

CITY COUNCIL MEETING AGENDA - VERSION 1

April 15, 2014

7:30PM

(Sound Check)

1. **MOMENT OF SILENCE**
2. **PLEDGE OF ALLEGIANCE**
3. **CALL TO ORDER**
4. **LATE FILE ITEMS**
5. **PUBLIC COMMENT**
6. **MAYOR'S COMMENT**

CONSENT AGENDA

NOTE: ALL ITEMS LISTED UNDER CONSENT AGENDA WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS. IF DISCUSSION IS DESIRED, THAT ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED SEPARATELY.

7. APPROVAL OF MINUTES

March 31, 2014

(Approve)

8. TRANSFERS

1. Gen'l Fund Free Cash \$5000 to City Clerk Ordinance Recodification \$5000
2. Gen'l Fund Free Cash \$8000 to YTH Transport Van \$8000

(Approve)

(Approve)

9. COMMUNICATIONS

1. Retirement Board Meeting regarding COLA on May 29, 2014
2. Oregano Outdoor Seating Renewal
3. Middle Street Foods Outdoor Seating Application
4. Port Taxi Vehicles for Hire Application Renewal
subject to vehicle inspections (Police Dept.)
5. Brine Outdoor Seating Renewal
6. Ceia Outdoor Seating Renewal
7. Letter to DOT from Councillor Cronin re: Storey Ave. Signage Clutter

(R&F)

(Approve)

(L&P)

(Approve)

(Approve)

(Approve)

(R&F)

10. APPOINTMENTS-First Reading

Appointment

- | | | | |
|--------------------------|-----------------------|-------------------------------|----------------|
| 1. Arthur M. Levine | 43B Kent Street | Disabilities Commission | April 30, 2017 |
| 2. Ronald S. Ziembra | 58 Lime St. Unit 1 | Cultural Council | April 30, 2017 |
| 3. Thomas P. Cappelluzzo | 5 Sunset Dr., Newbury | Special Police Officer | |
| 4. Libby McGee | 260 Water Street | Associate Member Zoning Board | April 30, 2019 |

END OF CONSENT AGENDA

REGULAR AGENDA

11. COMMUNICATIONS

7. LATE FILE Mayor's Update

12. APPOINTMENTS-Second Reading

Appointment

- | | | | |
|-------------------------|-----------------------------|---|------------------|
| 5. Matthew Simons | 62 Munroe St., Haverhill | Sergeant, Newburyport Police Department | |
| 6. Charles Eaton | 20 Main St., S. Hampton, NH | Sergeant, Newburyport Police Department | |
| 7. Richard A. Eaton | 4 Horton Street | Newburyport Trust Fund | March 1, 2017 |
| 8. Susanne F. Gallagher | 3 Garnet Street | Board of Registrars | March 31, 2017 |
| 9. Crispin S. Miller | 1 Parker Ridge Way West | Tree Commission | November 1, 2017 |

Re-Appointment

- | | | | |
|------------------|----------------|--------------------------------------|------------------|
| 10. Judy Tymon | 39 Lime Street | Newburyport Affordable Housing Trust | April 1, 2016 |
| 11. Duncan LaBay | 4 Ferry Road | Zoning Board of Appeals | February 1, 2015 |

13. ORDERS

1. Kelley School – Surplus Property

14. ORDINANCES

1. 2nd Reading Interim Demolition Control Overlay District – Zoning (COW)
2. 2nd Reading Interim Downtown Overlay District – (IDOD) (COW)
3. Amend ORD 13-136 Designated Stop Intersection Add Storey Ave
4. ORD Ch. 7 Sec. 7-4 Add Annual Master Box Connection Fee

15. COMMITTEE ITEMS

Budget & Finance

In Committee:

1. Mayor letter regarding Order for Revolving Fund Expenses *03/17/2014
2. Order Amend Revolving Fund expenses *03/17/2014
3. Free Cash \$40,300 to Veterans Benefits \$40,300 *03/31/2014
4. Mayor Capital Improvement Program *03/31/2014

General Government

In Committee:

1. Intermunicipal Agreement for Veteran's Services *03/31/2014

Joint Education

License & Permits

In Committee:

1. Movable Sign Application Newburyport Brewing Company *02/10/2014
2. Newburyport Lions Club Eyeglass Box *02/24/2014
3. Block Party Cherry Hill Soccer Field Parking Lot, May 31, 2014 *03/17/2014
4. Amend Ch.6.5, Article III Plastic Bags (NCS & COW) *03/17/2014
5. Moveable Sign Grand Trunk *03/31/2014

Neighborhoods and City Services

In Committee

1. Amend Ch.6.5, Article III Plastic Bags (L&P, COW) *03/17/2014

Planning & Development

In Committee:

1. Letter from Newburyport Preservation Trust *03/31/2014

Public Safety

In Committee:

1. Amend Ord.13-136 Stop Intersections add Pond St. and Green St. *03/31/2014
2. Amend Ord.13-180 Resident Parking Ashland St *03/31/2014

Public Utilities Committee

Rules Committee

16. GOOD OF THE ORDER

17. ADJOURNMENT

CONSENT AGENDA

CITY COUNCIL MEETING MINUTES - VERSION 1

March 31, 2014

Council President O'Brien called the meeting to order at 7:30 pm. A moment of silence was held for Barbara Merritt and Boston Firefighters Michael Kennedy and Ed Walsh. This was followed by the Pledge of Allegiance. He then instructed the City Clerk to call the roll. The following Councillors answered present: Giunta, Herzog, Kinsey, Tontar, Vogel, Cameron, Connell, Cronin, Eigerman and O'Brien. 10 present, 1 absent (Heartquist).

1. LATE FILES – Communications #10 and #11, Appointment #14, Map DCOD, Map DOD

Motion to waive the rules and allow late files by Councillor Cameron, seconded by Councillor Connell. So voted.

2. PUBLIC COMMENT

1) Jerry Mullins	7 Parsons Street	Ordinance
2) David Tierney	13 Ashland Street	Parking Ashland St.
3) Jennie Donahue	18 Cherry Street	NCOD Member
4) Nick Erokhin	3 Ashland Street	Parking Ashland St.
5) Rob Germinara	2 Ashland Street	Parking Ashland St.
6) Kevin Hunt	Veterans Office	Barbara Merritt

3. MAYOR'S COMMENT

The Mayor provided an update.

CONSENT AGENDA

4. APPROVAL OF MINUTES

March 17, 2014

(Approved)

5. TRANSFERS

1. Free Cash \$40,300 to Veterans Benefits \$40,300 (B&F)

6. COMMUNICATIONS

1. Letter from Newburyport Preservation Trust	(Planning & Development)
2. Port Tavern Outdoor Seating Renewal	(Approve)
3. Seacoast Taxi Vehicles for Hire Application Renewal <i>subject to vehicle inspections (Police Dept.)</i>	(Approve)

Removed individual taxi driver licenses.

4. Intermunicipal Agreement for Veteran's Services	(General Government)
5. Moveable Sign Grand Trunk	(License & Permits)
6. Mayor Capital Improvement Program (full report on file in the City Clerk's office)	(Budget & Finance)

7. APPOINTMENTS-First Reading

Appointment

1. Matthew Simons	62 Munroe St., Haverhill	Sergeant, Newburyport Police Department
2. Charles Eaton	20 Main St., S. Hampton, NH	Sergeant, Newburyport Police Department
3. Daniel J. Koen	16 Boyd Drive	Community Preservation Act Com. February 1, 2017

Removed by Councillor Cronin.

4. Richard A. Eaton	4 Horton Street	Newburyport Trust Fund	March 1, 2017
5. Susanne F. Gallagher	3 Garnet Street	Board of Registrars	March 31, 2017

Re-Appointment

6. Judy Tymon	39 Lime Street	Newburyport Affordable Housing Trust	April 1, 2016
7. Duncan LaBay	4 Ferry Road	Zoning Board of Appeals	February 1, 2015

END OF CONSENT AGENDA

Motion to approve the Consent Agenda as amended by Councillor Cameron, seconded by Councillor Herzog. So voted.

REGULAR AGENDA

8. COMMUNICATIONS

7. TABLED Letter regarding Water & Sewer payment plans

Motion to remove by Councillor Cronin, seconded by Councillor Herzog. So voted. Motion to receive and file by Councillor Cronin, seconded by Councillor Herzog. So voted.

8. TABLED Response Water & Sewer payment plans

Motion to remove by Councillor Cronin, seconded by Councillor Cameron. So voted. Motion to receive and file by Councillor Cronin, seconded by Councillor Cameron. So voted.

9. Letter Planning Director re proposed Zoning Amendments

Motion to receive and file by Councillor Cameron, seconded by Councillor Herzog. So voted.

12. LATE FILE Anchor Stone Deck Pizza Outdoor Seating Renewal

Motion to approve by Councillor Kinsey, seconded by Councillor Connell. So voted.

13. LATE FILE Mayor's Update

Motion to receive and file by Councillor Cronin, seconded by Councillor Cameron. So voted.

9. APPOINTMENTS-Confirmatory

Appointment

6. William K. Todd 8 Foster Court Alternate Historical Commission March 1, 2017

Motion to approve by Councillor Cameron, seconded by Councillor Herzog. So voted.

10. APPOINTMENTS-First Reading

Appointment

3. Daniel J. Koen 16 Boyd Drive Community Preservation Act Com February 1, 2017

Motion to waive the rules and approve in one reading by Councillor Cronin, seconded by Councillor Cameron. So voted.

13. Crispin Miller 1 Parker Ridge Way West Tree Commission March 31, 2017

Motion to receive and file by Councillor Herzog, seconded by Councillor Cameron. So voted

11. APPOINTMENTS-Second Reading

Appointment

8. Peter J. Finnegan 3 Noble Street Special Police Officer
9. Christopher Michael Carey 25 Temple St Commission on Disabilities March 31, 2017

Re-Appointment

10. Jane Healey 38 Winter Street Community Preservation Committee March 1, 2017
11. Linda Smiley 7 Atwood Street Community Preservation Act Committee April 1, 2017
12. Dr. Robin Blair 18 Market Street Board of Health

Motion to approve second reading collectively by Councillor Cronin, seconded by Councillor Cameron. So voted.

12. ORDERS

14. Preservation Restriction Congregation Ahavas Achim

Motion to approve by Councillor Cameron, seconded by Councillor Connell. So voted.

13. ORDINANCES

1. Amend Ord.13-136 Stop Intersections add Pond St. and Green St.

Motion to refer to Public Safety by Councillor Cronin, seconded by Councillor Giunta. So voted

2. Amend Ord.13-180 Resident Parking Ashland St

Motion to refer to Public Safety by Councillor Cameron, seconded by Councillor Tontar. So voted.

3. LATE FILE Map DCOD

Motion to refer to Planning & Development by Councillor Cameron, seconded by Councillor Eigerman. So voted.

4. LATE FILE Map DOD

Motion to refer to Planning & Development by Councillor Cameron, seconded by Councillor Eigerman. So voted.

14. COMMITTEE ITEMS

Budget & Finance

In Committee:

1. Mayor Gen Fd Free Cash \$409,676.48 to Sidewalk repairs \$105,562.48; Hazard Tree Removal \$9000; Storage Area Network Device \$20,150; Color Copier/Scanner \$4800; Mowers \$7500; Landscape Trailers \$9500; Oil Pump System \$15,000; City Hall Carpet Replacement \$18,196; Defibrillators \$9800; Emma Andrews Ramp \$10,755; Library Roof Repairs \$1500; Twin fire engines \$115,000; Bus. & Ind. Park Signage \$11,810; Brown School Re-use Feasibility Study \$40,000; Parks Equip. Repair/upgrade \$17,525; Atkinson Common Improvements \$13,578 *03/17/2014

Motion to remove by Councillor Tontar, seconded by Councillor Cameron. So voted. Motion to approve by Councillor Tontar, seconded by Councillor Cameron. So voted.

2. Mayor letter regarding Order for Revolving Fund Expenses *03/17/2014
3. Order Amend Revolving Fund expenses *03/17/2014
4. Order Community Preservation Committee \$356,765.98 balance to open space *03/17/2014

Motion to remove by Councillor Tontar, seconded by Councillor Cameron. So voted. Motion to approve by Councillor Tontar, seconded by Councillor Cameron. So voted.

5. Order Authorizing Acquisition of property on Curzon Mill Rd (P&D) *03/17/2014

Motion to remove by Councillor Tontar, seconded by Councillor Cameron. So voted. Motion to approve by Councillor Tontar, seconded by Councillor Cameron. Roll call vote, 10 yes, 1 absent (Heartquist). So voted.

General Government

Joint Education

Councillor Kinsey gave an update on the school budget.

License & Permits

In Committee:

1. Movable Sign Application Newburyport Brewing Company *02/10/2014
2. Newburyport Lions Club Eyeglass Box *02/24/2014
3. Block Party Cherry Hill Soccer Field Parking Lot, May 31, 2014 *03/17/2014
4. Amend Ch.6.5, Article III Plastic Bags (NCS & COW) *03/17/2014

Neighborhoods and City Services

In Committee

1. Amend Ch.6.5, Article III Plastic Bags (L&P, COW) *03/17/2014

Planning & Development

In Committee:

1. Off-Street Parking Regulations – Zoning (and Committee of the Whole-COW) *01/27/2014

Motion to waive the rules and allow to be removed by Councillor Cameron, seconded by Councillor Cronin. So voted. Motion to receive and file by Councillor Cameron, seconded by Councillor Connell. Roll call vote, 10 yes, 1 absent (Heartquist). So voted.

2. Interim Demolition Control Overlay District – Zoning (COW) *02/24/2014

Motion to remove ordinance and map by Councillor Cameron, seconded by Councillor Connell. So voted.

Motion to approve with map 1st reading and order published by Councillor Cameron, seconded by Councillor Connell. Roll call vote, 10 yes, 1 absent (Heartquist). So voted

3. Interim Downtown Overlay District – (IDOD) (COW) *01/27/2014

Motion to remove with map by Councillor Cameron, seconded by Councillor Connell. So voted. Motion to approve with map by Councillor Cameron, seconded by Councillor Connell. Motion to amend to exclude from E the two properties and the buildings thereon #2 and #6 Prince Place by Councillor O'Brien, seconded by Councillor Cameron. So voted. Motion to approve 1st reading as amended with map and order published by Councillor Cameron, seconded by Councillor Connell. Roll call vote, 10 yes, 1 absent (Heartquist). So voted

4. Order Authorizing Acquisition of property on Curzon Mill Rd (B&F) *03/17/2014

Motion to remove by Councillor Tontar, seconded by Councillor Cameron. So voted. Motion to approve by Councillor Tontar, seconded by Councillor Cameron. Roll call vote, 10 yes, 1 absent (Heartquist). So voted.

Public Safety

In Committee:

1. Storey Avenue Sign De-Clutter letter request

*03/17/2014

Motion to remove by Councillor Cronin, seconded by Councillor Giunta. So voted. Motion to receive and file by Councillor Cronin, seconded by Councillor Giunta. So voted.

2. Amend Ch.4, Article II, Div. 4, Subdiv A 4-72 Definitions add paddleboards

*03/17/2014

Motion to remove by Councillor Cronin, seconded by Councillor Giunta. Motion to approve 1st reading and order published by Councillor Cronin, seconded by Councillor Giunta. Roll call vote, 10 yes, 1 absent (Heartquist). So voted.

3. Amend Ch.4, Article II, Div. 4, Subdiv B 4-80 Windsurfing add paddleboards

*03/17/2014

Motion to remove by Councillor Cronin, seconded by Councillor Cameron. Motion to approve 1st reading and order published by Councillor Cronin, seconded by Councillor Cameron. Roll call vote, 10 yes, 1 absent (Heartquist). So voted.

4. Amend Ch.13 Sec. 13-179.1

*03/17/2014

Motion to remove by Councillor Cronin, seconded by Councillor Herzog. So voted. Motion to approve 1st reading and order published by Councillor Cronin, seconded by Councillor Herzog. Roll call vote, 10 yes, 1 absent (Heartquist). So voted.

Public Utilities Committee

Rules Committee

15. GOOD OF THE ORDER

Councillor Eigerman thanked Senator O'Connor Ives and Councillor Cronin and everyone for their work on the Planning & Zoning ordinances.

16. ADJOURNMENT

Motion to adjourn at 8:46pm by Councillor Tontar, seconded by Councillor Kinsey. So voted.

TRANSFERS



Transfer #1
April 15, 2014

City of Newburyport
FY 2014
BUDGET TRANSFER REQUEST

Department: Mayor's Office/City Clerk's Office

Submitted by: Richard B. Jones

Date Submitted: 4/8/2014

Transfer From:

Account Name	General Fund - Free Cash	YTD Bal:	\$ 1,714,977.98
Account Number:	01-35900	Trans In:	\$ -
Amount:	\$5,000.00	Trans Out:	\$ 777,131.02
Why are Funds Available:	<i>The Mass Dept. of Revenue certified Free Cash for FY2014 at \$2,492,109.</i>		
<i>These funds are available for any legal purpose with the approval of the Mayor and a majority vote of the City Council. Note: pending transfer of \$40,300 to Veterans Benefits is not reflected in balance.</i>			

Transfer To:

Account Name	Ordinance Recodification	YTD Bal:	\$ -
Account Number:	01163007-53002	Trans In:	\$ -
Amount:	\$5,000.00	Trans Out:	\$ -
Why are Funds Required:	<i>Due to costs of codifying ordinances both online and hard copy.</i>		

Donna D. Holaday, Mayor
William B. Squillace, Auditor
City Council Approval: (Stamp)

Donna D. Holaday
William B. Squillace

Date:

Date:

4/8/14
4/8/14



City of Newburyport
FY 2014
BUDGET TRANSFER REQUEST

Transfer #2
April 15, 2014

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2014 APR -8 P 3:58

Department: Mayor's Office

Submitted by: Donna D. Holaday

Date Submitted: 4/8/2014

Transfer From:

Account Name	General Fund - Free Cash	YTD Bal:	\$ 1,714,977.98
Account Number:	01-35900	Trans In:	\$ -
Amount:	\$8,000.00	Trans Out:	\$ 777,131.02
Why are Funds Available:	<i>The Mass Dept. of Revenue certified Free Cash for FY2014 at \$2,492,109.</i>		
<i>These funds are available for any legal purpose with the approval of the Mayor and a majority vote of the City Council. Note: pending transfer of \$40,300 to Veterans Benefits is not reflected in balance.</i>			

Transfer To:

Account Name	YTH Transport Van	YTD Bal:	\$ -
Account Number:	01542002-52410	Trans In:	\$ -
Amount:	\$8,000.00	Trans Out:	\$ -
Why are Funds Required:	<i>Due to the ongoing school building projects, which have displaced field space used by student athletes, baseball field space has been rented in West Newbury and a van is needed to transport JV and Freshman team players. The van will be shared with Youth Services.</i>		

Donna D. Holaday, Mayor
William B. Squillace, Auditor
City Council Approval: (Stamp)

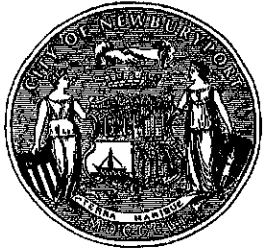
Donna D. Holaday
William B. Squillace

Date:

4/8/2014

Date:

4/8/2014



CITY OF NEWBURYPORT

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2014 APR 9 A 10:06

OFFICE OF THE MAYOR

DONNA D. HOLADAY
MAYOR

To: President and Members of the City Council
From: Donna D. Holaday, Mayor
Date: April 9, 2014
Subject: Transfer Request for Van

NEWBURYPORT CITY HALL
60 PLEASANT STREET
NEWBURYPORT, MA 01950

TEL: 978.465.4413

FAX: 978.465.4402

As you know, the construction of a new elementary school has displaced the Freshman and Junior Varsity Baseball teams. As we work with *Port Pride* and *Restore* to develop capital and strategic plans for the creation and improvement of new field space at the High School, Middle School and Fuller Field, we are experiencing transportation difficulties for some of our young athletes. Consequently, I am requesting a transfer of \$8,000 from Free Cash for a lease-to-own van that will be shared with Youth Services. The JV and Freshman teams have rented field space at Pipestave Hill Field in West Newbury. Parents have been calling and emailing this office with concerns about their children getting to and from this field. Youth Services was planning on leasing another vehicle for the summer so this extra van would be very helpful to the athletes as well as our Youth Services Summer Programming. We anticipate the use of the Pipestave Field will occur for the next two seasons and the lease-to-own will be advantageous in addressing this issue.

Thank you for your consideration.

