Commission decides to do after discussing this tomorrow night.

Support-A-Spot Program General Landscape Guidelines

- Use plant material that tolerates dry, poor soils, requires less water than most, and requires a minimum of maintenance. Limited susceptibility to insect and disease infestation and tolerance to salt exposure are desirable traits.
- Use peat moss, manures or other organic matter as soil amendments to improve soil structure and increase water-retentive properties of soils.
- Use bark or other mulches to aid in retaining soil moisture.
- Limit use of fertilizer to avoid over-stimulating plant growth which in turn increases water requirements.
- Employ proper watering practices, especially during establishment period. Water deeply to soak root zone and force roots to go deep.

Clearance from the Edge of the Travel Lane

- Curb or Guardrail: 5' clearance necessary
- Wildflower Plantings: No clearance necessary
- Without Curb or Guardrail: 55 MPH - 30' from edge of travel lane
 - 45 MPH - 20'
 - 35 MPH - 15'
 - 25 MPH - 15'

Island or Media Planting

- Median: No trees or shrubs with caliper 4" or greater
- Island: Ultimate height of shrubs to be no greater than 30 inches
- For trees and shrubs, will the planting be buried and potentially damaged by snow plows?

Sidewalk Plantings

- Trees: Lowest branches to be higher than 6'-8" from finish sidewalk grade
- Sidewalk Cutouts: 42' x 42'
- Sidewalk Clearance: Minimum of 3' width needed for passage of wheelchairs
- For trees and shrubs, will the planting be buried and potentially damaged by snow plows?

Height Limit under Utilities

- Minimum height of tree to be less than lowest utility

Sight Distance

- To be calculated at intersections according to American Association of State Highway and Transportation Officials (AASHTO) guidelines



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Volunteer's Agreement and Release from Liability

1. Voluntary Participation. I acknowledge that I have voluntarily applied to assist Newburyport Parks Support-A-Spot Program with their project (the "Project"). I understand that the Project is scheduled to occur on (date); however, the date may be changed or the Project canceled in the sole discretion of the Project. I understand that as a volunteer, I will not be paid for my services; that I will not be covered by any medical or other insurance coverage provided by the Project; and that I will not be eligible for any Workers Compensation benefits. I further agree that my participation in the Project may be terminated at any time by either the Project or me.

2. Assumption of Risk. I AM AWARE THAT, IN PARTICIPATING IN THIS PROJECT, I MAY BE EXPOSED TO PERSONAL INJURY OR DAMAGE TO MY PROPERTY AS A RESULT OF MY ACTIVITIES, THE ACTIVITIES OF OTHER VOLUNTEERS, OR THE CONDITIONS UNDER WHICH VOLUNTEER SERVICES ARE PERFORMED. WITH KNOWLEDGE OF THESE DANGERS, I AGREE TO ACCEPT ANY AND ALL RISKS OF PERSONAL INJURY OR DEATH.

3. Release. In consideration for the opportunity afforded me to participate in this Project, I hereby agree that I, my assignees, heirs, guardians and legal representatives will not make a claim against the Project, the businesses, residents and community services agencies which have organized the project, or their officers, directors, or any supplier of materials or equipment that is used by the Project, or any of the volunteers, for injury, damage or death resulting from the negligent acts or omissions of any person or entity, however caused, arising from or related to my participation in the Project. Without limiting the generality of the foregoing, I hereby waive and release any rights, actions or causes of action resulting from personal injury or death to me, or damage to my property, sustained in connection with my participation in the Project; provided, however, that the loss or damage was not caused by an act or omission that was reckless, wanton, intentional, or grossly negligent. I further consent to the unrestricted use by the Project and/or any person authorized by it of any photographs, recordings, interviews, videotapes, motion pictures or similar visual or auditory recordings of me in connection with the Project. The undersigned agrees to hold harmless the owner of the property where refuse containers are located.

4. Knowing and Voluntary Execution. I HAVE CAREFULLY READ THIS AGREEMENT AND FULLY UNDERSTAND ITS CONTENTS. I AM AWARE THAT THIS IS A RELEASE OF LIABILITY AND A CONTRACT BETWEEN MYSELF AND THE PROJECT AND SIGN IT OF MY OWN FREE WILL. I CERTIFY THAT I AM AT LEAST EIGHTEEN YEARS OF AGE OR HAVE DELIVERED THE CONSENT OF MY PARENT OR GUARDIAN TO THE PROJECT.

Executed at _____, Massachusetts on _____, 2011.

Volunteer / Parent signature: _____

Volunteer / Parent name printed: _____

Address:

Phone: _____

ORDERED:

September 9, 2014

WHEREAS, the Cushing Park neighborhood has developed a long-term reliance on the availability of off-street winter parking on the so-called “Cushing Park” property; and

WHEREAS, the demand for such off-street parking in the neighborhood has been seasonal in nature, due in large part to heavy winter snow storms, requiring adjacent public roadways be cleared for plowing operations; and

WHEREAS, for the large remainder of the calendar year Cushing Park remains a desolate, unattractive and underutilized asphalt parking lot, resulting in a neighborhood “heat sink” during summer months; and

WHEREAS, the Newburyport Parks Commission intends to undertake the seasonal conversion of portions of Cushing Park to function as a neighborhood park which is inviting with benches, landscaping, removable site amenities and other public benefits; and

WHEREAS, said use of Cushing Park as a seasonal park space shall not inhibit use of the existing parking lot for off-street neighborhood parking as needed during winter months,

NOW THEREFORE be it ordained by the City Council of the City of Newburyport as follows:

THAT the City Council hereby authorize the Parks Commission to install and maintain seasonal parks equipment and related amenities at Cushing Park, located at Kent, Washington, and Buck Streets (and shown on the Assessors Map as Parcel 51-42) between May 1st and October 31st of each year; and

FURTHER, that the Parks Commission may make permanent physical improvements to the property, including new landscaping, on any areas not already covered by paved surfaces; and

FURTHER, that the Parks Commission may remove asphalt pavement within forty (40) feet of the lot line abutting the residential property known as Assessors Map and Lot Number 51-41-103, which consists of homes fronting on Congress Street and Kent Street, in order to install an adequate landscaping buffer; and

FURTHER, that the Parks Commission may remove the existing Kent Street curb cut and access and replace with pedestrian access, landscaping and park amenities; while maintaining two curb cuts and vehicular access off Washington Street; and

FURTHER, that if the Parks Commission wishes to remove any additional asphalt pavement from the lot, at no point shall the total number of surface parking spaces available for use during winter months be less than the existing capacity of one hundred and four (104) spaces; and

FURTHER, that at no point shall the total number of surface parking spaces available for use during summer months be less than sixteen (16) spaces; and

FURTHER, that if the Parks Commission wishes to further reduce the number of parking spaces available within Cushing Park during winter months, a plan for the proposed parking reduction and lot reconfiguration associated with anticipated park improvements shall be subject to review and approval by the City Council; and

FURTHER, that said authorization for conditional use of Cushing Park as a seasonal park space shall, subject to the specific requirements of this Order, deem this land subject to the protections of Article 97 of the Constitution of the Commonwealth of Massachusetts. Said land is hereby re-dedicated to park and recreation purposes under Massachusetts General Laws, Chapter 45, Section 14, under care, custody and management of the Parks Commission; and

FURTHER, that the above provisions shall replace and supersede those contained in a December 9, 2013 City Council Order.

Councillor Robert F. Cronin