COMMUNICATIONS

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

Newburyport Retirement Board
2014 MAR 27 P 6:33
60 Pleasant Street, City Hall
Newburyport, MA 01950

Board Members

Alexander Krauchuk, Chairman

Jeffrey Cutter, Elected

Joseph Spaulding, Elected

William Squillace, City Auditor

John Moak, Appointee

Telephone

(978) 465-6619

FAX

(978) 462-4042

Laurie Burton, Executive Director

LaurieBurton@NewburyportRetirement.org

March 27, 2014

To: President and Members of City Council

From: Newburyport Retirement Board

Re: Retirement Board meeting for the purpose of voting on a C.O.L.A.

Per the provisions of Section 51 of Chapter 127 of the Acts of 1999, we are hereby notifying you that the Newburyport Retirement Board will be holding a meeting in the Mayor's conference room on the second floor in City Hall at 9:00 a.m. on May 29, 2014.

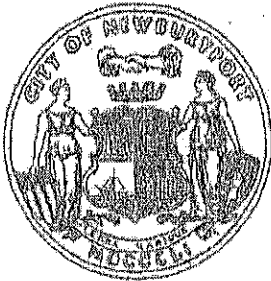
The Retirement Board at this meeting will address the election of paying a C.O.L.A. of up to 3% to the retirees on a maximum base of 12,000 for F/Y 2015, pursuant to Chapter 32, Section 103 and Chapter 127, Section 51 of the Acts of 1999.

This meeting was previously scheduled for April 24, 2014.

Sincerely,



Laurie J. Burton
Executive Director



NEW FILING
RENEW ☒

City of Newburyport

Application

Food Establishment Outdoor Seating on Public Property

Date: 4-2-14

Name of Business Owner: Claude Elias

Name of Property Owner: Newburyport Development

Business Name: Oregano Pizzeria

Business Address: 16 Pleasant St Business Telephone: 978-462-5013

Number of Tables Requested: 5 Dimensions: 40" round Material: rod iron

Number of Chairs Requested: 20 Dimensions: 1" Material: rod iron

☐ Applicant requests approval of outdoor seating for the sole purpose of food consumption.

☒ Applicant requests approval of outdoor seating for food and alcohol consumption.

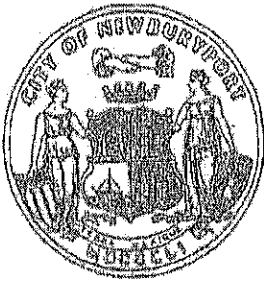
Application Requirements

Please submit the following documents with the completed application to:

City Clerk's Office
Newburyport City Hall
PO Box 550
60 Pleasant Street
Newburyport, MA 01950

1) Applicants must provide evidence of liability insurance to the City Clerk with minimum coverage in the amount of one million dollars, naming the City of Newburyport as co-insured. This insurance coverage must be in force for the duration of the approved period.

2) 8 1/2 x 11 sketch of outdoor seating detailing: a) measurements of tables and chairs
b) total width of sidewalk and c) distance between proposed seating and sidewalk



Application

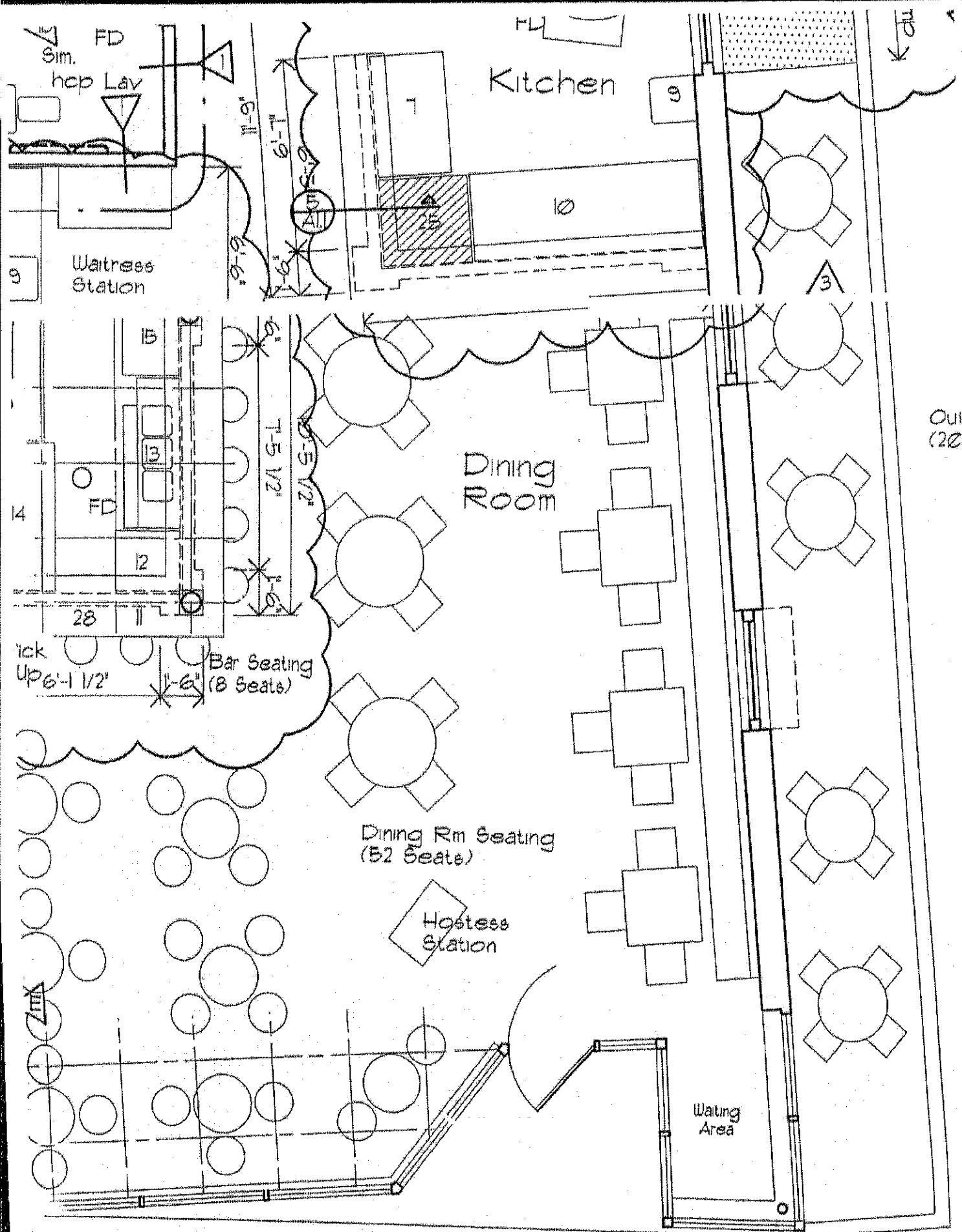
Food Establishment Outdoor Seating on Public Property (continued)

- 3) obstacles such as streetlights, signs, trees, benches, and garbage barrels.
- 4) Applicants seeking approval of outdoor seating for food and alcohol consumption must also submit:
 - a) Written and dated approval of the Newburyport License Commission for the outdoor service of alcohol, including the information and sketch used for the basis of the License Commission approval.
 - b) 8 1/2 x 11 sketch of outdoor seating cited above must also include a depiction and information on the placement, dimensions, and materials used to create a demarcated area for the service of alcohol.

RELEASE AND INDEMNITY AGREEMENT TO ENCUMBER A PUBLIC WAY
I, the undersigned Applicant or Duly Authorized Agent, hereby agree to RELEASE, DISCHARGE, and HOLD HARMLESS, the City of Newburyport, a municipal corporation of the Commonwealth of Massachusetts, and its officers, employees, agents, and servants from all actions, causes of action, claims, demands, damages, costs, loss of services, expenses and compensation associated with the undersigned's use of the public way as described herein.



Signature of Business Owner





CERTIFICATE OF LIABILITY INSURANCE

OREGA-1

OP ID: LK

DATE (MM/DD/YYYY)

04/01/2014

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

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

PRODUCER Chase & Lunt LLC 65 Parker Street Newburyport, MA 01950 Marcos W. Shaner	CONTACT NAME: Marcos W. Shaner	
	PHONE (A/C, No, Ext): 978-462-4434	FAX (A/C, No): 978-465-6204
INSURED Oregano's Pizzeria & Ristorante c/o Medical Laser Technologies 1 Walton Road Seabrook, NH 03874	E-MAIL ADDRESS:	
	INSURER(S) AFFORDING COVERAGE	
	INSURER A: Merchants Insurance Group	
	INSURER B: Massachusetts Retail Merchants	
	INSURER C:	
	INSURER D:	
	INSURER E:	
INSURER F:		

COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

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

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSD WVO	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> Liq Liab \$1M/\$1M GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:		BINDER	04/01/2014	04/01/2015	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COM/OP AGG \$ 2,000,000
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS					COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
A	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> DED <input checked="" type="checkbox"/> RETENTION \$ 10,000		BINDER	04/01/2014	04/01/2015	EACH OCCURRENCE \$ 1,000,000 AGGREGATE \$ 1,000,000
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N <input type="checkbox"/> N/A	0140050318551	01/01/2014	01/01/2015	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ 100,000 E.L. DISEASE - EA EMPLOYEE \$ 100,000 E.L. DISEASE - POLICY LIMIT \$ 500,000

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

CERTIFICATE HOLDER

CANCELLATION

City of Newburyport
60 Pleasant Street
Newburyport, MA 01950

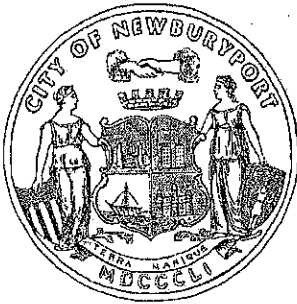
SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

James J. Nowellitt III

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April 15, 2014

NEW FILING
RENEW ☒

City of Newburyport

Application

Food Establishment Outdoor Seating on Public Property

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

Date:

4/2/14

Name of Business Owner:

John Coyle

Name of Property Owner:

Meg DeGivie

Business Name:

Middle Street Foods

Business Address:

25 Middle St.

Business Telephone:

978-375-1906

Number of Tables Requested:

2

Dimensions:

30" x 30"

Material:

Steel

Number of Chairs Requested:

4

Dimensions:

17" Round

Material:

Steel



Applicant requests approval of outdoor seating for the sole purpose of food consumption.

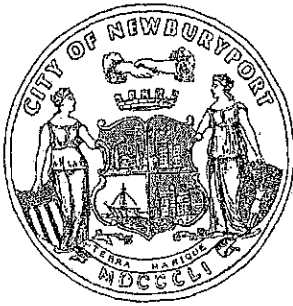
Applicant requests approval of outdoor seating for food *and* alcohol consumption.Application Requirements

Please submit the following documents with the completed application to:

City Clerk's Office
Newburyport City Hall
PO Box 550
60 Pleasant Street
Newburyport, MA 01950

1) Applicants must provide evidence of liability insurance to the City Clerk with minimum coverage in the amount of one million dollars, naming the City of Newburyport as co-insured. This insurance coverage must be in force for the duration of the approved period.

2) 8 1/2 x 11 sketch of outdoor seating detailing: a) measurements of tables and chairs
b) total width of sidewalk and c) distance between proposed seating and sidewalk



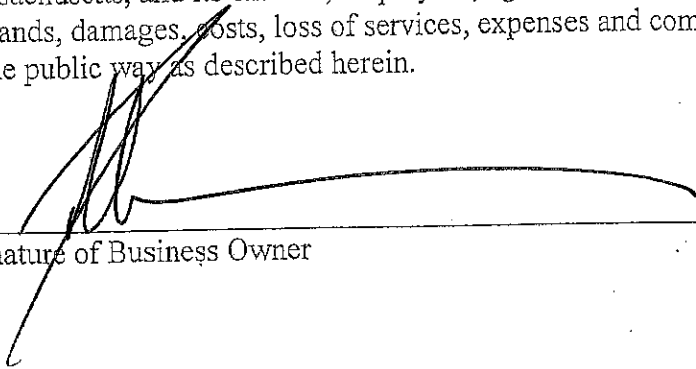
Application

Food Establishment Outdoor Seating on Public Property (continued)

- 3) obstacles such as streetlights, signs, trees, benches, and garbage barrels.
- 4) Applicants seeking approval of outdoor seating for food and alcohol consumption must also submit:
 - a) Written and dated approval of the Newburyport License Commission for the outdoor service of alcohol, including the information and sketch used for the basis of the License Commission approval.
 - b) 8 ½ x 11 sketch of outdoor seating cited above must also include a depiction and information on the placement, dimensions, and materials used to create a demarcated area for the service of alcohol.

RELEASE AND INDEMNITY AGREEMENT TO ENCUMBER A PUBLIC WAY

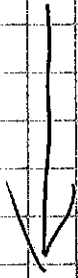
I, the undersigned Applicant or Duly Authorized Agent, hereby agree to RELEASE, DISCHARGE, and HOLD HARMLESS, the City of Newburyport, a municipal corporation of the Commonwealth of Massachusetts, and its officers, employees, agents, and servants from all actions, causes of action, claims, demands, damages, costs, loss of services, expenses and compensation associated with the undersigned's use of the public way as described herein.



Signature of Business Owner

Middle Street Foods
Seating Proposal

Middle Street



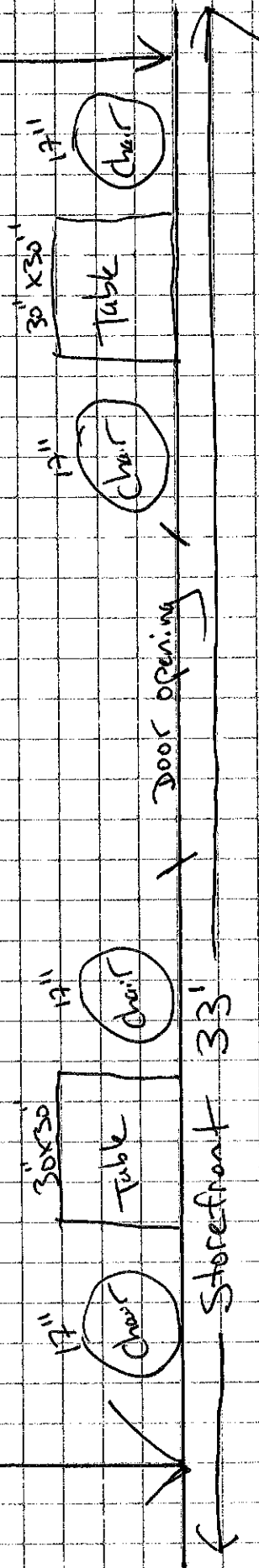
Curb



10'



7'6"





CERTIFICATE OF LIABILITY INSURANCE

MIDDLE-9

OP ID: AC

DATE (MM/DD/YYYY)

04/02/2014

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

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

PRODUCER Chase & Lunt LLC 65 Parker Street Newburyport, MA 01950 Nicole Boggoch	CONTACT NAME: Nicole Boggoch	
	PHONE (A/C, No, Ext): 978-462-4434 FAX (A/C, No): 978-465-6204	
INSURED Middle Street Foods, DBA John Coyle 4 Glenwood Street Amesbury, MA 01913	E-MAIL ADDRESS:	
	INSURER(S) AFFORDING COVERAGE	NAIC #
	INSURER A: Guard Insurance Group	
	INSURER B:	
	INSURER C:	
	INSURER D:	
	INSURER E:	
	INSURER F:	

COVERAGES**CERTIFICATE NUMBER:****REVISION NUMBER:**

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

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY	X	MSBP407408	03/21/2014	03/21/2015	EACH OCCURRENCE \$ 1,000,000
	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY					DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 50,000
	<input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR					MED EXP (Any one person) \$ 5,000
	<input checked="" type="checkbox"/> Business Owners					PERSONAL & ADV INJURY \$ 1,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER:					GENERAL AGGREGATE \$ 2,000,000
	<input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input type="checkbox"/> LOC					PRODUCTS - COMP/OP AGG \$ 2,000,000
	AUTOMOBILE LIABILITY					COMBINED SINGLE LIMIT (Ea accident) \$
	<input type="checkbox"/> ANY AUTO					BODILY INJURY (Per person) \$
	<input type="checkbox"/> ALL OWNED AUTOS					BODILY INJURY (Per accident) \$
	<input checked="" type="checkbox"/> HIRED AUTOS <input checked="" type="checkbox"/> SCHEDULED AUTOS NON-OWNED AUTOS					PROPERTY DAMAGE (PER ACCIDENT) \$
	UMBRELLA LIAB					EACH OCCURRENCE \$
	EXCESS LIAB					AGGREGATE \$
	DED RETENTION \$					\$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY					WC STATUTORY LIMITS <input type="checkbox"/> OTH-ER <input type="checkbox"/>
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)	Y/N <input type="checkbox"/>	N/A			E.L. EACH ACCIDENT \$
	If yes, describe under DESCRIPTION OF OPERATIONS below					E.L. DISEASE - EA EMPLOYEE \$
						E.L. DISEASE - POLICY LIMIT \$

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

Certificate Holder is recognized as Additional Insured in respect to General Liability.

CERTIFICATE HOLDER**CANCELLATION**

City of Newburyport
60 Pleasant Street
Newburyport, MA 01950

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

James J. Hewlett

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RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

CITY OF NEWBURYPORT
VEHICLES FOR HIRE
BUSINESS OWNERS'S APPLICATION

Please Type or Print Clearly

APPLICANT INFORMATION:

Name of Applicant: Last: CONGDON First: NAROLD Middle Initial: _____
Address: 52 ELM ST City: SALISBURY State: MA Zip: 01952
Phone Number: 978 465 2333 Message or work phone: 978 265 5802
Driver's License Number: S1867747 State: MA Expiration Date: 2015
Social Security Number: 023 36 8262

BUSINESS INFORMATION:

Business Name: Port TAXI Business Phone Number: 978 465 2333
Business Address: _____ City: _____ State: _____ Zip: _____
Business Mailing Address: 52 ELM ST City: SALISBURY State: MA Zip: 01952
Number of vehicles to be operated under this permit: 7

FOR EACH VEHICLE, PLEASE LIST

- ① Reg. # ^{TA} 24209 Expires: 11/14 Year: 2002 Make: Dodge Model: CARAVAN
② Reg. # ^{TA} 24210 Expires: 11/14 Year: 2001 Make: Dodge Model: CARAVAN
③ Reg. # ^{TA} 25257 Expires: 11/14 Year: 1999 Make: Dodge Model: CARAVAN
④ Reg. # ^{TA} 23269 Expires: 11/14 Year: 1999 Make: Dodge Model: CARAVAN
⑤ Reg. # ^{TA} 23259 Expires: 11/14 Year: 1999 Make: Plymouth Model: VOYAGER
⑥ Reg. # ^{TA} 24201 Expires: 11/14 Year: 2000 Make: Dodge Model: CARAVAN

VEHICLE REGISTRATION INFORMATION:

Proof of evidence of legal and registered ownership of the vehicle(s) to be used by the applicant must be provided. Attach one (1) copy of each to this application.

⑦ Reg. # ^{TA} 24208 Expires: 11/14 Year: 2002 Make: Dodge Model: CARAVAN

INSURANCE INFORMATION:

Must provide proof of personal injury and property damage liability insurance coverage for each permitted taxi for the full time period of the permit. The personal injury coverage shall not be less than one hundred thousand dollars (\$100,000) for injury to one person with a total coverage of not less than three hundred thousand dollars (\$300,000) for each accident. The property damage coverage shall be not less than fifty thousand dollars (\$50,000) per occurrence. Attach one (1) copy to this application.

I, the undersigned, hereby declare that I have carefully read the Ordinance relating to this business; that I understand it thoroughly and will carry out every provision thereof; that to the best of my knowledge, I have complied with the regulations as outlined. I further state that the statements and answers contained in this application are true to the best of my knowledge and belief, knowing that false statement will be sufficient cause for denial or revocation of said license.

Harold Crigdon
(Signature of Applicant)

Date: Jan 1, 2014

Official Use Only

Office of the City Clerk

Initial Application Fee \$ _____ Date Received _____ By _____

Date sent to Police Department _____ New ☐ Renewal ☐

Police Department Use Only

Inspection Recommendation for each Vehicle

Cab # _____ License Plate#: _____ VIN# _____ ☐ Approved ☐ Denied

Comments: _____

Cab # _____ License Plate#: _____ VIN# _____ ☐ Approved ☐ Denied

Comments: _____

Cab# _____ License Plate#: _____ VIN# _____ ☐ Approved ☐ Denied

Comments: _____

Cab# _____ License Plate#: _____ VIN# _____ ☐ Approved ☐ Denied

Comments: _____

Cab # _____ License Plate#: _____ VIN# _____ ☐ Approved ☐ Denied

Comments: _____

NO	COLOR	PLATE	YEAR	MAKE	MODEL	VIN
2	GREEN	TA24209	2002	DODGE	CARAVAN	1B4GP24372B524647
3	RED	TA24210	2001	DODGE	CARAVAN	2B8GP54L31R357560
4	GREEN	TA25257	1999	DODGE	CARAVAN	2B4GP44R8XR465004
5	WHITE	TA23269	1999	DODGE	CARAVAN	1B4GP44R1XB546537
6	RED	TA25259	1999	PLYMOUTH	VOYAGER	1P4GP44R7XB568590
7	WHITE	TA24201	2000	DODGE	CARAVAN	1B4GP74LXYB549919
8	BLUE	TA24208	2002	DODGE	CARAVAN	1B4GP24352B696269


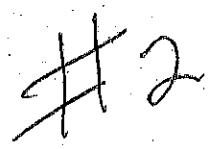
KNIGHTBROOK INS

Certificate of ins To Be FAX TO clerk office

CERTIFICATE OF REGISTRATION

M.G.L. Chapter 90 Section 24B makes it a crime to alter this Certificate

RMV Division

PLATE TYPE TAN	REGISTRATION NUMBER TA24209	REGISTRATION TYPE TAXI	EFFECTIVE DATE 02/20/14	EXPIRES LAST DAY OF → 11 14	TRANSACTION NUMBER 01405169050132										
WFRS MODEL YEAR 2002	MAKE DODG	MODEL CARAVA	BODY STYLE/TYPE VAN	COLOR GREEN	Not valid without official signature of Registrar										
VEHICLE IDENTIFICATION NUMBER 1B4GP24372B524647		INSURANCE COMPANY KNIGHTBROOK INS		TITLE NUMBER	IF VEHICLE CARRYING PASSENGERS FOR HIRE: MAXIMUM NUMBER OF PASSENGERS THAT CAN BE SEATED.										
RESIDENTIAL ADDRESS (IF DIFFERENT)															
NAME(S) OF OWNER(S) AND MAILING ADDRESS PORT TAXI INC 52 ELM ST SALISBURY, MA 01952-1933															
					<table border="0" style="width: 100%;"> <tr> <td style="text-align: right;">REGISTRATION</td> <td style="text-align: right;">25.00</td> </tr> <tr> <td style="text-align: right;">TITLE</td> <td style="text-align: right;">75.00</td> </tr> <tr> <td style="text-align: right;">SPECIAL PLATES</td> <td style="text-align: right;">0.00</td> </tr> <tr> <td style="text-align: right;">SALES TAX</td> <td style="text-align: right;">6.25</td> </tr> <tr> <td style="text-align: right;">TOTAL</td> <td style="text-align: right;">106.25</td> </tr> </table>	REGISTRATION	25.00	TITLE	75.00	SPECIAL PLATES	0.00	SALES TAX	6.25	TOTAL	106.25
					REGISTRATION	25.00									
TITLE	75.00														
SPECIAL PLATES	0.00														
SALES TAX	6.25														
TOTAL	106.25														
MASSACHUSETTS DEPARTMENT OF TRANSPORTATION REGISTRY OF MOTOR VEHICLES DIVISION The records of the RMV database constitute the official status of the vehicle registration.															

SPECIAL MESSAGE IF THIS VEHICLE IS NEWLY ACQUIRED, IT MUST BE INSPECTED WITHIN SEVEN (7) DAYS OF REGISTRATION.	CHANGE OF ADDRESS STREET ADDRESS CITY, STATE, ZIP CODE
---	--

Important Information for Vehicle Owners

- Every person operating a motor vehicle shall have the Certificate of Registration for the motor vehicle and for the trailer, if any, and his/her license to operate, upon his/her person or in the vehicle, in some easily accessible place.
- By law, you must report any change of address to the RMV within 30 days in writing. Address changes can be made on the RMV website: www.massrmv.com or by mail to: RMV, P.O. Box 55889, Boston, MA 02205-5889. Once you have reported the address change to the RMV, please write corrected address in box provided above.

- Return the registration plates to the RMV immediately if:
 - The vehicle has been sold or junked and the registration is not going to be transferred to another vehicle. Keep a copy of the *Bill of Sale*, *Title*, and completed *Reassignment of Title* for your records to document the transfer.
 - You move to another state and you register the vehicle in that state.
 - The insurance policy is not renewed or is cancelled and there is no plan to obtain a new policy.

Transferring Your Plates: Massachusetts law (M.G.L. Chapter 90, Section 2) allows you to transfer valid registration plates from this vehicle to a newly acquired new or used motor vehicle or trailer while you obtain insurance and a new registration. All of the following must be met: 1. You are at least 18 years of age and you own the motor vehicle or trailer identified on this *Registration Certificate*; 2. You transfer ownership of this vehicle to another person or permanently lose possession of it (such as through repossession, etc.); 3. The newly acquired vehicle is of the same vehicle type (passenger vehicle to passenger vehicle, trailer to trailer, etc.); the same registration type (passenger to passenger, commercial to commercial); and has the same number of wheels; and, 4. The seller and buyer properly complete the Assignment of the Certificate of Title (for the newly acquired "used" vehicle) or Certificate of Origin (if a "new" vehicle). If all of the above are met, you may operate the newly acquired vehicle with the transferred plates up to 5:00 pm of the 7th calendar day following the date of transfer (or loss of possession). The day of transfer or loss is day #1. During those 7 days, you must carry the *Bill of Sale* (or the dealer's *Purchase Contract*) for the newly acquired vehicle and this *Registration Certificate* when operating the vehicle. See *FAQs About the Seven-Day Registration Transfer Law* on the RMV's website at www.massrmv.com.

No Insurance Card Required: Massachusetts's law does not require an insurance card. The law, M.G.L. Chapter 90, Section 34A and Chapter 175, Section 113A requires the vehicle's owner to maintain a compulsory motor vehicle liability insurance policy or bond for bodily injury coverage and property damage insurance. If an insurer is identified on the face of this *Registration Certificate*, it is required by law to electronically notify the RMV (Registry of Motor Vehicles) if coverage lapses. The vehicle owner is then notified by the RMV to obtain new insurance within 10 days or the registration will be revoked. Bonds are filed with the State Treasurer's office.

Be first in line by going online at www.massrmv.com

- | | |
|---------------------------------|----------------------------------|
| Schedule a Road Test | Request a Duplicate Title |
| Renew Your Driver's License | Request a Duplicate Registration |
| Renew Your Registration | Change Your Address |
| Pay Citations/Court Hearing Fee | Cancel My Plate/Registration |
| Replace Your Driver's License | Order a Special Plate |

NEED TO VISIT AN RMV OFFICE?

SAVE TIME

Complete Your Application Online!

VISIT OUR WEBSITE FOR A FULL LIST OF AVAILABLE TRANSACTIONS



CERTIFICATE OF REGISTRATION

M.G.L. Chapter 90 Section 24B makes it a crime to alter this Certificate

3
RMV Division

PLATE TYPE TAN	REGISTRATION NUMBER TA24210	REGISTRATION TYPE TAXI	EFFECTIVE DATE 02/24/14	EXPIRES LAST DAY OF 11 MONTH 14 YEAR	TRANSACTION NUMBER 01405570080108
MFIS MODEL YEAR 2001	MAKE DODG	MODEL CARAVA	BODY STYLE/TYPE STWAG	COLOR RED	Not valid without official signature of Registrar
VEHICLE IDENTIFICATION NUMBER 2B8GP54L31R357560		INSURANCE COMPANY KNIGHTBROOK INS		TITLE NUMBER	REGISTRAR <i>Rachel Kaprielian</i>
RESIDENTIAL ADDRESS (IF DIFFERENT)					IF VEHICLE CARRYING PASSENGERS FOR HIRE: MAXIMUM NUMBER OF PASSENGERS THAT CAN BE SEATED.
NAME(S) OF OWNER(S) AND MAILING ADDRESS PORT TAXI INC 52 ELM ST SALISBURY, MA 01952-1933					FEES REGISTRATION 25.00 TITLE 75.00 SPECIAL PLATES 0.00 SALES TAX 6.25 TOTAL 106.25
MASSACHUSETTS DEPARTMENT OF TRANSPORTATION REGISTRY OF MOTOR VEHICLES DIVISION The records of the RMV database constitute the official status of the vehicle registration.					

SPECIAL MESSAGE IF THIS VEHICLE IS NEWLY ACQUIRED, IT MUST BE INSPECTED WITHIN SEVEN (7) DAYS OF REGISTRATION.	CHANGE OF ADDRESS STREET ADDRESS CITY, STATE, ZIP CODE
--	--

Important Information for Vehicle Owners

- Every person operating a motor vehicle shall have the Certificate of Registration for the motor vehicle and for the trailer, if any, and his/her license to operate, upon his/her person or in the vehicle, in some easily accessible place.
- By law, you must report any change of address to the RMV within 30 days in writing. Address changes can be made on the RMV website: www.massrmv.com or by mail to: RMV, P.O. Box 55889, Boston, MA 02205-5889. Once you have reported the address change to the RMV, please write corrected address in box provided above.

- Return the registration plates to the RMV immediately if:
 - The vehicle has been sold or junked and the registration is not going to be transferred to another vehicle. Keep a copy of the *Bill of Sale*, *Title*, and completed *Reassignment of Title* for your records to document the transfer.
 - You move to another state and you register the vehicle in that state.
 - The insurance policy is not renewed or is cancelled and there is no plan to obtain a new policy.

Transferring Your Plates: Massachusetts law (M.G.L. Chapter 90, Section 2) allows you to transfer valid registration plates from this vehicle to a newly acquired new or used motor vehicle or trailer while you obtain insurance and a new registration. All of the following must be met: 1. You are at least 18 years of age and you own the motor vehicle or trailer identified on this *Registration Certificate*; 2. You transfer ownership of this vehicle to another person or permanently lose possession of it (such as through repossession, etc.); 3. The newly acquired vehicle is of the **same vehicle type** (passenger vehicle to passenger vehicle, trailer to trailer, etc.); the **same registration type** (passenger to passenger, commercial to commercial); and has the **same number of wheels**; and, 4. The **seller and buyer** properly complete the Assignment of the Certificate of Title (for the newly acquired "used" vehicle) or Certificate of Origin (if a "new" vehicle). If all of the above are met, you may operate the newly acquired vehicle with the transferred plates **up to 5:00 pm of the 7th calendar day** following the date of transfer (or loss of possession). The day of transfer or loss is day #1. During those 7 days, you **must** carry the *Bill of Sale* (or the dealer's *Purchase Contract*) for the newly acquired vehicle **and** this *Registration Certificate* when operating the vehicle. See *FAQs About the Seven-Day Registration Transfer Law* on the RMV's website at www.massrmv.com.

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Be first in line by going online at www.massrmv.com

Schedule a Road Test
Renew Your Driver's License
Renew Your Registration
Pay Citations/Court Hearing Fee
Replace Your Driver's License

Request a Duplicate Title
Request a Duplicate Registration
Change Your Address
Cancel My Plate/Registration
Order a Special Plate

NEED TO VISIT AN RMV OFFICE?
SAVE TIME
Complete Your
Application Online!

VISIT OUR WEBSITE FOR A FULL LIST OF AVAILABLE TRANSACTIONS

CERTIFICATE OF REGISTRATION

M.G.L. Chapter 90 Section 24B makes it a crime to alter this Certificate

RMV Division

PLATE TYPE TAN	REGISTRATION NUMBER TA25257	REGISTRATION TYPE TAXI	EFFECTIVE DATE 12/01/13	EXPIRES LAST DAY OF 11 14	TRANSACTION NUMBER 02330901292460
MFIS MODEL YEAR 1999	MAKE DODG	MODEL CARA	BODY STYLE/TYPE VAN	COLOR GREEN	Not valid without official signature of Registrar
VEHICLE IDENTIFICATION NUMBER 2B4GP44R8XR465004		INSURANCE COMPANY KNIGHTBROOK INS		TITLE NUMBER BL865051	IF VEHICLE CARRYING PASSENGERS FOR HIRE: MAXIMUM NUMBER OF PASSENGERS THAT CAN BE SEATED.
RESIDENTIAL ADDRESS (IF DIFFERENT)					REGISTRAR <i>Rachel Kaprielian</i>
NAME(S) OF OWNER(S) AND MAILING ADDRESS *****AUTO**3-DIGIT 018 PORT AND CARS INC 52 ELM ST SALISBURY MA 01952-1933					FEES REGISTRATION 60.00 TITLE 0.00 SPECIAL PLATES 0.00 SALES TAX 0.00 TOTAL 60.00
<p align="center">MASSACHUSETTS DEPARTMENT OF TRANSPORTATION REGISTRY OF MOTOR VEHICLES DIVISION</p> <p align="center">The records of the RMV database constitute the official status of the vehicle registration.</p>					

SPECIAL MESSAGE IF THIS VEHICLE IS NEWLY ACQUIRED, IT MUST BE INSPECTED WITHIN SEVEN (7) DAYS OF REGISTRATION.	CHANGE OF ADDRESS STREET ADDRESS CITY, STATE, ZIP CODE
---	--

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 - You move to another state and you register the vehicle in that state.
 - The insurance policy is not renewed or is cancelled and there is no plan to obtain a new policy.

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BE FIRST IN LINE BY GOING ONLINE AT WWW.MASSRMV.COM

- | | |
|---------------------------------|----------------------------------|
| Schedule a Road Test | Request a Duplicate Title |
| Renew Your Driver's License | Request a Duplicate Registration |
| Renew Your Registration | Change Your Address |
| Pay Citations/Court Hearing Fee | Cancel My Plate/Registration |
| Replace Your Driver's License | Order a Special Plate |

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CERTIFICATE OF REGISTRATION

M.G.L. Chapter 90 Section 24B makes it a crime to alter this certificate

RMV Division

PLATE TYPE TAN	REGISTRATION NUMBER TA23269	REGISTRATION TYPE TAXI	EFFECTIVE DATE 07/06/12	EXPIRES LAST DAY OF → 11 12	TRANSACTION NUMBER 01218869000124
AFIS MODEL YEAR 1999	MAKE DODG	MODEL GRANDC	BODY STYLE/TYPE VAN	COLOR WHITE	Not valid without official signature of Registrar
VEHICLE IDENTIFICATION NUMBER 1B4GP44R1XB546537		INSURANCE COMPANY HARTFORD FIRE INS		TITLE NUMBER	IF VEHICLE CARRYING PASSENGERS FOR HIRE: MAXIMUM NUMBER OF PASSENGERS THAT CAN BE SEATED.
RESIDENTIAL ADDRESS (IF DIFFERENT)				REGISTRAR Rachel Kaprielian	
NAME(S) OF OWNER(S) AND MAILING ADDRESS PORT AND CARS INC 52 ELM ST SALISBURY, MA 01952-1933				FEES REGISTRATION 25.00 TITLE 75.00 SPECIAL PLATES 0.00 SALES TAX 6.25 TOTAL 106.25	
MASSACHUSETTS DEPARTMENT OF TRANSPORTATION REGISTRY OF MOTOR VEHICLES DIVISION The records of the RMV database constitute the official status of the vehicle registration.					

SPECIAL MESSAGE IF THIS VEHICLE IS NEWLY ACQUIRED, IT MUST BE INSPECTED WITHIN SEVEN (7) DAYS OF REGISTRATION.	CHANGE OF ADDRESS STREET ADDRESS CITY, STATE, ZIP CODE
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BE FIRST IN LINE BY GOING ONLINE AT WWW.MASS.GOV/RMV

- | | |
|---------------------------------|----------------------------------|
| Schedule a Road Test | Request a Duplicate Title |
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CERTIFICATE OF REGISTRATION

M.G.L. Chapter 90 Section 24B makes it a crime to alter this Certificate

RMV Division

VEHICLE TYPE TAN	REGISTRATION NUMBER TA25259	REGISTRATION TYPE TAXI	EFFECTIVE DATE 12/01/13	EXPIRES LAST DAY OF 11 14	TRANSACTION NUMBER 02330901292316
VEHICLE MODEL YEAR 1999	MAKE PLYM	MODEL VOYAGE	BODY STYLE/TYPE VAN	COLOR RED	Not valid without official signature of Registrar
VEHICLE IDENTIFICATION NUMBER 1P4GP44R7XB568590		INSURANCE COMPANY KNIGHTBROOK INS		TITLE NUMBER BM642961	REGISTRAR <i>Rachel Kaprielian</i>
RESIDENTIAL ADDRESS (IF DIFFERENT)					IF VEHICLE CARRYING PASSENGERS FOR HIRE: MAXIMUM NUMBER OF PASSENGERS THAT CAN BE SEATED.
NAME(S) OF OWNER(S) AND MAILING ADDRESS *****AUTO**3-DIGIT 018 PORT TAXI INC 52 ELM ST SALISBURY MA 01952-1933					TOTAL REGISTERED WEIGHT FOR A COMMERCIAL VEHICLE OR TRAILER.
FEES					
REGISTRATION					60.00
TITLE					0.00
SPECIAL PLATES					0.00
SALES TAX					0.00
TOTAL					60.00

MASSACHUSETTS DEPARTMENT OF TRANSPORTATION REGISTRY OF MOTOR VEHICLES DIVISION

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SPECIAL MESSAGE IF THIS VEHICLE IS NEWLY ACQUIRED, IT MUST BE INSPECTED WITHIN SEVEN (7) DAYS OF REGISTRATION.	CHANGE OF ADDRESS STREET ADDRESS CITY, STATE, ZIP CODE
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7



CERTIFICATE OF REGISTRATION

RMV Division

M.G.L. Chapter 90 Section 24B makes it a crime to alter this Certificate

VEHICLE TYPE TAN	REGISTRATION NUMBER TA24201	REGISTRATION TYPE TAXI	EFFECTIVE DATE 12/01/13	EXPIRES LAST DAY OF 11 14	MONTH 11	YEAR 14	TRANSACTION NUMBER 02330901292267
FRS MODEL YEAR 2000	MAKE DODG	MODEL CARAVA	BODY STYLE/TYPE VAN	COLOR WHITE	Not valid without official signature of Registrar <i>Rachel Kaprielian</i>		IF VEHICLE CARRYING PASSENGERS FOR HIRE: MAXIMUM NUMBER OF PASSENGERS THAT CAN BE SEATED.
VEHICLE IDENTIFICATION NUMBER 1B4GP74LXYB549919		INSURANCE COMPANY KNIGHTBROOK INS		TITLE NUMBER BM179335		TOTAL REGISTERED WEIGHT FOR A COMMERCIAL VEHICLE OR TRAILER.	
RESIDENTIAL ADDRESS (IF DIFFERENT)					FEE		
NAME(S) OF OWNER(S) AND MAILING ADDRESS *****AUTO**3-DIGIT 018 PORT TAXI INC 52 ELM ST SALISBURY MA 01952-1933					REGISTRATION 60.00 TITLE 0.00 SPECIAL PLATES 0.00 SALES TAX 0.00 TOTAL 60.00		

MASSACHUSETTS DEPARTMENT OF TRANSPORTATION
REGISTRY OF MOTOR VEHICLES DIVISION

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CERTIFICATE OF REGISTRATION

M.G.L. Chapter 90 Section 24B makes it a crime to alter this Certificate

RMV Division

PLATE TYPE TAN	REGISTRATION NUMBER TA24208	REGISTRATION TYPE TAXI	EFFECTIVE DATE 03/04/14	EXPIRES LAST DAY OF → 11 14	TRANSACTION NUMBER 01406369080113												
MPHS MODEL YEAR 2002	MAKE DODG	MODEL CARAVA	BODY STYLE/TYPE VAN	COLOR BLUE	Not valid without official signature of Registrar <i>Rachel Kaprielian</i>												
VEHICLE IDENTIFICATION NUMBER 1B4GP24352B696269		INSURANCE COMPANY KNIGHTBROOK INS		TITLE NUMBER	IF VEHICLE CARRYING PASSENGERS FOR HIRE, MAXIMUM NUMBER OF PASSENGERS THAT CAN BE SEATED.												
RESIDENTIAL ADDRESS (IF DIFFERENT)					<table style="width: 100%;"> <tr> <td colspan="2">FEES</td> </tr> <tr> <td>REGISTRATION</td> <td style="text-align: right;">60.00</td> </tr> <tr> <td>TITLE</td> <td style="text-align: right;">75.00</td> </tr> <tr> <td>SPECIAL PLATES</td> <td style="text-align: right;">0.00</td> </tr> <tr> <td>SALES TAX</td> <td style="text-align: right;">6.25</td> </tr> <tr> <td>TOTAL</td> <td style="text-align: right;">141.25</td> </tr> </table>	FEES		REGISTRATION	60.00	TITLE	75.00	SPECIAL PLATES	0.00	SALES TAX	6.25	TOTAL	141.25
FEES																	
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TOTAL	141.25																
NAME(S) OF OWNER(S) AND MAILING ADDRESS PORT TAXI INC 52 ELM ST SALISBURY, MA 01952-1933																	
MASSACHUSETTS DEPARTMENT OF TRANSPORTATION REGISTRY OF MOTOR VEHICLES DIVISION The records of the RMV database constitute the official status of the vehicle registration.																	

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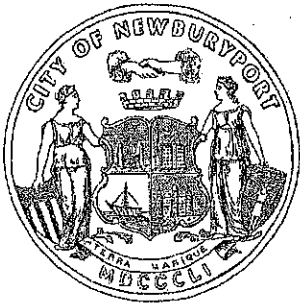
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NEW FILING ☐
RENEW ☒

City of Newburyport
CITY CLERK'S OFFICE
NEWBURYPORT, MA

Application

2014 APR -7 P 2:16

Food Establishment Outdoor Seating on Public Property

Date: April 3, 2014

Name of Business Owner: Nancy Batista-Caswell

Name of Property Owner: Scott Schoppe

Business Name: BRINE

Business Address: 25 State Street Business Telephone: 978.358.8479

Number of Tables Requested: 2 rounds Dimensions: 36' rounds Material: aluminum

Number of Chairs Requested: 4 Dimensions: 17 in. Material: aluminum

☐ Applicant requests approval of outdoor seating for the sole purpose of food consumption.

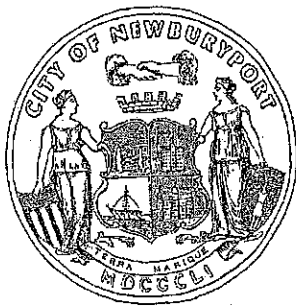
☒ Applicant requests approval of outdoor seating for food *and* alcohol consumption.

Application Requirements

Please submit the following documents with the completed application to:

City Clerk's Office
Newburyport City Hall
PO Box 550
60 Pleasant Street
Newburyport, MA 01950

- 1) Applicants must provide evidence of liability insurance to the City Clerk with minimum coverage in the amount of one million dollars, naming the City of Newburyport as co-insured. This insurance coverage must be in force for the duration of the approved period.
- 2) 8 1/2 x 11 sketch of outdoor seating detailing:
 - a) measurements of tables and chairs
 - b) total width of sidewalk and
 - c) distance between proposed seating and sidewalk



Application

Food Establishment Outdoor Seating on Public Property (continued)

- 3) obstacles such as streetlights, signs, trees, benches, and garbage barrels.
- 4) Applicants seeking approval of outdoor seating for food and alcohol consumption must also submit:
 - a) Written and dated approval of the Newburyport License Commission for the outdoor service of alcohol, including the information and sketch used for the basis of the License Commission approval.
 - b) 8 1/2 x 11 sketch of outdoor seating cited above must also include a depiction and information on the placement, dimensions, and materials used to create a demarcated area for the service of alcohol.

RELEASE AND INDEMNITY AGREEMENT TO ENCUMBER A PUBLIC WAY

I, the undersigned Applicant or Duly Authorized Agent, hereby agree to RELEASE, DISCHARGE, and HOLD HARMLESS, the City of Newburyport, a municipal corporation of the Commonwealth of Massachusetts, and its officers, employees, agents, and servants from all actions, causes of action, claims, demands, damages, costs, loss of services, expenses and compensation associated with the undersigned's use of the public way as described herein.

Signature of Business Owner

State St

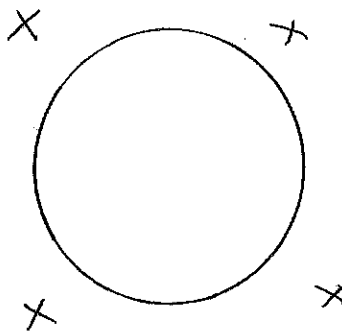
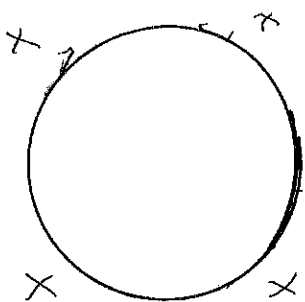
6 inches

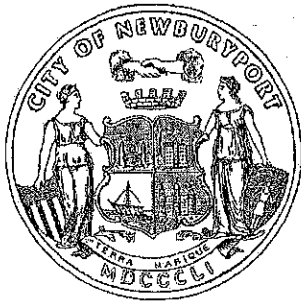
8

5 inches.

State St

Brwa Entrance





NEW FILING
RENEW ☒

City of Newburyport
CITY CLERK'S OFFICE
NEWBURYPORT, MA

Application

2014 APR -7 P 2:16

Food Establishment Outdoor Seating on Public Property

Date: April 3, 2014

Name of Business Owner: Nancy Batista-Caswell

Name of Property Owner: Fishmonger Inc.

Business Name: Ceia Kitchen + Bar

Business Address: 38 State Street Business Telephone: 978.358.8112

Number of Tables Requested: 6 Dimensions: 24x24 Material: teak wood

Number of Chairs Requested: 12 Dimensions: 17in. Material: teak wood

☐ Applicant requests approval of outdoor seating for the sole purpose of food consumption.

☒ Applicant requests approval of outdoor seating for food *and* alcohol consumption.

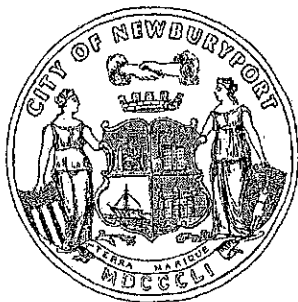
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2) 8 1/2 x 11 sketch of outdoor seating detailing: a) measurements of tables and chairs
b) total width of sidewalk and c) distance between proposed seating and sidewalk



Application

Food Establishment Outdoor Seating on Public Property (continued)

- 3) obstacles such as streetlights, signs, trees, benches, and garbage barrels.
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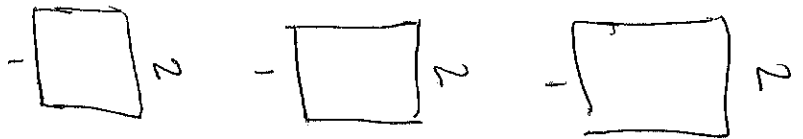
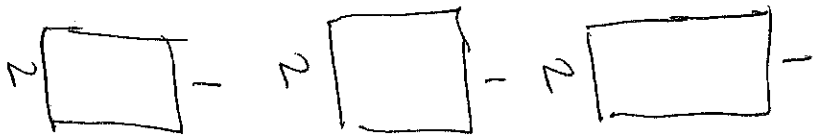
Signature of Business Owner

State St

8 inches

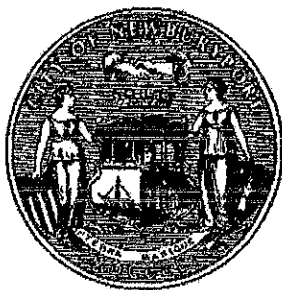
Podium - 

55 inches.



38 State St

Grand Medical Mall



RECEIVED
CITY CLERK'S OFFICE
CITY OF NEWBURYPORT
NEWBURYPORT, MA

2014 APR -7 P 1:13

**NEWBURYPORT CITY
COUNCIL**

**ROBERT J. CRONIN
WARD 3 COUNCILLOR
CHAIR, PUBLIC SAFETY
MEMBER, BUDGET & FINANCE**

**NEWBURYPORT CITY HALL
60 PLEASANT STREET
P.O. BOX 550
NEWBURYPORT MA 01950**

**MAIN: 978 465 4407
CELL: 978 857 9249
CRONINWARD3@GMAIL.COM**

Mr. Paul Stedman
Massachusetts Department of Transportation
District Four Director
519 Appleton Street
Arlington MA 02476

April 7, 2014

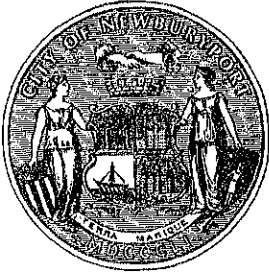
Dear Mr. Stedman,

I have been asked to contact you in my position as a City Councillor and the Chair of Public Safety. Specifically, I am requesting that signage on Route 113 (Storey Ave) be examined by District four. This road is one of the gateways to the City and it was our desire to work to "de-clutter" the area where possible. I completely understand that MADOT follows and complies with the MUTCD and we are not asking that you deviate from policy. However, we do ask that signage that is redundant, outdated, or is more of a courtesy be examined to determine if they are appropriate or necessary. Thank-you for time and consideration in this matter; I understand that District four is shortly meeting with city staff as it relates to this issue and wanted you to know firsthand that the Newburyport City Council supports this effort.

Sincerely,

Councillor Robert J. Cronin

APPOINTMENTS



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

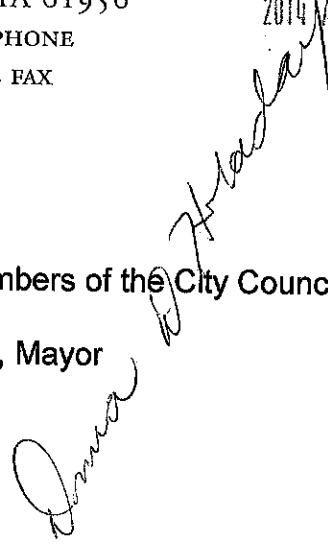
60 PLEASANT STREET - P.O. BOX 550
NEWBURYPORT, MA 01950
978-465-4413 PHONE
978-465-4402 FAX

Appointment #1
April 15, 2014

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2014 APR -1 P 2:03

To: President and Members of the City Council
From: Donna D. Holaday, Mayor
Date: April 1, 2014
Subject: Appointment



I hereby appoint, subject to your approval, the following
named individual as a member of the Disabilities
Commission. This term will expire on April 30, 2017.

Arthur M. Levine
43 B Kent Street
Newburyport, MA 01950

Arthur M. Levine
43 B Kent St
Newburyport, MA 01950
978 992-1038
alevine1234@gmail.com

Experience

Jan 2000-Present The McGraw-Hill Companies Inc.,
Northeast Regional Manager

Significant management and supervisory experience for FORTUNE 500 textbook publisher. Manage and Supervise 10 sales representatives. Manage \$1.5 Million budget and \$30 Million sales base. Hire and train new sales representatives as well as managing a core group of seasoned sales professionals. Responsible for helping staff to meet their sales, editorial and professional growth objectives. Assist staff in learning to creatively problem solve and manage their time and territories to achieve goals. Plan and manage numerous training and educational meetings for employees and customers. Frequently called on to mediate disputes between customers and sales personnel. Gained significant experience in full range of human resources challenges and skills. Worked closely with reps to hone their Presentation skills and further develop their digital competencies.

June 1988- The McGraw-Hill Companies, Inc...
Jan 2000 Sales Representative and Sales Supervisor

Managed Boston territory for publisher. Successfully grew and maintained large volume of business. Marketed texts, software, and other educational resources to University professors making decisions for class wide adoption. Performed consistently at the top level of our industry. Reached or surpassed sales quotas in each of my years with the company. A Top 10 Performer in 1989, 1990, 1996, 1997, 1998, with a number one finish in 1997.

**Southern Middlesex Association of Retarded
Citizens, Director of Sales and Marketing
Sheltered Workshop, Framingham, MA**

Responsibilities included marketing and selling the services of workshop to area business and industries. Workshop performed subcontract work (packaging, light assembly, mail services) for numerous local companies such as Millipore, Bose, and Dennison Manufacturing. Workshop experienced tremendous growth during my tenure. Worked closely with local Chamber of Commerce to expand opportunities for workshop.

Charles River Academy, Cambridge, MA

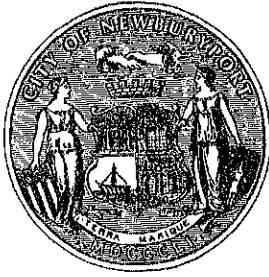
Director of admissions and residential programs for adolescent boys involved with Dept of Youth Services and Dept. of Social Services. Hired and trained staff. Provided counseling services for youth and families. Interfaced with referring agencies. Insured compliance with all accrediting agencies. Coordinated discharge planning services for residents and families. Charged with managing all facets of residential care; budget, recruitment, admissions, and activity planning. Handled all facets of admissions process and worked with referring agencies and families.

Education

BA University of Massachusetts, Amherst. Magna cum laude and Phi Beta Kappa

MSW Boston University.

Interests: Golf, tennis, home repair, reading.



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

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

Appointment #2
April 15, 2014

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

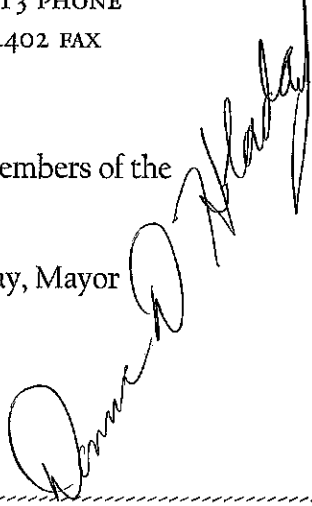
2014 APR -8 P 2:02

To: President and Members of the
City Council

From: Donna D. Holaday, Mayor

Date: April 8, 2014

Subject: Appointment



I hereby appoint, subject to your approval, the following named individual as a member of the Cultural Council. This term will expire on April 30, 2017.

Ronald S. Ziemba
58 Lime Street Unit 1
Newburyport, MA 01950

RESUME-----

RONALD S. ZIEMBA

58 LIME STREET, UNIT 1
NEWBURYPORT, MA 01950
413-575-5699
Ziembaron@gmail.com

SUMMARY:

Broad-based corporate communications experience, including strategy development, program execution, administrative oversight. Experience includes financial services (New England Life, Travelers, Reliance), consumer products (Chesebrough-Pond's), utilities (Eastern Enterprises), academia (Springfield College), and business media (The Wall Street Journal).

Proven achiever in positioning corporations for key internal and external audiences. High-energy self-starter who shapes communications strategies to effect change and support operating unit objectives. Strong record of successful interaction with top management.

EXPERIENCE:

2000-2012:

Director of Marketing and Communications
SPRINGFIELD COLLEGE
Springfield, MA

The Birthplace of Basketball, this private college was founded in 1885 and today has 5,000 students at its home campus and nine other locations around the United States. Responsible for all marketing and communications programs at the college, including media relations, admissions marketing, sports communications, alumni communications, presidential speechwriting, graphic design. Also served as acting director of community relations and author of hard-cover 150th anniversary historical volume. Staff: 10. Budget: \$800,000

1997-1999:

Vice President, Communications
HEXCEL CORPORATION
Stamford, CT

NYSE-listed manufacturer and marketer of composite materials, with facilities worldwide. Responsible for media relations, financial communications including annual report, corporate identification program, audio-visual presentations, speechwriting. Liaison with divisional communications officers. Staff: 2

internal, outside agencies. Budget \$1 million.

1994-1996:

Vice President, Communications

RELIANCE GROUP HOLDINGS

New York, NY

NYSE-listed insurance holding company with interests in property-casualty and title insurance.

Responsible for media relations, financial communications including annual report, speechwriting, corporate identification program, corporate philanthropy, internal communications. Joint responsibility for investor relations with Vice President and treasurer. Liaison with subsidiary communications officers.

Staff: 2 internal, outside agencies. budget: \$2 million.

1989-1994:

Vice President, Corporate Relations

EASTERN ENTERPRISES

Weston, MA

NYSE-listed utility holding company, parent of Boston Gas Company. Responsible for investor relations (including daily contact with analysts and large investors), media relations, financial communications including annual report, internal communications, speechwriting, corporate identification program, corporate philanthropy (charitable foundation). Staff: 3 internal, outside agencies. Budget: \$2.5 million.

1985-1989:

Vice President, Public Relations

THE TRAVELERS CORPORATION

Hartford, CT

NYSE-listed insurance and financial services company. Strategy development, execution, oversight for corporate and marketing public relations. Functional responsibilities: media relations, financial communications including annual report, internal communications, speechwriting, corporate identification program, marketing public relations, newsletter services (desktop publishing). Staff: 25 internal, outside agencies. Budget: \$4 million.

1978-1985:

Director of Corporate Communications

CHESEBROUGH-POND'S INC.

Greenwich, CT

NYSE-listed international branded consumer products company. Responsible for financial communications including annual report, media relations, employee communications, speechwriting, corporate advertising, audio-visual presentations. Staff: 4, internal, outside agencies. Budget: \$2 million.

1968-1978:

Second Vice President, Corporate/Marketing Communications (1977-1978)

Assistant Vice President, Advertising/Sales Promotion (1973-1977)

Director of Corporate Communications (1970-1973)

Editor of Field Publications (1968-1970)

NEW ENGLAND MUTUAL LIFE INSURANCE COMPANY

Boston, MA

Responsibilities included advertising, sales promotion collateral, direct response, sales contests, conference staging, editorial services, employee communications, annual report, speechwriting, TV studio, graphic design, photography. Staffs: 3-25 internal, outside agencies. Budgets: \$200,000-\$4 million.

1967-1968:

Editor of Field Publications

STATE MUTUAL LIFE ASSURANCE COMPANY OF AMERICA

Worcester, MA

1964-1967:

Layout Editor, The Wall Street Journal

DOW JONES & COMPANY, INC.

Chicopee, MA

1964:

General Assignments Reporter, The Springfield Union

SPRINGFIELD NEWSPAPERS, INC.

Springfield, MA

EDUCATION:

Chicopee High School

Chicopee, MA

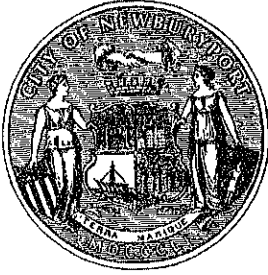
Graduated 1960

Amherst College

Amherst, MA

Graduated 1964, BD degree in English

AVOCATIONS: Wine and classical music



CITY OF NEWBURYPORT

OFFICE OF THE MAYOR

DONNA D. HOLADAY, MAYOR

60 PLEASANT STREET - P.O. BOX 500

NEWBURYPORT, MA 01950

978-465-4413 PHONE

978-465-4402 FAX

RECEIVED
CLERK'S OFFICE
NEWBURYPORT, MA

APR - 8 P 2:02

To: President and Members of the
City Council

From: Donna D. Holaday, Mayor

Date: April 8, 2014

Subject: Appointment

[Handwritten signature of Donna D. Holaday]

I hereby appoint, subject to your approval, the following named individual as a Special Police Officer with the Newburyport Police Department to work private detail and road construction

Thomas P. Cappelluzzo
5 Sunset Drive
Newbury, MA 01951

Thomas P. Cappelluzzo

5 Sunset Drive Plum Island
Newbury, MA 01951

Phone: 978-423-1211
thomascappelluzzo@gmail.com

Objective:

To join a winning team as a hardworking, dedicated, honest, loyal member who will make a significant contribution.

Education:

University of Massachusetts, Lowell, MA
Master of Arts: Criminal Justice

October 1990

St. John's University, Jamaica, NY
Bachelor of Arts: Psychology

October 1977

- Recipient of full athletic scholarship

Recent Work Experience:

Elks Lodge BPOE 909, Newburyport, MA
Lodge Manager

March 2012 - July 2013

Under the supervision of the House Committee:

- Manage the day-to-day operations of the Lodge, function hall and pavilion
- Supervision of employees, payroll processing, staff scheduling, events and general maintenance of facility

Professional Work Experience:

City of Newburyport Police Department
Sergeant

October 1992 – April 2012

- Shift Supervisor of the 4:00 p.m. to midnight patrol force
- Firearms Licensing Official – processed applications for Licenses to Carry firearms (LTC) and Firearms Identification Cards (FID), as well as maintained associated databases

Interim Lieutenant

December 2002 – February 2003

- Responsible for all employees and activities
- Planned, organized, directed, and administered the evening and midnight patrol shifts
- Responded in the capacity of law enforcement officer and made decisions in critical incidents

Administrative Sergeant

September 2002 – December 2002

- Performed administrative duties formerly held by the Administrative Lieutenant, including payroll administration, fleet maintenance, building and infrastructure maintenance, and training coordination

Sergeant

- Shift Supervisor of the 4:00 to midnight patrol force
- Coordinated the city's computer management system
- Actively involved in the Sexual Assault Unit (SAU)
- Payroll Administration
- Firearms Licensing Official

Interim City Marshal

December 2000 – December 2001

- Chief administrative officer of the Department and the final Departmental authority in all matters of policy, operations and discipline.
- Exercised all lawful powers of the office and to issue such lawful orders as are necessary to assure the effective performance of the Department.
- Responsible for planning, directing, coordinating, controlling and staffing all activities of the Department
- Enforced rules and regulations within the Department
- Tasked with budget oversight, payroll accountability, departmental purchasing and billing, management of petty cash funds
- Developed specifications for items requiring standardized purchases; bidding procedures; maintained rental agreements for equipment; tracked the initial appropriation in each line item, the balances at the commencement of the monthly period, the expenditures during the month, and the remaining unencumbered balances; and, other fiscal non-cash management functions.

Accreditation Manager

March 2000 – December 2000

- Assigned to oversee the creation and implementation of the accreditation standards as set forth by the Massachusetts Police Accreditation Commission (Mass-PAC) and the Commission on Accreditation for Law Enforcement (CALEA)

Permanent Sergeant

April 1998 – February 2000

- Shift Supervisor of the 4:00 p.m. to midnight patrol shift
- Coordinated the department's computer management system
- Actively involved in the Sexual Assault Unit (SAU)
- Payroll Administration
- Firearm Licensing

Acting-Sergeant

May 1997 – April 1998

- Shift Supervisor of the 8:00 a.m. to 4:00 p.m. patrol shift

Police Officer

October 1992 – April 1998

- Full-time uniformed patrol officer assigned to the 4:00 p.m. to midnight shift performing all police-related functions

Town of Dracut Police Department, Dracut, MA

March 1985 – August 1992

Police Officer

May 1989 – August 1992

- Full-time uniformed patrol officer assigned to the 5:00 p.m. to 1:00 a.m. patrol shift

Intermittent Police Officer

March 1985 – May 1989

- Part-time uniformed patrol officer on the reserve patrol force performing all police-related functions

Department of Public Welfare, Lowell, MA

April 1987 – May 1989

Regional Supervisor: Refugee Cash and Medical Assistance (RCMA)

- Oversaw the administration and management of seven categories of public assistance to all newly settled Southeast Asian refugees in the Merrimack Valley
- Developed liaisons with support groups enabling facilitation of assimilation of refugees into the community

Department of Public Welfare, Lowell, MA

February 1979 - April 1987

Financial Assistance Social Worker

- Evaluated eligibility of applicants and recipients for public assistance
- Maintained a caseload of approximately 200 cases involving seven categories of public assistance

Lowell Association of Retarded Citizens, Lowell, MA

January 1978 - January 1979

Director of Recreation

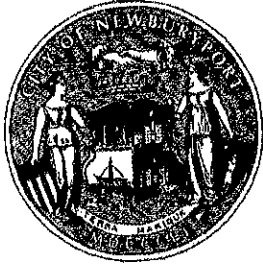
- Designed, implemented, and maintained a calendar of recreation, leisure events and activities for approximately 250 physically handicapped teens and adults in the Greater Lowell Area

Awards:

Governor's Citation for Outstanding Performance

November 1988

- Recognized for the development and implementation of programs designed to move refugees off public assistance into gainful employment



CITY OF NEWBURYPORT


POLICE DEPARTMENT

THOMAS H. HOWARD
CITY MARSHAL

4 GREEN STREET
NEWBURYPORT, MA 01950

TEL: 978-462-4411

FAX: 978-462-0396

TO: Mayor Donna Holaday
FR: Marshal Thomas Howard 
DA: April 3, 2014
RE: Special Police Appointment

Mayor,

I'm requesting that Retired Sergeant Thomas Cappelluzzo continue to assist the police department with traffic details. This police department has had a long and successful program of utilizing retired officers for special work. They are well trained, understand policing and how to effectively monitor and direct traffic.

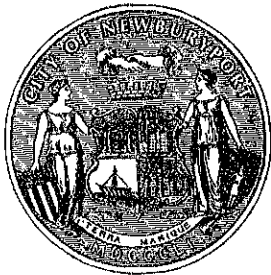
Our special police roster is always in flex with older officers no longer able or illegible to continue this work. In the last year we lost some officers to age, illness or death. Having officers such as retired sergeant Cappelluzzo willing to continue is a benefit to the police department's ability to meet the demand of traffic officers.

Retired Sergeant Cappelluzzo is up to date with all his training and requirements under Massachusetts Municipal Training Council.

Thomas P. Cappelluzzo
5 Sunset Drive
Plum Island
Newbury, MA 01951
DOB June 29th, 1954

Thank you for your consideration in this matter. If you need any additional information please let me know.

Excellence In Policing Through Superior Service



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

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

Appointment #4
April 15, 2014

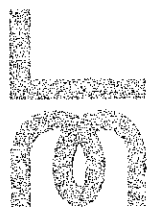
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CITY CLERK'S OFFICE
NEWBURYPORT, MA

2014 APR -9 A 10:48

To: President and Members of the City Council
From: Donna D. Holaday, Mayor
Date: April 9, 2014
Subject: Appointment

I hereby appoint, subject to your approval, the following
named individual as an associate member of the Zoning
Board of Appeals. This term will expire on April 30, 2019.

Libby McGee
260 Water Street
Newburyport, MA 01950



LIBBY MCGEE 260 water st. newburyport, ma 978.729.8492 <http://www.libbymcgee.com>

EXPERIENCE

LIBBY MCGEE, LLC –Creative Principal

2005-Present

Founding partner of LIBBY MCGEE LLC, a boutique design firm in Newburyport, Massachusetts. The company prides itself on diverse projects to include both large and small residential and commercial spaces.

- Project & Construction Management
- Design Strategy and implementation
- Budget Planning, fee proposals and management/ Profit and Loss accountability
- Technical drawings, specifications and space planning. Proficient in Autocad
- Extensive knowledge of finish materials and detailing

GBD Architects – Associate/ Associate Shareholder

1996- 2003

- Defined program requirements and established interior design parameters based on client requirements.
- Generated and developed overall interior design concepts; formulated design presentation strategies and made presentations.
- Managed interior design process consistent with project's program, budget and time constraints; Lead the work of other interior designers and technical staff.
- Lead coordinates color/material selection, interior construction and installation.
- Managed project budget and schedules related to interior design team efforts.
- Managed client interaction and decisions related to interior design.
- Participated in business development activities as needed
- Project Types: Mixed Use/ Housing, Corporate Headquarters, Law Firms, Retail, Residential

KAROL NIEMI ASSOCIATES - DESIGNER

1993-1996

- Performed interior design assignments to include; conceptual design, schematic design, design development & construction documents
- Developed space planning concepts and generated program documents
- Participated in selection of FF&E color palettes & material presentations, and generated specifications
- Develop material boards and managed all aspects of extensive materials library
- Design documentation through all phases of the design process including construction documentation

EDUCATION

OREGON STATE UNIVERSITY

1988-1993

Bachelor of Science /Interior Design and Merchandising
Affiliations / Accreditations: NCIDQ (1999) & IIDA

REGULAR AGENDA

**APPOINTMENTS
SECOND READING**

MAYOR'S APPOINTMENTS
March 31, 2014
SECOND READING

Appointment

- | | | | | |
|----|----------------------|-----------------------------|---|----------------|
| 5. | Matthew Simons | 62 Munroe St., Haverhill | Sergeant, Newburyport Police Department | |
| 6. | Charles Eaton | 20 Main St., S. Hampton, NH | Sergeant, Newburyport Police Department | |
| 7. | Richard A. Eaton | 4 Horton Street | Newburyport Trust Fund | March 1, 2017 |
| 8. | Susanne F. Gallagher | 3 Garnet Street | Board of Registrars | March 31, 2017 |
| 9. | Crispin Miller | 1 Parker Ridge Way West | Tree Commission | March 31, 2017 |

Re-Appointment

- | | | | | |
|-----|--------------|----------------|--------------------------------------|------------------|
| 10. | Judy Tymon | 39 Lime Street | Newburyport Affordable Housing Trust | April 1, 2016 |
| 11. | Duncan LaBay | 4 Ferry Road | Zoning Board of Appeals | February 1, 2015 |

In City Council March 31, 2014

Motion to approve the Consent Agenda as amended by Councillor Cameron, seconded by Councillor Herzog. So voted.

ORDERS

Order #1
April 15, 2014

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

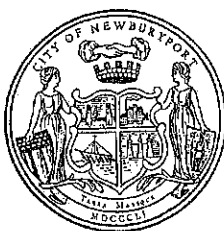
April 15, 2014

THAT pursuant to General Laws Chapter 40, Sections 15 and 15A the City Council of the City of Newburyport hereby designate the former Kelley School (*formally closed by the School Committee by vote of April 23, 2007, and now operating as the Newburyport Youth Services facility*) as surplus property, no longer needed by the City for such purposes or for other public purposes (*based upon the anticipated relocation of Newburyport Youth Services to the Brown School*), and further (*consistent with the April 7, 2014 vote of the School Committee*) that the Council hereby transfers the care, custody, management and control of said building and the land upon which it stands (*151 High Street, Assessors Map 35 Lot 161*) to the Mayor for the purposes of further conveyance, on such terms and conditions, and for such consideration, as the Mayor deems appropriate, provided that a condition of the sale or lease of said property shall be a duly recorded Preservation Restriction for the protection of the historic facades of said building, and further that the proceeds from sale or lease of the property be used, at the discretion of the Mayor, for either supplementing the School Department budget or for the purposes of funding capital improvements required at the Brown School necessary for the conversion of this facility to function (*in part*) as the Newburyport Youth Services facility. It is acknowledged herein that any further disposition (*lease or sale*) of the Brown School will be subject to transfer and approvals by both the School Committee and City Council, pending relocation of students and faculty to the new Bresnahan School.

Councilor Ed Cameron
Councilor Meghan Kinsey

ORDINANCE

CITY OF NEWBURYPORT



IN CITY COUNCIL

MARCH 31, 2014

**ORDERED:
A ZONING ORDINANCE ESTABLISHING A DEMOLITION CONTROL OVERLAY
DISTRICT**

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

Zoning Ordinance Amendment:

APPENDIX A: ZONING ORDINANCE OF THE CITY OF NEWBURYPORT

SECTION XXVIII: DEMOLITION CONTROL OVERLAY DISTRICT

Appendix A to the Code of Ordinances, City of Newburyport, Massachusetts, is hereby amended by adding a new section, to be numbered Section XXVIII, which reads as follows:

SECTION XXVIII: DEMOLITION CONTROL OVERLAY DISTRICT

XXVIII-A Determinations.

XXVIII-B Purposes.

XXVIII-C Establishment.

XXVIII-D Definitions.

XXVIII-E Procedure and criteria.

XXVIII-F Protection of unoccupied historic buildings and structures.

XXVIII-G Severability.

XXVIII-A Determinations.

The city hereby determines all of the following:

1. The architectural, cultural, economic, political and social history of the City of Newburyport is one of its most valued and important assets.
2. The city's history is partly embodied in the federal and state Newburyport Historic District, which was listed on the National Register of Historic Places and the State Register of Historic Places on August 2, 1984.
3. Newburyport set a national precedent by using urban renewal funds for historic rehabilitation and preservation. The consequent revitalization of downtown catalyzed a renaissance for the entire city, including its neighborhoods.
4. The preservation, rehabilitation and enhancement of the city's historic character is critical to the preservation of the city's heritage and land values, its recently state-approved Cultural District, and otherwise to benefit the general welfare of its citizens and property owners.

5. Outside of the single block of the Fruit Street Local Historic District, established under Chapter 16 of the Newburyport Code, no city ordinance currently prevents even the complete demolition of an historic building or structure located in Newburyport.

6. On the 250th anniversary of the setting off from the Town of Newbury of the “waterside” as the new Town of Newburyport, Mayor Donna D. Holaday has directed the office of planning and development to undertake a comprehensive review and update of the city’s master plan and zoning ordinance.

7. Until such comprehensive review and update is completed, there will continue to be inadequate regulatory protections for historic buildings and structures in the city’s neighborhoods. Meanwhile, land prices are sufficiently strong in Newburyport to make it economically rational to demolish and replace historic buildings and structures.

8. Therefore, the city adopts these land use controls for an area coterminous with that portion of the state and federal Newburyport Historic District outside of downtown. As part of the comprehensive review and update of the city’s master plan and zoning ordinance, it is anticipated that this section shall be reviewed, and may be amended and/or replaced by different controls.

XXVIII-B Purposes.

Pursuant to Chapter 40A of the Massachusetts General Laws, as well as under the home-rule powers of the city pursuant to Sections 1 and 6 of Article II of the Articles of Amendment of the Constitution of the Commonwealth of Massachusetts, as amended by Article LXXXIX of said Articles of Amendment, a Demolition Control Overlay District (DCOD) and a discretionary DCOD special permit (DCOD-SP) are hereby established due to the unique land use pattern, and architectural, economic and cultural character of the buildings, structures and lots, both individually and as a group, that are located in historic residential neighborhoods of the city. This section is intended to further implementation of the recommendations of the city’s 1991 Historic Preservation Plan, 2001 Master Plan and 2003 Waterfront Strategic Plan, all as amended and supplemented from time to time, and otherwise to promote the health, safety, convenience and general welfare of the inhabitants of the City of Newburyport, by, among other things, protecting the land use pattern, and architectural, cultural, economic, political and social heritage of the city through the regulation of proposed demolition of historic buildings and structures located in residential neighborhoods of the city, which will help to maintain and perpetuate the established skills of local architects, craftspeople and tradespeople, promote energy efficiency, smart growth and affordable housing through adaptive reuse, and enhance opportunities for cultural tourism.

XXVIII-C Establishment.

The DCOD is hereby established as an overlay zoning district consisting of all such parcels of land depicted on a map entitled “Demolition Control Overlay District (DCOD),” prepared by the office of planning and development, and dated March 13, 2014.

1. **Underlying zoning:** Within the DCOD, all the other provisions of the zoning ordinance, including, but not limited to, those specific to any underlying districts, shall remain in full force and effect except to the extent that the provisions of this section apply, in which case all such provisions shall apply together. To the extent that there is a conflict between other provisions of the zoning ordinance and the provisions of this section, then the provisions of this section shall control.

2. **SPGA:** Consistent with Subsection XXVIII-E, the zoning board of appeals shall serve as the special permit granting authority (SPGA) in administering this section.

3. **No Demolition Delay:** The provisions of Article X of Section 5 of the Newburyport Code (Building Demolition) shall not apply to any demolition subject to this section.

4. **Vested Rights:** The provisions of this section shall not apply to any new construction, demolition or alteration undertaken pursuant to a valid building permit issued by the building commissioner prior to the effective date of this section, nor to any construction, demolition or alteration that is the subject of a determination or decision of the historical commission and that was issued and/or filed with the building commissioner prior to the effective date of this section.

XXVIII-D Definitions.

1. **Demolition, to Demolish:** The act, whether partial or complete, of: (a) pulling or tearing down, razing, or otherwise destroying; or (b) moving from one portion of a lot to another, or from one lot to another, regardless of where the receiving lot is located.

2. **Demolition of a Building or Structure:** Demolition of greater than twenty-five percent (25%) of all external walls of a building or structure, measured based upon their total surface area, regardless of the visibility of such walls from a street, way, or public body of water. The mere replacement of siding shall not constitute demolition of an external wall. In accordance with Subsection XXVIII-E.1, demolition of a building or structure shall not include the demolition of a single external wall in order to build an addition.

3. **Historic Building or Structure:** A building or structure that: (a) is listed individually on the State and National Registers of Historic Places, as they may be amended from time to time; (b) was listed as "Contributory" to the Newburyport Historic District as of August 2, 1984; or (c) subsequent to the adoption of this section is added automatically to the list of historic buildings or structures subject to this section pursuant to Subsection XXVIII-E.7. In consultation with the historical commission, the office of planning development shall compile and maintain a list of all historic buildings or structures subject to this section, of copy of which list shall be kept also by the city clerk, and posted on the city's website.

4. **Historical Commission:** The Newburyport Historical Commission established pursuant to Massachusetts General Laws Chapter 40, Section 8D.

5. **Newburyport Historic District:** The historic district known as the "Newburyport Historic District," originally listed on the State and National Registers of Historic Places on August 2, 1984, as amended.

6. **Substantial Evidence:** Such evidence as a reasonable mind might accept as adequate to support a conclusion.

7. **Zoning Ordinance:** The Zoning Ordinance of the City of Newburyport, Massachusetts.

XXVIII-E Procedure and criteria.

Demolition of an historic building or structure within the DCOD shall require the owner of the relevant property to submit an application for a DCOD-SP for the SPGA to review and approve such demolition. Said approval shall be granted by the SPGA prior to the issuance of a building or demolition permit for any such work within the DCOD. The zoning board of appeal shall act as the SPGA for purposes of this section, and it shall review and may deny, approve, or approve with conditions all applications hereunder in accordance with the procedures listed in Subsection X-H.8. The SPGA shall approve a DCOD-SP if the SPGA determines that the proposed demolition as

described in the application meets all the requirements of this section and, in addition, the special permit criteria of Subsection X-H.7.

1. **Demolition Generally Prohibited:** The intent of this section is to prevent the demolition of historic buildings and structures located within the DCOD unless the SPGA determines that the application meets all the requirements of this section and, in addition, the special permit criteria of Subsection X-H.7. The section is not intended to regulate the mere alteration of an historic building or structure, even if such alteration involves: (a) the demolition of character-defining exterior architectural features; and/or (b) the demolition of a single external wall in order to build an addition. Historic buildings and structures shall be preserved and repaired, rather than demolished, whenever reasonably feasible, except as otherwise allowed under this subsection.

2. **Documentation Required to Support an Application:** To support a DCOD-SP application, the owner shall provide as part of the application to the SPGA documentation regarding: (i) the historic building or structure proposed to be demolished, including, but not limited to, any data sheets or survey forms for such historic building or structure that have been prepared in connection with the Newburyport Historic District; (ii) historic, if any, and current photographs of the elevations, exterior architectural features, and structural members; (iii) architectural plans, elevations and/or renderings depicting the proposed demolition; and (iv) photographs of the adjacent buildings or structures, or setting. The owner (applicant) shall also be responsible for submitting a copy of the above materials to the Historical Commission no less than twenty-one (21) calendar days prior to the submission of an application to the SPGA. Such submission shall be a prerequisite for the submission of an application to the SPGA under this section. The office of planning and development shall develop a standardized application form for use by the SPGA and applicants, and for the purposes of determining the completeness of all applications in accordance with this section.

3. **Required Findings:** The SPGA may approve a DCOD-SP application only if it makes written findings based upon substantial evidence in the record that such historic building or structure retains no substantial remaining market value or reasonable use, taking into account the cost of rehabilitation to meet the requirements of the State Building Code as it applies to historic buildings or structures, or of other applicable laws. Costs necessitated by any new construction, alteration or demolition conducted in violation of this section shall not be included in the calculation of rehabilitation costs.

4. **Advisory Reports:** To aid the SPGA in its review, the owner shall pay all costs for the SPGA to engage a properly licensed architect or engineer experienced in the restoration of historic structures, or a recognized building preservation specialist, in the discretion of the SPGA, deemed necessary in the opinion of the SPGA to investigate and prepare a written report upon the existing condition and feasibility of preservation of the historic building or structure proposed for demolition (Conditions Report). The SPGA shall engage such specialist no later than seven (7) calendar days after its having received a complete application. Said Conditions Report shall include an estimate of the reasonable cost to rehabilitate the relevant building or structure to meet the requirements of the State Building Code as it applies to historic buildings or structures. No later than twenty (20) calendar days after the SPGA has received a complete application, the Historical Commission may submit a written report (Historical Report) regarding: (a) the significance of the historic building or structure proposed for demolition; and (b) the relative importance of such historic building or structure in the context of the block where such building or structure is located. Before acting on a DCOD-SP application, the SPGA shall consider both the Conditions Report and any Historical Report submitted by the Historical Commission. In addition, the owner shall pay all costs for the SPGA to engage a properly licensed real estate appraiser deemed necessary in the

opinion of the SPGA to investigate and prepare a written report upon the existing market value of the relevant historic building or structure (Appraisal Report), for the purposes of comparing this value against the cost estimate contained within the Conditions Report. The portions of this section (and its regulations, if any) requiring the payment of consultant fees are promulgated under the concurrent authority of Massachusetts General Laws Chapter 44, Section 53G.

5. **Documentation Before Demolition:** When the SPGA approves or approves with conditions a DCOD-SP, the SPGA may require documentation of the historic building or structure to be demolished, including, but not limited to, photographs of elevations and details of specific exterior architectural features. If so required, such documentation shall be completed and submitted to the Historical Commission before demolition may commence.

6. **Replacement Must Be Approved:** The SPGA shall not approve a DCOD-SP application without the SPGA's having earlier granted, or concurrently granting, all relief required, if any, for the replacement building or structure under the otherwise applicable sections of this zoning ordinance. In addition to the owner's submitting plans, specifications, and such other materials as are normally required by the SPGA to enable its review of new construction within the IDOD, the owner shall also submit a timetable and such guarantees and assurances for the completion of the replacement building or structure as the SPGA may reasonably require.

7. **Change in Historic Status:**

a. **Removal of Historic Status:** The owner of any historic building or structure that was listed as "Contributory" to the Newburyport Historic District as of August 2, 1984, may petition the Historical Commission for removal of such building or structure from the list of historic buildings or structures subject to this section. The Historical Commission may approve any such petition if it determines that: (i) the qualities that caused the building or structure to be originally listed have been lost or destroyed, and such loss or destruction has not occurred in violation of this section; (ii) additional information shows that the building or structure does not meet the National Register criteria for evaluation; or (iii) there was an error in professional judgment as to whether the building or structure originally met the criteria for evaluation.

b. **Addition of Historic Status:** Subsequent to the adoption of this section, a building or structure located within the DCOD shall be added automatically to the list of historic buildings or structures subject to this section upon such property's being added to the National Register in accordance with the National Historic Preservation Act of 1966, as amended, either individually or as "Contributory" to an historic district.

c. **Notice of Change in Historic Status:** No later than seven (7) calendar days after the office of planning and development or the historical commission receives written notice of the removal or addition of any building or structure from the list of historic buildings or structures subject to this section, the office of planning and development shall provide written notice of such change to all of the following: (i) the owner of the relevant building or structure; (ii) the historical commission, (iii) the building commissioner, (iv) the zoning board of appeal, and (v) the planning board. The office of planning and development shall keep on file a copy of the relevant documentation, which shall remain available for public inspection.

8. **Additional Penalties for Unauthorized Demolition:** In addition to any other penalties under applicable law, without prior written approval by the SPGA, no building permit shall be issued for a period of three (3) years with respect to any premises at which an historic building or

structure has been intentionally demolished without a DCOD-SP having been first obtained in compliance with this section. Such three- (3-) year period shall commence after the date upon which such demolition has been completed or suspended, whether voluntarily or by legal compulsion. For purposes of this subsection, "premises" shall mean both (a) the lot upon which the demolished historic building, structure or architectural feature was located, and (b) all abutting lots under common ownership or control of such lot at the time of demolition.

XXVIII-F Protection of unoccupied historic buildings and structures.

For the limited purpose of preventing the acceleration of decay of unoccupied historic buildings and structures within the DCOD, the owner of any such building or structure shall ensure that it is reasonably secure from significant damage due to weather, fire, trespass, or vandalism, including by: securing all doors, windows and other exterior openings; employing effective waterproofing of exterior walls, roofs (including chimneys), and foundations; and protecting against fire or water damage. The building commissioner, upon his or her own initiative, in response to a filed written request for enforcement of this section, or at the request of the SPGA, shall enforce this subsection consistent with Section X.

XXVIII-G Severability.

The provisions of this section are severable. If any of its provisions, sections, subsections, paragraphs, sentences, or clauses, or the application thereof to any person, entity, establishment, or circumstances shall be held to be invalid or unconstitutional by any court of competent jurisdiction, then the remainder of this section shall continue to be in full force and effect.

Councillor Jared J. Eigerman

In City Council January 27, 2014

Motion to refer to Planning & Development by Councillor Eigerman, seconded by Councillor Herzog. So voted.

In City Council February 24, 2014

Motion to remove by Councillor Cameron, seconded Councillor Connell. So voted. Motion to refer to Planning & Development and Committee of the Whole by Councillor Cameron, seconded by Councillor Connell. So voted.

In City Council March 31, 2014

Motion to remove ordinance and map by Councillor Cameron, seconded by Councillor Connell. So voted. Motion to approve with map 1st reading and order published by Councillor Cameron, seconded by Councillor Connell. Roll call vote, 10 yes, 1 absent (Heartquist). So voted

CITY OF NEWBURYPORT



IN CITY COUNCIL

MARCH 31, 2014

ORDERED:

A ZONING ORDINANCE ESTABLISHING THE DOWNTOWN OVERLAY DISTRICT

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

Zoning Ordinance Amendment:

APPENDIX A: ZONING ORDINANCE OF THE CITY OF NEWBURYPORT

SECTION XXVII: DOWNTOWN OVERLAY DISTRICT (DOD)

Appendix A to the Code of Ordinances, City of Newburyport, Massachusetts, is hereby amended by adding a new section, to be numbered Section XXVII, which reads as follows:

SECTION XXVII: DOWNTOWN OVERLAY DISTRICT (DOD)

XXVII-A Determinations.

XXVII-B Purposes.

XXVII-C Establishment.

XXVII-D Definitions.

XXVII-E Exclusions.

XXVII-F Procedure and criteria.

XXVII-G Historic masonry.

XXVII-H Protection of unoccupied historic buildings and structures.

XXVII-I Severability.

XXVII-A Determinations.

The city hereby determines all of the following:

1. The architectural, cultural, economic, political and social history of the City of Newburyport is one of its most valued and important assets.
2. The city's history is partly embodied in the federal and state Newburyport Historic District, which was listed on the National Register of Historic Places and the State Register of Historic Places on August 2, 1984. On that date, the federal and state Newburyport Historic District subsumed the smaller Market Square Historic District, which had been listed on the National Register and the State Historic Register on February 25, 1971.
3. Downtown Newburyport includes one of the last seaport business districts remaining from the golden days of New England shipping. The former Market Square Historic District is located entirely within downtown Newburyport, and downtown is located entirely within the state and federal Newburyport Historic District.
4. In 1960, the city established the Newburyport Redevelopment Authority (NRA), whose charge was to revitalize what was then a deteriorated downtown. During much of the 1960s, the

prevailing viewpoint, as expressed in a 1964 *The Daily News* article, was that the city's historic buildings downtown were "lost years ago to the elements and are now beyond repair." An early plan called for wholesale demolition of 22 acres downtown and on the central waterfront. Most demolition was completed on the central waterfront. By 1968, 67 buildings had been demolished.

5. In response to objections to demolition of historic buildings by dedicated and concerned citizens, most notably certain members of the Historical Society of Old Newbury, and through the efforts of Mayors George H. Lawler and Byron J. Matthews, the NRA amended its urban renewal plan to facilitate historic preservation. After a public hearing in 1970, the necessary city and state approvals were obtained, the Newburyport Historical Commission submitted an application to list an historic district on the State and National Registers of Historic Places, and the NRA filed a grant application to the U.S. Department of Housing and Urban Development (HUD) for funding to rehabilitate and preserve historic buildings downtown. After initially rejecting the application, HUD approved such funds in 1971, as a result of the listing of the Market Square Historic District on the State and National Registers of Historic Places.

6. During the following decades, NRA's Urban Renewal Plan for downtown required the rehabilitation and preservation of historic buildings subject to its control. Thereby, Newburyport set a national precedent by using urban renewal funding for historic rehabilitation and preservation. The consequent revitalization of downtown catalyzed a renaissance for the entire city.

7. The NRA's Urban Renewal Plan for downtown expired in 2005. It no longer has any regulatory effect, and deed restrictions placed on historic buildings formerly subject to that plan to ensure their preservation are now unenforceable. At present, no city ordinance can prevent even the complete demolition of an historic building or structure in downtown Newburyport.

8. On the 250th anniversary of the setting off from the Town of Newbury of the "waterside" as the new Town of Newburyport, Mayor Donna D. Holaday has directed the office of planning and development to undertake a comprehensive review and update of the city's master plan and zoning ordinance. Until such comprehensive review and update is completed, there will continue to be inadequate regulatory protections for the historic buildings and structures downtown.

9. The preservation, rehabilitation and enhancement of the city's historic downtown is critical to the preservation of the city's heritage and land values, its recently state-approved Cultural District, and otherwise to benefit the general welfare of its citizens and property owners.

10. Therefore, the city adopts these downtown land use controls. As part of the comprehensive review and update of the city's master plan and zoning ordinance, it is anticipated that this section shall be reviewed, and may be amended and/or replaced by different controls.

XXVII-B Purposes.

Pursuant to Chapter 40A of the Massachusetts General Laws, as well as under the home-rule powers of the city pursuant to Sections 1 and 6 of Article II of the Articles of Amendment of the Constitution of the Commonwealth of Massachusetts, as amended by Article LXXXIX of said Articles of Amendment, a Downtown Overlay District (DOD) and discretionary DOD special permit (DOD-SP) are hereby established due to the unique land use pattern, and architectural, economic and cultural character of the buildings, structures and lots, both individually and as a group, that are located in downtown Newburyport. This section is intended to further implementation of the recommendations of the city's 1991 Historic Preservation Plan, 2001 Master Plan and 2003 Waterfront Strategic Plan, all as amended and supplemented from time to time, and otherwise to promote the health, safety, convenience and general welfare of the inhabitants of the City of Newburyport, by, among other things protecting the land use pattern, and architectural, cultural, economic, political and social heritage of the

city through the rehabilitation, preservation and enhancement of its historic downtown, which will help to maintain and perpetuate the established skills of local architects, craftspeople and tradespeople, promote energy efficiency, smart growth and affordable housing through adaptive reuse, and enhance opportunities for cultural tourism.

XXVII-C Establishment.

The DOD is hereby established as an overlay zoning district consisting of all such parcels of land depicted on a map entitled "Downtown Overlay District (DOD)," prepared by the office of planning and development, and dated March 13, 2014.

1. **Underlying zoning:** Within the DOD, all the other provisions of the zoning ordinance, including, but not limited to, those specific to any underlying districts, shall remain in full force and effect except to the extent the provisions of this section apply, in which case all such provisions shall apply together. To the extent that there is a conflict between other provisions of the ordinance and the provisions of this section, then the provisions of this section shall control.
2. **SPGA:** Consistent with Subsection XXVII-F, the planning board shall serve as the special permit granting authority (SPGA) in administering both this section and any other provisions of this ordinance that apply within the DOD and require action by an SPGA.
3. **No Demolition Delay:** The provisions of Article X of Section 5 of the Newburyport Code (Building Demolition) shall not apply within the DOD.
4. **Vested Rights:** The provisions of this section shall not apply to any new construction, demolition or alteration undertaken pursuant to a valid building permit issued by the building commissioner prior to the effective date of this section, nor to any construction, demolition or alteration that is the subject of a determination or decision of the historical commission and that was issued and/or filed with the building commissioner prior to the effective date of this section.

XXVII-D Definitions

1. **Addition, to Add:** An extension or increase in total floor area, footprint, building height, or lot coverage.
2. **Alteration, to Alter:** (a) Any addition, change, enlargement, expansion, maintenance, rebuilding, reconstruction, repair, restoration, replication, or other similar work; or (b) the moving from one portion of a lot to another, or from one lot to another, regardless of where the receiving lot is located.
3. **Character-Defining Exterior Architectural Feature:** An exterior architectural feature, whether existing historically or currently, that was understood to contribute to the significance of the relevant historic building or structure at the time of its listing on the State or National Register. The SPGA or the office of planning and development, as the case may be, shall refer to any photographs, data sheets or survey forms for such historic building or structure that have been prepared in connection with the Newburyport Historic District, whether dated earlier, contemporaneously, or later than its original listing on August 2, 1984.
4. **Construction, to Construct:** The act or the fact of building, erecting, installing, or other similar activities.
5. **Demolition, to Demolish:** The act, whether partial or complete, of pulling or tearing down, razing, or otherwise destroying.

6. **Demolition of a Building or Structure:** Demolition of greater than twenty-five percent (25%) of all external walls of a building or structure, measured based upon their total surface area, regardless of the visibility of such walls from a street, way, or public body of water. The mere replacement of siding shall not constitute demolition of an external wall. Nor shall demolition of a building or structure include the demolition of a single external wall in order to build an addition, which shall be regulated under this section as an alteration.

7. **Exterior Architectural Feature:** Any feature of the exterior of a building or structure that is open to view from any street, way, or the Merrimack River. Exterior architectural features may include, but are not limited to, the architectural style and general arrangement and setting thereof, the kind and texture of exterior building materials, and the type and style of windows, doors, lights, chimneys, signs, dormers and other appurtenant exterior fixtures.

8. **Historic Building or Structure:** A building or structure that: (a) is listed individually on the State and National Registers of Historic Places, as they may be amended from time to time; (b) was listed as "Contributory" to the Newburyport Historic District as of August 2, 1984; or (c) subsequent to the adoption of this section is added automatically to the list of historic buildings or structures subject to this section pursuant to Subsection XXVII-F.7. In consultation with the historical commission, the office of planning and development shall compile and maintain a list of all historic buildings or structures subject to this section, of copy of which list shall be kept also by the city clerk, and posted on the city's website.

9. **Historic Exterior Architectural Feature:** Any character-defining exterior architectural feature of an historic building or structure.

10. **Historic Masonry:** An historic exterior architectural feature of brick or masonry material.

11. **Historical Commission:** The Newburyport Historical Commission established pursuant to Massachusetts General Laws Chapter 40, Section 8D.

12. **Newburyport Historic District:** The historic district known as the "Newburyport Historic District," originally listed on the State and National Registers of Historic Places on August 2, 1984, as amended.

13. **Ordinary Maintenance, Repair or Replacement:** Alteration that does not involve any material change in the design, construction materials, or outward appearance of the exterior architectural feature so altered, with the express exception of any maintenance and repair of historic masonry, which is regulated under Subsection XXVII-H. For purposes of this definition, a change in the color of paint is expressly understood not to involve a material change in the design, construction materials, or outward appearance of the exterior architectural feature so painted.

14. **Substantial Evidence:** Such evidence as a reasonable mind might accept as adequate to support a conclusion.

15. **Temporary Building or Structure:** (a) Any building or structure designed or intended to be, or actually, in existence for a period of no more than twelve (12) months; or (b) any temporary sign as that term is defined in Subsection VIII-B.

16. **Zoning Ordinance:** The Zoning Ordinance of the City of Newburyport, Massachusetts.

XXVII-E Exclusions.

Consistent with the city's intent for the DOD under Subsection XXVII-A, a DOD-SP shall not be required for any of the following categories of work, which are hereby excluded from review by the SPGA under this section:

1. Any ordinary maintenance, repair or replacement;
2. Any alteration or demolition of a building, structure, or exterior architectural feature that is not also an historic building, structure, or exterior architectural feature;
3. Any alteration, demolition, or replacement of windows, doors and/or awnings that is reviewed and approved by the office of planning and development under Subsection XXVII-F.5(d);
4. Any new construction, alteration, or demolition of a temporary building or structure;
5. Any alteration of a one-family (Use 101) or two-family (Use 202) building that is located (a) within an underlying Residential One (R-1), Residential Two (R-2), or Residential Three (R-3) district, or (b) at Assessors Map-Lot 1-9 (6 Prince Place) or Map-Lot 1-7-A/B (2-4 Prince Place).
6. Any landscaping with plants, trees or shrubs;
7. Any work undertaken to meet requirements certified by a duly authorized public officer to be necessary for public safety because of an unsafe or dangerous condition; and
8. Any rebuilding, reconstruction, restoration, or replication of an historic exterior architectural feature that has been damaged or destroyed by fire, storm or other disaster, provided that both of the following conditions are satisfied: (a) the result of such work is substantially the same in design, material and outward appearance as the damaged or destroyed historic exterior architectural feature; and (b) such work commences within two years after such catastrophe, or three years if extended upon good cause shown in a written request granted by vote of the SPGA.

Before determining whether Exclusions 1, 2, 3 and/or 8 apply, the building commissioner shall consult with the office of planning and development. All decisions by the building commissioner under this subsection regarding exclusions are expressly made subject to appeal to the zoning board of appeals pursuant to Subsection X-H.5

XXVII-F Procedure and criteria.

Application, Review and Required Findings: Unless an exclusion applies pursuant to Subsection XXVII-E, all new construction, alteration, or demolition within the DOD shall require the owner of the relevant property to submit an application for a DOD-SP for the SPGA to review and approve such new construction, alteration, or demolition. Said approval shall be granted by the SPGA prior to the issuance of a building or demolition permit for any such work within the DOD. The planning board shall act as the SPGA for purposes of this section, and it shall review and may approve, approve with conditions, or deny all applications hereunder in accordance with the procedures listed in Subsection X-H.8. The SPGA shall approve a DOD-SP only if the SPGA first determines that the proposed new construction, alteration, or demolition as described in the application meets all the requirements of this section and, in addition, the special permit criteria of Subsection X-H.7.

1. Streamlining and Harmonization: For the purposes of streamlining and harmonizing regulatory review by the city of proposed work subject to this zoning ordinance, and notwithstanding anything in this zoning ordinance to the contrary, the planning board shall serve as the SPGA for any proposed work within the DOD that requires action by an SPGA. If proposed work is subject to site

plan review under Section XV, then the SPGA shall conduct DOD-SP review in conjunction with site plan review whenever reasonably possible.

2. **Documentation Required to Support an Application:** To support an application for a DOD-SP, the owner shall provide as part of the application to the SPGA documentation regarding: (i) the historic building, structure, or exterior architectural feature proposed to be demolished or altered, including, but not limited to, any data sheets or survey forms for such historic building or structure that have been prepared in connection with the Newburyport Historic District; (ii) historic, if any, and current photographs of the relevant elevations and exterior architectural features; (iii) architectural plans, elevations and/or renderings depicting the proposed new construction, demolition, or alteration; and (iv) photographs of the adjacent buildings or structures, or setting. The owner (applicant) shall also be responsible for submitting a copy of the above materials to the historical commission no less than twenty-one (21) calendar days prior to the submission of an application to the SPGA. Such submission shall be a prerequisite for the submission of an application to the SPGA under this section. The office of planning and development shall develop a standardized application form for use by the SPGA and applicants, and for the purposes of determining the completeness of all applications in accordance with this section.

3. **U.S. Secretary of the Interior's Standards:** In reviewing an application under this section, and except as otherwise provided herein, the SPGA or the office of planning and development, as the case may be, shall consider, but in its sole discretion need not adhere to, any relevant provisions of the United States Secretary of the Interior's "Standards for the Treatment of Historic Properties With Guidelines for Preserving, Rehabilitating, Restoring & Reconstructing Historic Buildings," as they may be amended from time to time, including all related guidelines, bulletins and other official guidance promulgated by the National Park Service (Secretary's Standards).

4. **Procedure, Requirements and Criteria for Review of Proposed Demolition:**

a. **Demolition Generally Prohibited:** The intent of this section is to prevent the demolition of historic buildings, structures, and exterior architectural features located within the DOD unless the SPGA determines that the application meets all the requirements of this Subsection XXVII-F.4 and, in addition, the special permit criteria of Subsection X-H.7. Accordingly, such historic buildings, structures, and exterior architectural features shall be preserved and repaired, rather than demolished, whenever reasonably feasible, except as otherwise allowed under this subsection.

b. **Demolition of Historic Buildings and Structures:** The SPGA may approve demolition of an historic building or structure only if it makes written findings based upon substantial evidence in the record that such historic building or structure retains no substantial remaining market value or reasonable use, taking into account the cost of rehabilitation to meet the requirements of the State Building Code as it applies to historic buildings or structures, or of other applicable laws. Costs necessitated by any new construction, alteration, or demolition conducted in violation of this section shall not be included in the calculation of rehabilitation costs.

Advisory Reports: To aid the SPGA in its review, the owner shall pay all costs for the SPGA to engage either a properly licensed architect or engineer experienced in the restoration of historic structures, or a recognized building preservation specialist, in the discretion of the SPGA, deemed necessary in opinion of the SPGA to investigate and prepare a written report upon the existing condition and feasibility of preservation of the historic building or structure proposed for demolition (Conditions Report). The SPGA shall engage such specialist no later than seven calendar (7) days after it has received a complete application. Said Conditions Report shall include an estimate of the reasonable cost to rehabilitate the relevant building or structure

to meet the requirements of the State Building Code as it applies to historic buildings or structures. No later than twenty (20) calendar days after the SPGA has received a complete application, the historical commission may submit to the SPGA its written report (Historical Report) regarding: (x) the significance of the historic building or structure proposed for demolition; and (y) the relative importance of such historic building or structure to its setting within the DOD. Before acting on a DOD-SP application to demolish an historic building or structure, the SPGA shall consider both the Conditions Report and any Historical Report submitted by the historical commission. In addition, the owner shall pay all costs for the SPGA to engage a properly licensed real estate appraiser deemed reasonably necessary in opinion of the SPGA to investigate and prepare a written report upon the existing market value of the relevant historic building or structure (Appraisal Report), for the purposes of comparing this value against the cost estimate contained within the Conditions Report.

c. Demolition of Historic Exterior Architectural Features: Historic exterior architectural features shall be retained and repaired whenever reasonably feasible. If the SPGA determines that such features cannot reasonably be retained and repaired, then they shall be replaced in kind, both in design and materials, whenever reasonably feasible.

Advisory Reports: To aid the SPGA in its review, and provided the SPGA makes a written finding that the proposed demolition is of sufficient scope to justify the time and expense, the owner shall pay all costs for the SPGA to engage either a properly licensed architect or engineer experienced in the restoration of historic structures, or a recognized building preservation specialist, in the discretion of the SPGA, deemed necessary in opinion of the SPGA to investigate and prepare a written report upon the existing conditions and feasibility of preservation of the relevant historic exterior architectural features (Conditions Report). Said Conditions Report shall include an estimate of the reasonable cost of all work required to preserve, rehabilitate, or restore the relevant historic exterior architectural features. No later than twenty (20) calendar days after the SPGA has received a complete application, the historical commission may submit to the SPGA a written report regarding application of the relevant criteria of this section to the proposed work (Historical Report). Before acting on a DOD-SP application, the SPGA shall consider both the Conditions Report, if any, and any Historical Report submitted by the historical commission.

d. Employment of Outside Consultants: The portions of this section (and its regulations, if any) requiring the payment of consultant fees are promulgated under the concurrent authority of Massachusetts General Laws Chapter 44, Section 53G.

e. Replacement Must Be Approved: The SPGA shall not approve a DOD-SP application to demolish an historic building, structure, or exterior architectural feature without the SPGA's having earlier granted, or concurrently granting, all relief required under this zoning ordinance, if any, for the replacement building, structure, or exterior architectural features. In addition to the owner's submitting plans, specifications, and such other materials as are normally required by the SPGA to enable its review of new construction or alteration within the DOD, the owner shall also submit a timetable and such guarantees and assurances for the completion of the replacement building, structure, or exterior architectural feature as the SPGA may reasonably require.

f. Documentation Before Demolition: When the SPGA approves or approves with conditions a DOD-SP to demolish an historic building, structure, or exterior architectural feature, the SPGA may require documentation of the historic building, structure, or architectural feature to be demolished, including, but not limited to, photographs of elevations and details of

specific exterior architectural features. If so required, such documentation shall be completed and submitted to the historical commission before demolition may commence.

g. Additional Penalties for Unauthorized Demolition: In addition to any other penalties under applicable law, without prior written approval by the SPGA, no building permit shall be issued for a period of three (3) years with respect to any premises at which an historic building, structure, or exterior architectural feature has been intentionally demolished without a DOD-SP having been first obtained in compliance with this section. Such three- (3-) year period shall commence after the date upon which such demolition has been completed or suspended, whether voluntarily or by legal compulsion. For purposes of this subsection, "premises" shall mean both (i) the lot upon which the demolished historic building, structure or architectural feature was located, and (ii) all abutting lots under common ownership or control of such lot at the time of demolition.

5. Procedure, Requirements and Criteria for Review of Proposed New Construction and Alterations:

a. New Construction and Alterations Must Be Compatible with Existing Historic Buildings and Structures within the DOD: New construction and alteration within the DOD shall not disrupt the essential form and integrity of (i) the subject historic building, structure or exterior architectural features, (ii) the lot where it is located, or (iii) its setting within the DOD. Moreover, new construction and alteration within the DOD shall be compatible with the size, scale, height, color (excepting paint color), material, and character of the (x) subject historic building, structure or exterior architectural feature, (y) the lot where it is located, and (z) its setting within the DOD, as the case may be.

i. Reversibility: New additions and other alterations to an historic building, structure, or exterior architectural feature shall be designed so that if they were to be removed or reversed in the future, the essential form and integrity of the overall historic building or structure would be unimpaired.

ii. Composite Materials: The SPGA or the office of planning and development, as the case may be, shall review and may approve on a case-by-case basis proposed composite materials when used in custom design for alterations to an historic building, structure, or exterior architectural feature that were unavailable when the subject historic building, structure, or exterior architectural feature was originally constructed.

iii. Advisory Reports: To aid the SPGA in its review, and provided the SPGA makes a written finding that the proposed alteration of an historic exterior architectural feature is of sufficient scope to justify the time and expense, the owner shall pay all costs for the SPGA to engage either a properly licensed architect or engineer experienced in the restoration of historic structures, or a recognized building preservation specialist, in the discretion of the SPGA, deemed necessary in the opinion of the SPGA to investigate and prepare a written report upon the existing conditions and feasibility of preservation of the relevant historic exterior architectural feature (Conditions Report). Said Conditions Report shall include an estimate of the reasonable cost to rehabilitate the relevant historic exterior architectural feature to meet the requirements of the State Building Code as it applies to historic buildings or structures. No later than twenty (20) calendar days after the SPGA has received a complete application, the historical commission may submit to the SPGA a written report regarding application of the relevant criteria of this section to the proposed new construction or alteration (Historical Report). Before acting on a DOD-SP application,

the SPGA shall consider both the Conditions Report, if any, and any Historical Report submitted by the historical commission.

b. Missing Historic Exterior Architectural Features: When replacing or restoring an historic exterior architectural feature that is missing or has been significantly altered, such as storefronts, porches, or outbuildings, the approved design shall be based upon accurate documentation of such historic exterior architectural feature. If no such documentation is available, then the design shall be compatible in scale, proportions, material, and detail with the historic character of the building, structure or lot.

c. Non-Historic Styles Permitted for New Construction and Additions: The design of new construction and additions (as distinct from other alterations) within the DOD may reflect non-historic styles so long as they remain compatible with the historic character and scale of the subject historic building, structure, or exterior architectural feature, its lot, and its setting within the DOD, as the case may be. So long as new construction and additions are so compatible, the SPGA shall not require the reproduction of historic styles, and, on the contrary, shall encourage contemporary styles of architecture to aid differentiation of old from new.

d. Staff-Level Review: The office of planning and development shall review and approve for consistency with this section the proposed alteration, demolition or replacement of windows, doors, and/or awnings when such work is unaccompanied by other work subject to this section, in which case Exclusion 3 shall apply under Subsection XXVII-E and no DOD-SP shall be required. Any proposed new window or door opening in an external wall of an historic building or structure shall require a DOD-SP.

e. Windows: Mirrored, tinted or heat-reflective glass or coatings, as well as interior applied or removable muntin bars, shall be prohibited. Otherwise, the SPGA or the office of planning and development, as the case may be, shall review and may approve on a case-by-case basis alternatives to historic window materials. Parts of replacement windows, such as exterior molding and/or casing, exterior frames, and exterior sash windows shall match those of the historic windows whenever reasonably feasible. Muntins, whether structural or applied, shall have an exterior, three-dimensional profile, and a width appropriate to the architectural style of the historic building or structure. The SPGA shall review and may approve on a case-by-case basis all proposed new window openings in the external walls of an historic building or structure to ensure that they are consistent with historically accurate window arrangements.

f. Doors: Replacement doors shall not incorporate leaded or stained glass except when replicating the original appearance of the historic building or structure. If part of a replacement door is glazed or has a window insert, such glazing or inserts shall include true or simulated divided lights. Mirrored, tinted or heat-reflective glass or coatings, as well as interior applied or removable muntin bars, shall be prohibited. Otherwise, the SPGA shall review and may approve on a case-by-case basis proposed new door openings in the external walls of an historic building or structure to ensure that they are consistent with historically accurate door arrangements. For historic buildings and structures other than one-family and two-family buildings, when the historic entrance will no longer be used, such historic entrance shall be left in place and secured, such that the alteration is reversible and the doorway can be reopened in the future with minimal work.

g. Roofs, Dormers and Other Roof Features: Roofing materials shall be compatible with the character of the DOD, and the overall geometry and proportions of the historic roof shapes and planes of an historic building or structure should be preserved. New skylights shall be constructed to minimize their visibility from any street, way, or public body of water, shall not be made of curved plastic or in bubble form, and should follow the plane of the

roofline. Historic chimneys, including, but not limited to, their historic dimensions and decorative brickwork patterns, shall be retained and repaired, regardless of the existence or usability of interior fireplaces. New or altered dormers shall be permitted if the SPGA finds that they will relate harmoniously to the historic form, proportions, and arrangement of windows and doors of the historic building or structure, and will be constructed in appropriately matching materials. Otherwise, the SPGA shall review and may approve on a case-by-case basis the proposed new construction and alteration of roofs, dormers and other roof features, including, without being limited to, balconies, towers, widow walks, roof decks, and cupolas.

h. Porches and Entrance Porticos: The SPGA shall review and may approve on a case-by-case basis proposed new construction and alteration of porches and entrance porticos, including the proposed enclosure or glazing of historic porches and entrance porticos.

i. Fences and Site Walls: New fences and site walls shall be appropriate in scale, materials and architectural style to the historic buildings and structures located on the same lot, to the lot itself, and to its setting. New fences and site walls shall not substantially block significant views from any street, way, or the Merrimack River, of the primary facades of historic buildings and structures located within the DOD.

j. Outbuildings: When the SPGA approves the replacement of an historic barn or other outbuilding, or of its historic exterior architectural features, the replacement outbuilding or exterior architectural features should be compatible with the historic features in design, material, dimension, sash or panel configuration, detail, and texture.

k. Signs and Awnings: In addition to any other regulations of commercial signs under the Newburyport Code: (i) the maximum size for first-floor projected, hanging, window, and wall signs shall be twelve (12) square feet; (ii) projected, hanging, window, and wall signs shall be prohibited on upper floors; (iii) signs may be constructed of painted wood, metal, or stone; (iv) signs constructed of particle board, plastic, or highly reflective metal shall be prohibited; (v) downlit signs shall use shielded bulbs to prevent light scatter; internally-lit signs are not permitted; (vi) all signs and hardware thereto attached to historic masonry shall be attached through mortar; and (vii) any adhesive used for signs affixed to historic buildings or structures shall be preservation quality. The SPGA or the office of planning and development, as the case may be, shall review and may approve on a case-by-case basis the proposed installation of new awnings.

l. Access for Persons with Disabilities: Alterations to an historic building or structure for the purposes of providing accessibility shall provide persons with disabilities the level of physical access to such building or structure that is required under applicable law, consistent with the preservation of historic exterior architectural features of such building or structure, and with the goal of providing the highest level of access with the lowest level of impact on historic integrity.

m. Solar Energy Systems: Consistent with state laws encouraging the installation of solar energy systems, as defined in Section 1A of Chapter 40A of the Massachusetts General Laws, new construction or alteration of solar collectors shall not irreversibly change or alter any historic exterior architectural features, and collector panels and other elements of solar energy systems, such as framing, piping and insulation, shall be installed so as to minimize their visibility from any street, way, or public body of water. Otherwise, the SPGA shall review and may approve on a case-by-case basis the new construction or alteration of solar energy systems while considering the policy of the Commonwealth to encourage the use of solar energy systems and to protect solar access.

6. **DOD-SP Amendments:** Amendments to an approved DOD-SP shall be based upon the provisions of the zoning ordinance that were in effect at the time of issuance of the approved DOD-SP, unless the owner and the SPGA mutually agree that such amendment shall be based upon the provisions of the zoning ordinance that are in effect at the time of application for such amendment.

7. **Change in Historic Status:**

a. **Removal of Historic Status:** The owner of any historic building or structure that was listed as "Contributory" to the Newburyport Historic District as of August 2, 1984, may petition the historical commission for removal of such building or structure from the list of historic buildings or structures subject to this section. The historical commission may approve any such petition if it determines that: (i) the qualities that caused the building or structure to be originally listed have been lost or destroyed, and such loss or destruction has not occurred in violation of this section; (ii) additional information shows that the building or structure does not meet the National Register criteria for evaluation; or (iii) there was an error in professional judgment as to whether the building or structure originally met the criteria for evaluation.

b. **Addition of Historic Status:** Subsequent to the adoption of this section, a building or structure located within the DOD shall be added automatically to the list of historic buildings or structures subject to this section upon such property's being added to the National Register in accordance with the National Historic Preservation Act of 1966, as amended, either individually or as "Contributory" to an historic district.

c. **Notice of Change in Historic Status:** No later than seven (7) calendar days after the office of planning and development or the historical commission receives written notice of the removal or addition of any building or structure from the list of historic buildings or structures subject to this section, the office of planning and development shall provide written notice of such change to all of the following: (i) the owner of the relevant building or structure; (ii) the historical commission, (iii) the building commissioner, (iv) the zoning board of appeal, and (v) the planning board. The office of planning and development shall keep on file a copy of the relevant documentation, which shall remain available for public inspection.

XXVII-G Historic Masonry.

Notwithstanding anything in the Newburyport Code to the contrary, within the DOD the maintenance, repair and/or replacement of historic masonry shall be subject to all of the following requirements, which shall be enforced by the building commissioner pursuant to Section X:

1. Deteriorated historic masonry may be repaired or replaced where necessary, using new materials that duplicate the historic size, color, and composition of bricks at the building or structure, whenever reasonably feasible.

2. To protect historic masonry from damage, repointing shall use historic, lime mortar mixes as prescribed by the U.S. Secretary of the Interior's Preservation Brief 2: Repointing Mortar Joints in Historic Masonry Buildings, rather than harder Portland cement.

3. Deteriorated mortar of historic masonry shall be carefully removed by hand-raking the joints, although the SPGA shall review and may approve on a case-by-case basis the use of mechanical saws.

4. Historic masonry shall not be sandblasted, and shall only be cleaned when necessary to halt deterioration using the mildest methods feasible, as approved by the SPGA in writing prior to the commencement of work.

5. Unpainted historic masonry shall not be painted unless this was done historically. Historic advertisements painted on historic masonry walls shall be retained where feasible.

6. The application of sealants, waterproofing, and water-repellent coatings to historic masonry shall be prohibited unless it can be demonstrated that such products will not substantially impair water-vapor permeability or otherwise contribute to deterioration of the historic masonry.

XXVII-H Protection of unoccupied historic buildings and structures.

For the limited purpose of preventing the acceleration of decay of unoccupied historic buildings and structures within the DOD, the owner of any such building or structure shall ensure that it is reasonably secure from significant damage due to weather, fire, trespass, or vandalism, including by: securing all doors, windows and other exterior openings; employing effective waterproofing of exterior walls, roofs (including chimneys), and foundations; and protecting against fire or water damage. The building commissioner, upon his or her own initiative, in response to a filed written request for enforcement of this section, or at the request of the SPGA, shall enforce this subsection consistent with Section X.

XXVII-I Severability.

The provisions of this section are severable. If any of its provisions, sections, subsections, paragraphs, sentences, or clauses, or the application thereof to any person, entity, establishment, or circumstances shall be held to be invalid or unconstitutional by any court of competent jurisdiction, then the remainder of this section shall continue to be in full force and effect.

Councillor Jared J. Eigerman

In City Council January 27, 2014

Motion to refer to Planning & Development and Committee of the Whole (COW) by Councillor Herzog, seconded by Councillor Connell. So voted.

In City Council March 31, 2014

Motion to remove with map by Councillor Cameron, seconded by Councillor Connell. So voted. Motion to approve with map by Councillor Cameron, seconded by Councillor Connell. Motion to amend to exclude the two properties and the buildings thereon located at #2 and #6 Prince Place by Councillor O'Brien, seconded by Councillor Cameron. So voted. Motion to approve 1st reading as amended with map and order published by Councillor Cameron, seconded by Councillor Connell. Roll call vote, 10 yes, 1 absent (Heartquist). So voted

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

APRIL 15, 2014

AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED TRAFFIC AND MOTOR VEHICLES

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

General Ordinance Amendment:

Chapter 13:	TRAFFIC AND MOTOR VEHICLES
Article IV:	Specific Street Schedules
Division 4:	Stop Intersections
Section 13-136:	Designated

The following streets are designated as stop intersections and vehicles traveling thereon shall come to a complete stop before entering such intersections:

ADD:

Storey Avenue	Westbound traffic at 56 feet from entrance to Rte. 113; said sign to be opposite Virginia Lane
---------------	--

Councillor Larry G. Giunta

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

April 8, 2014

AN ORDINANCE TO ADD AN ORDINANCE ENTITLED ANNUAL MASTER BOX CONNECTION FEE

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

Chapter 7: FIRE PREVENTION AND PROTECTION

Article 1: IN GENERAL

Section 7-4: ANNUAL MASTER BOX CONNECTION FEE

Each fire alarm user shall, on or before July 1 of each year, remit to the City Treasurer/Collector a connection fee of three hundred dollars (\$300.00) for each master box connection to the municipal fire alarm system.

Councillor Edward C. Cameron

Fire Alarm Monitoring Fee Survey

Feb-14

Department	Hook-up fee	Annual Fee
Devens	\$250.00	\$300.00
Gloucester	\$0.00	\$250.00
Haverhill	\$25.00	\$250.00
Lawrence	\$200.00	\$275.00
Methuen	detail x hrs	\$250.00
Middleton	detail x hrs	\$150.00
North Reading	detail x hrs	\$300.00
Portsmouth	detail x hrs	\$280.00
Salisbury	\$0.00	\$200.00
Swampscott	\$50.00	\$300.00
Tewksbury	\$25.00	\$0.00
Wakefield	\$0.00	\$225.00

COMMITTEE ITEMS

Budget & Finance



City of Newburyport

FY 2014

BUDGET TRANSFER REQUEST

Transfer #1
March 31, 2014

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2014 MAR 25 P 3:07

Department: Veterans

Submitted by: Kevin Hunt, Agent

Date Submitted: 3/25/2014

Transfer From:

Account Name	Free Cash	YTD Bal:	\$ 2,124,654.46
Account Number:	01-35900	Trans In:	\$ -
Amount:	\$40,300.00	Trans Out:	\$ 367,454.54

Why are Funds Available: *Free Cash is surplus funds from the prior fiscal that can be used for any legal purpose with the approval of the Mayor and a majority vote of the City Council. In addition to the balance stated above, a transfer request of \$409,676.48, for a capital improvements, is currently in the Budget and Finance Committee waiting further action.*

Transfer To:

Account Name	Veterans Benefits	YTD Bal:	\$15,817.05
Account Number:	01543007-57700	Trans In:	\$ -
Amount:	\$40,300.00	Trans Out:	\$ -

Why are Funds Required: *Benefit payments to veterans have exceeded original estimates. These payments vary depending on the number of veterans receiving benefits and the level of benefits received during the current fiscal year. The City is reimbursed by the State at the rate of 75% for funds the City spends in this category. Reimbursement comes through the Cherry Sheet in the succeeding fiscal year. Based on current spending levels, this transfer will provided adequate funding through the end of this fiscal year.*

Transfer To:

Account Name		YTD Bal:	
Account Number:		Trans In:	
Amount:		Trans Out:	

Why are Funds Required:

Transfer To:

Account Name		YTD Bal:	
Account Number:		Trans In:	
Amount:		Trans Out:	

Why are Funds Required:

Donna Holaday, Mayor
William B. Squillace, Auditor
City Council Approval: (Stamp)

Donna Holaday
William B. Squillace

Date:

Date:

3/28/14
3/28/2014

B&F

General Government



CITY OF NEWBURYPORT

OFFICE OF THE MAYOR

DONNA D. HOLADAY, MAYOR

60 PLEASANT STREET - P.O. Box 550

NEWBURYPORT, MA 01950

978-465-4413 PHONE

978-465-4402 FAX

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2014 MAR 25 P 1:44

Gen Gov

To: President and Members of the City Council

From: Peter Lombardi, Director of Policy and Administration

Date: March 25, 2014

Subject: Intermunicipal Agreement for Veterans' Services

Attached is an intermunicipal agreement (IMA) for the regional delivery of veterans' services under Massachusetts General Law Chapter 40 Section 4A. After meeting with officials from several neighboring communities for more than a year, we have reached consensus on implementing this regional approach with Amesbury and Merrimac for FY15. Some of you may remember approving a slightly different version of this agreement last year which had then included Newbury and Salisbury as well. Those communities have since decided not to be involved at this time.

Newburyport will be the lead community under this IMA, with Kevin Hunt fulfilling all duties as the Veterans Service Officer. Once this IMA is approved by the respective legislative bodies, each community will pay an apportionment based on the population of the municipality as of the 2010 federal census. For FY15, the annual expense (exempting Chapter 115 veterans' benefits) for Newburyport to participate in this regional agreement will be \$38,208.86. By way of comparison, the City Council appropriated \$52,523.80 in the FY14 Operating Budget for the veterans' service line items that will be covered under this regional agreement (it is set to increase to at least \$53,238.16 in FY15 should the proposed IMA not be approved). Accordingly, the City is projected to save approximately \$15,000 annually by formally joining with these two other municipalities in providing these services.

It is important to note that, in many ways, the IMA reflects the formalization of a practice that has been in place and operating efficiently for some time. Mr. Hunt has been performing these services on behalf of Merrimac for several years. He has also been fulfilling these duties for Amesbury on an interim basis since their VSO resigned over a year ago. Approving this agreement will allow the City to hire a part-time position (approximately 10 hours per week) to help Mr. Hunt with much needed clerical and

administrative support. This additional personnel is required to meet minimum staffing standards established by the Commonwealth around this regionalization option. Funding for this position has been included in the assessment schedule. Mr. Hunt will split his time between Newburyport City Hall and the Costello Center in Amesbury. Under the IMA, Mr. Hunt and his administrative assistant will be City of Newburyport employees.

I look forward to discussing the details of the IMA when this item is referred to Committee.

VETERANS' SERVICES
INTERMUNICIPAL AGREEMENT

THIS AGREEMENT is entered into by and between the Cities of Amesbury and Newburyport and the Town of Merrimac, Massachusetts (hereafter referred to individually as Amesbury, Newburyport, and Merrimac, respectively, and hereafter referred to collectively as the "Municipalities"), this ____ day of _____ 2014, pursuant to the provisions of G.L. c. 40, §4A

WHEREAS, the Municipalities wish to furnish such information, advice and assistance to veterans and their dependents as may be necessary to enable them to procure the benefits to which they are or may be entitled relative to employment, vocational or other educational opportunities, hospitalization, medical care, pensions and other veterans' benefits; and

WHEREAS, the Municipalities have determined that the joint provision of these services will best address the needs of veterans within the Municipalities; and

WHEREAS, the Municipalities have obtained authorization for this Agreement in accordance with the requirements of G.L. c. 40, §4A pursuant to a vote of the City of Amesbury's City Council and the approval of its Mayor on _____ 2014; a vote of the City of Newburyport's City Council and the approval of its Mayor on _____ 2014; and a vote of the Town of Merrimac's Board of Selectmen on _____ 2014.

NOW, THEREFORE, it is hereby agreed by and among the above-listed parties as follows:

- (1) For the purpose of implementing this Agreement, Newburyport shall act as the Lead Municipality acting for and on behalf of the Municipalities.
- (2) The Newburyport Veteran's Agent (the "Agent") shall serve as veteran's agent for each of the Municipalities pursuant to the terms of this Agreement. The Agent shall for all purposes be deemed an employee of Newburyport.
- (3) The duties of the Agent shall include, but not be limited to, the following:
 - Furnishing information, advice and assistance to veterans, and their dependents as may be necessary to enable them to procure benefits to which they are entitled relative to employment, vocational or other educational opportunities, hospitalization, medical care, pensions and other benefits; and
 - Counseling and advising veterans and dependents and survivors in:
 - finding employment;
 - obtaining an education;
 - finding alternative sources of income;
 - assisting in drug/alcohol rehabilitation;
 - obtaining medical assistance and nursing home placement;
 - assisting with burials;

- and aiding with myriad issues relating to veteran's questions and problems; and
 - Working with federal agencies established for the aid of veterans, enlist support of hospitals; and
 - Acquiring and making available copies of current booklets and other printed materials pertaining to the statutory rights of veterans provided under state and federal laws, and
 - Such other responsibilities as may be set forth in M.G.L. Chapter 115.
- (4) The office locations for provision of services under this Agreement shall be in Newburyport City Hall and at the Nicholas J. Costello Transportation Center located at 68 Elm Street in Amesbury. The Agent will endeavor to provide equal time at each location affording balanced accessibility to all veterans within the municipalities.
- (5) A notice shall be posted conspicuously and in a readily accessible format in the each office specified herein and in the main municipal building of each of the Municipalities stating the name of the Agent; and the hours of operation, address, and telephone numbers for each office provided for under this Agreement. Such information shall also be made available on each of the Municipalities' website.
- (6) The respective expenses of the Municipalities will be apportioned on the basis of the population of each of the Municipalities based on the most recent federal census. For FY15 apportionments by community based on 2010 census data, see attached Schedule A. Each of the Municipalities will continue to bear its respective M.G.L. Chapter 115 financial obligations to its own veterans.
- (7) Pursuant to the provisions of M.G.L. Chapter 40, §4A, the Agent shall provide each of the Municipalities with periodic financial statements that shall include: accurate and comprehensive records of the services performed under this agreement; the costs incurred; and the reimbursements and contributions received. Such reports shall be compiled and distributed by the Agent on a quarterly basis.
- (8) A Municipality may withdraw from this Agreement by vote of the appropriate City Council or Board of Selectmen not less than one hundred and eighty (180) days prior to the close of the then fiscal year and notice of the vote must be filed with the other Municipalities which are parties to this Agreement.
- (9) This agreement may be amended to permit the addition of adjoining municipalities. The apportionment of the expenses of such adjoining municipality and of all current district municipalities shall be accomplished in compliance with the provisions of G.L. c. 115, §11.
- (10) This agreement shall remain in effect until dissolved by unanimous vote of the Municipalities, but in no event for longer than twenty-five (25) years. A vote to dissolve the agreement in this manner must be taken not less than one hundred and eighty (180) days prior to the close of the then fiscal year.

- (11) If any term or condition of this Agreement or any application thereof shall to any extent be held invalid, illegal or unenforceable by the court of competent jurisdiction, the validity, legality, and enforceability of the remaining terms and conditions of this Agreement shall not be deemed affected thereby unless one or both parties would be substantially or materially prejudiced.
- (12) This Agreement may be amended from time to time in writing, by a vote of the Municipalities through their respective authorities as specified herein.

Executed as a sealed instrument.

The City of Amesbury
City Council

Approved:
City of Amesbury Mayor

The City of Newburyport
City Council

Approved:
City of Newburyport Mayor

The Town of Merrimac
Board of Selectman

SCHEDULE A

<u>TOWN</u>	<u>2010 POP.</u>	<u>POP. %</u>	<u>EXISTING CLIENTS</u>	<u>CLIENT %</u>
Newburyport	17,416	43.62%	35	30.17%
Amesbury	16,283	40.78%	70	60.34%
Merrimac	<u>6,230</u>	<u>15.60%</u>	<u>11</u>	<u>9.48%</u>
Totals	39,929	100.00%	116	100.00%

DISTRICT COSTS:

	<u>MONTHLY</u>	<u>ANNUAL</u>	
Salary	\$ 6,150.00	\$ 73,800.00	One FT Agent \$66,000 - One PT asst @ \$7800
Materials	\$ 150.00	\$ 1,800.00	
Postage	\$ 40.00	\$ 480.00	
Mileage	\$ 300.00	\$ 3,600.00	
Cell phone	\$ 60.00	\$ 720.00	
Sbscrptns/du	\$ 25.00	\$ 300.00	
Training	\$ 60.00	\$ 720.00	
Medical	\$ 500.00	\$ 6,000.00	
Maintenance	<u>\$ 15.00</u>	<u>\$ 180.00</u>	
	\$ 7,300.00	\$ 87,600.00	

COSTS DISTRIBUTED BY POPULATION:

	<u>Monthly</u>	<u>Annual</u>
Newburyport	\$ 3,184.07	\$ 38,208.86
Amesbury	\$ 2,976.93	\$ 35,723.18
Merrimac	<u>\$ 1,139.00</u>	<u>\$ 13,667.96</u>
	\$ 7,300.00	\$ 87,600.00



Amesbury

Mayor C. Kenneth Gray
City Hall, 62 Friend Street
Amesbury, MA 01913-2884

(978) 388-8121
Fax: (978) 388-6727
mayor@amesburyma.gov

March 25, 2014

Mayor Donna Holaday
City of Newburyport
60 Pleasant Street
Newburyport, MA 01950

Mayor Holaday,

I support the proposed intermunicipal agreement between the City of Amesbury, the City of Newburyport, and the Town of Merrimac for the regional delivery of veterans' services.

The intermunicipal agreement will be submitted with my support to the Amesbury City Council for consideration at the regular meeting scheduled for April 8, 2014.

Sincerely,

Mayor C. Kenneth Gray

License & Permits



NEWBURYPORT LIONS CLUB

NEWBURYPORT, MA

2014 FEB 18 A 11: 21

February 18, 2014

Newburyport City Council
City Hall
Newburyport, MA

The Newburyport Lions Club would like to request a prominent spot in downtown Newburyport on which to locate a surplus U. S. Postal Service mailbox for the purpose of collecting used eyeglasses for recycling. The collection of eyeglasses is a major project of Lions Clubs. The collected eyeglasses are inspected, cleaned, reconditioned and then sent to countries where needy citizens can receive eyeglasses that meet their prescriptions. These people would not normally have access to eyeglasses.

The mailbox will be reconditioned, repainted a different color and labeled "NOT FOR MAIL." It will also be identified as a Lions eyeglass collection box. The box will be emptied regularly and maintained by the Newburyport Lions Club.

Thank you for your consideration.

A handwritten signature in cursive script, appearing to read 'Mark Quinlan'.

Mark Quinlan
Vice President
Newburyport Lions Club

APPLICATION FOR MOVABLE SIGNAGE ON PUBLIC PROPERTY

Communication #5
March 31, 2014

Application Fee \$50.00

Date: 03-18-2014

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

FOR CITY CLERK'S OFFICE ONLY
Date Recorded _____
Amount Paid _____

To the City Council of the City of Newburyport:

2014 MAR 25 P 3:38

The undersigned requests that he/she may be granted permission to place one (1) movable sign on public property. This permission will only be effective for the listed location, and will be subject to all of the terms, conditions, and limitations set forth in the Newburyport Code of Ordinances, and any applicable State and Federal laws and any condition prescribed by the City Council and/or City Departments, including, but not limited to, those conditions appearing below.

(ANGELA KIRKPATRICK)

Name of applicant GRAND TRUNK OLD WORLD MARKET

Street address of applicant 53 PLEASANT ST (Home: 14 Woodland Street)

City, State, Zip of applicant NEWBURYPORT, MA 01950

Telephone of applicant (978) 499-4441

Name of business GRAND TRUNK OLD WORLD

Address of business 53 PLEASANT ST

Telephone of business (978) 499-4441

Description of the location and movable sign to be placed on the Public Way.

Any Standard-size, A-Frame Sign made of natural wood frame and chalkboard face. Location: Top of Inn Street, next to bike rack (Pandoras Box)

RELEASE AND INDEMNITY AGREEMENT TO ENCUMBER A PUBLIC WAY

I, the undersigned Applicant or Duly Authorized Agent, hereby agree to RELEASE, discharge and hold harmless, the City of Newburyport, a municipal corporation of the Commonwealth of Massachusetts, and its officers, employees, agents and servants from all actions, causes of action, claims, demands, damages, costs, loss of services, expenses and compensation associated with the undersigned's use of the public way as described herein.

Signature of Applicant or
Duly Authorized Agent

Angela Kirkpatrick

Date 3/19/2014



Date: March 25, 2014

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

To: Newburyport City Council

From: Angela and Jeremy Kirkpatrick, Owners of Grand Trunk Oldworld Market

Re: Sign Permission Next to Pandora's Box (Top of Inn ST, near bike rack)

Dear Committee,

The Grand Trunk has wanted to bring visitors down Pleasant Street for 10 years by posting a sign in the central area of town. After considering all locations possible, the top of Inn Street looks to be the safest for pedestrians and appropriate for any retailers who would be offended.

The owner of Pandora's Box was very willing to allow a sign near her store.

The sign will be a modest, classic looking, wooden-framed sign with a brief description of our oldworld market offering visitors cheese, wine, etc.

The sign can be a temporary arrangement through the 2014 season with hopes of posting a "Totem pole" style signage of many of the shops on Pleasant Street.

We would love to organize such a group to help facilitate greater foot traffic on lower Pleasant Street.

Thank you,


Angela Kirkpatrick
Grand Trunk
53 Pleasant St
NBPT
978-499-4441

BUSINESSOWNERS DECLARATION
BUSINESSOWNERS RENEWAL DECLARATIONS

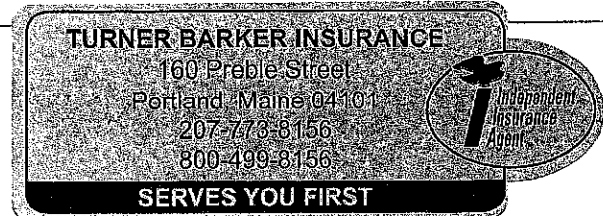
08

RENEWAL OF ODP 9130373

Policy Number	Policy Period From To	Coverage is Provided in the	Agency Code
ODP-9130373-02	06/25/2013 06/25/2014	MASSACHUSETTS BAY INSURANCE COMPANY	360712000

Named Insured and Address

GRAND TRUNK IMPORTS LLC
53 PLEASANT ST
NEWBURYPORT, MA 01950

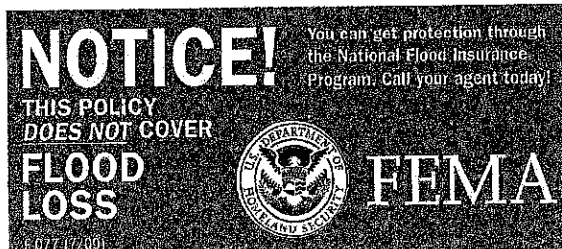


Policy Period: Beginning and Ending at 12:01 a.m. Standard Time at the Location of the Described Premises.

Business Type: LIMITED LIAB. CORPORATION

Mortgagee/Loss Payable:
SEE ADDITIONAL INTEREST SCHEDULE

Business of the Named Insured:
RETAILER.



In consideration of the premium, insurance is provided the Named Insured with respect to those premises described in the Schedule below and with respect to those coverages and kinds of property for which a specific Limit of Insurance is shown, subject to all of the terms of this policy including forms and endorsements made a part hereof:

LOCATION SCHEDULE

Described Premises:

NO. 1 53 PLEASANT ST, NEWBURYPORT, MA 01950

Property Coverage	Limits of Insurance					
	Loc No 001	Bldg No 001	Loc No	Bldg No	Loc No	Bldg No
Deductible Amt	\$ 500		\$		\$	
Building Amount Valuation	NOT COVERED					
Bus Personal Prop Valuation	\$ 62,889 RC					
Business Income	ACTUAL BUSINESS LOSS SUSTAINED NOT EXCEEDING 12 CONSECUTIVE MONTHS					
Business Income Waiting Period	Excluded / None / 24 hour / 48 hour / 72 hour 72 HOUR					
Coverage	Limits of Insurance					
Liability and Medical Payments: Except for Property Damage Legal Liability, each paid claim for the following coverages reduced the Amount of Insurance we provide during the applicable annual period. Please refer to Paragraph D.4. of Section II- Liability of the Businessowners Coverage form.						
Business Liability	\$ 1,000,000		Per Occurrence	\$ 2,000,000		Aggregate
Medical Expenses	\$ 5,000		Each Person			
Property Damage Legal Liability	\$ 300,000		Any one Fire, Explosion, Lightning, Smoke or Leakage			

Form 391-1002 (6-05)

Page 1 of 2

Date Issued: 04/21/2013

ORIGINAL/INSURED

Payment Type: DIRECT BILL

BUSINESSOWNERS DECLARATION
BUSINESSOWNERS RENEWAL DECLARATIONS

08

RENEWAL OF ODP 9130373

Policy Number	Policy Period From To	Coverage is Provided in the	Agency Code
ODP-9130373-02	06/25/2013 06/25/2014	MASSACHUSETTS BAY INSURANCE COMPANY	360712000

Named Insured and Address

GRAND TRUNK IMPORTS LLC
53 PLEASANT ST
NEWBURYPORT, MA 01950

Agent

207-773-8156
TURNER BARKER INSURANCE
160 PREBLE STREET
PORTLAND, ME 04101

Additional Property Coverages and Extensions:

See attached Schedule for Additional Coverages provided for under this Policy.

Audit Frequency: Annual

Additional Liability Coverages: General Liability Broadening Endorsement

General Liability Class: 13673

Description: GROCERY STORES < 15,000 SQ. FT.

Liability Exposure: \$510,000 SALES

Policy Forms, Endorsements and Optional Coverages Attached:

See Forms and Endorsements Schedule

TOTAL BOP COVERAGE PREMIUM:	\$3,166.00
BOP TERRORISM COVG (INCLUDED IN TOTAL POLICY PREMIUM)	\$ 30.00
OTHER THAN FIRE FOLLOWING	\$ 12.00
FIRE FOLLOWING	\$ 18.00
TOTAL UMBRELLA COVERAGE PREMIUM:	NOT COVERED
UMB TERRORISM COVG (INCLUDED IN TOTAL POLICY PREMIUM)	NOT COVERED
DEPOSIT PREMIUM:	\$3,166
TOTAL POLICY PREMIUM IS:	\$3,166.00

Countersigned this _____ Day of _____

Authorized Representative

This Declarations Page with the Policy Contract, Forms and Endorsements, if any,
Complete the Policy.

Public Safety

p

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

March 31, 2014

AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED TRAFFIC AND MOTOR VEHICLES

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

Chapter 13	Traffic and Motor Vehicles
Article 4	Specific Street Schedules
Division 6	Stopping, Standing and Parking
Section 13-180	Resident Parking

Delete from (g) (2)

Ashland Street – Beginning at the lower corner of Ashland Court and proceeding northerly on the westerly side of Ashland Street to a point 6 feet north of the property line between 2 Ashland Street and 345 Merrimac Street.

Beginning at the lower corner of Ashland Court and proceeding northerly on the easterly side of Ashland Street to Merrimac Street.

Add the following streets or portions thereof to the resident only parking zone as defined in subsection (a)(3):

Ashland Street – Beginning at the lower corner of Ashland Court and proceeding northerly on the westerly side of Ashland Street to a point 6 feet north of the property line between 2 Ashland Street and 345 Merrimac Street.

Beginning at the lower corner of Ashland Court and proceeding northerly on the easterly side of Ashland Street to Merrimac Street.

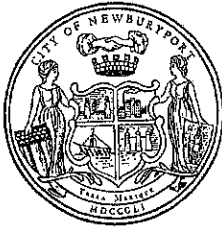
“Resident only parking zones shall mean a residential district where curbside parking on public highways is restricted to vehicles of residents that properly display a parking permit authorized by this section.” Section 13-180 (a) (3)

Councillor Charles F. Tontar

refer
cc/pds
cc/cf

PS

CITY OF NEWBURYPORT



IN CITY COUNCIL

MARCH 31, 2014

ORDERED:

AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED TRAFFIC AND MOTOR VEHICLES

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

General Ordinance Amendment:

Chapter 13:	TRAFFIC AND MOTOR VEHICLES
Article IV:	Specific Street Schedules
Division 4:	Stop Intersections
Section 13-136:	Designated

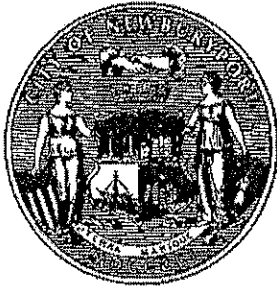
The following streets are designated as stop intersections and vehicles traveling thereon shall come to a complete stop before entering such intersections:

ADD:

Pond Street:	Westbound traffic at the corner Greenleaf Street
Green Street	Northbound traffic at the corner of Merrimac Street

Councillor Robert J. Cronin
Public Safety Chair

RE
PM
SU
PMS



CITY OF NEWBURYPORT

NEWBURYPORT CITY COUNCIL

ROBERT J. CRONIN
WARD 3 COUNCILLOR
CHAIR, PUBLIC SAFETY
MEMBER, BUDGET & FINANCE

NEWBURYPORT CITY HALL
60 PLEASANT STREET
P.O. Box 550
NEWBURYPORT MA 01950

MAIN: 978 465 4407
CELL: 978 857 9249
CRONINWARD3@GMAIL.COM

TO: President O'Brien
Members of City Council
FROM: Robert J. Cronin, Councillor Ward 3,
Public Safety Chair,
Member Traffic Safety Advisory Committee

DATE: March 23, 2014

RE: Stop Sign Ordinance Greenleaf Street

As part of an ongoing effort, the Mayor has established a Traffic Safety Advisory Committee to examine areas of "trafficway" concern around the city. During the City Council meeting of March 17, 2014, I provided a brief synopsis of the various projects that were being addressed.

One such area is the intersection of Greenleaf Street and Pond Street; currently Greenleaf has yellow flashing lights (warning) while Pond Street is controlled by "Stop" signs in both directions. This intersection has repeatedly been reported as confusing and dangerous. Many motorists stop at the yellow light out of legitimate concern for their safety, while others do not. This creates a condition of confusion that increases the likelihood of crashes.

I am sponsoring the attached ordinance to make this a four-way "Stop" intersection and if passed the Traffic Safety Advisory Committee will monitor the area for success or unforeseen problems. While four way stop signs are not the ideal solution they are applicable in certain situations; this meets that criteria.

The Committee is comprised of DPS, Fire, Police, Parking Clerk, MVPC representative and the City Council chair of Public Safety. Meetings are of course open to the public and are scheduled for the third Thursday of the month at 5:00 PM.

The cost of this is low, two "Stop" signs and "Stop Ahead" signs which after careful monitoring can be removed and used at other locations in the unlikely event that this does not improve the intersection.

While the biggest concern is FD response, this is not problematic as Pond Street traffic is seemingly required to stop. In the drafting of this ordinance, I discovered that the current signage, traffic controls and conditions do not agree with our Code of Ordinances. I have addressed that omission at this intersection as well as one on Green Street.

I will ask this to be referred to committee and will advise the Council as to when it will be discussed so your thoughts and the public thoughts can be heard.