

CITY COUNCIL MEETING AGENDA
CITY COUNCIL CHAMBERS
June 29, 2015

7:15 PM

POLE HEARING

National Grid for pole at 172 State Street

7:30 PM

(Name Plates & Sound Check)

- 1. MOMENT OF SILENCE**
- 2. PLEDGE OF ALLEGIANCE**
- 3. CALL TO ORDER**
- 4. LATE FILE ITEMS**
- 5. PUBLIC 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.

6. APPROVAL OF MINUTES

June 8, 2015

(Approve)

7. TRANSFERS

1. Mayor Insurance 32-B to Advertising \$3,937.69

(B&F)

8. COMMUNICATIONS

1. Block Party Application Lafayette St between Highland & High St August 1, 2015
2. Block Party Application Dove St from Munroe to Merrimac St August 1, 2015
3. Block Party Application 54th Street July 18, 2015
4. Special Event Application Ovarian Cancer Awareness 5k Run/Walk Sept. 27, 2015
5. Special Event Application Newburyport Open Streets Sept. 20, 2015

(Approve)

(Approve)

(Approve)

(PS)

(PS)

9. APPOINTMENTS – First Reading

APPOINTMENTS

- | | | | |
|-----------------------------|---------------|-------------------------------------|---------------|
| 1. Dr. Michelle R. LaFlamme | 3 Bricher St. | Commission on Diversity & Tolerance | June 1, 2018 |
| 2. Jane Niebling | 45 Temple St. | Tree Commission | June 30, 2018 |

RE-APPOINTMENTS

- | | | | |
|---------------------|---------------------|----------------------------|---------------|
| 3. Richard Cummings | 7 Jewett Street | Assistant Harbor Master | June 15, 2018 |
| 4. Susan Grolnic | 10 Willow Avenue | Planning Board | May 31, 2020 |
| 5. Wallace Thurlow | 2 Dorothy Lucey Dr. | Atkinson Common Commission | May 1, 2018 |

END OF CONSENT AGENDA

REGULAR AGENDA

10. COMMUNICATIONS

6. Boston Solar Letter regarding City of Newburyport solar options
7. Tropic Star Propane Gas 81 & 83 Storey Ave
8. LATE FILE – Mayor's Communication

11. APPOINTMENTS – Second Reading

APPOINTMENTS

- | | | | |
|-----------------|-----------------|-------------------------|--------------|
| 6. Dan Bourdeau | 376 High Street | Conservation Commission | June 1, 2017 |
|-----------------|-----------------|-------------------------|--------------|

RE-APPOINTMENTS

- | | | | |
|-------------------|---------------------|------------------------|-------------|
| 7. Roger E. Jones | 37 Storeybrooke Dr. | Water/Sewer Commission | May 1, 2018 |
|-------------------|---------------------|------------------------|-------------|

12. ORDERS

1. Order for the FY 2016 Budget
2. Accepting Gift of Public Bathrooms at Cashman Park

13. ORDINANCES

1. 2nd Reading Amend ORD Part 2 Article III Ch. 3-31 Feeding or baiting of wild birds
2. Amend ORD 15-32 Taxi Licenses
3. Amend ORD 13-168 Toppan's Lane
4. Amend ORD Ch. 13 Article IV Div 6 Sec. 13-175 2 hr No Atkinson
5. Amend Zoning Definition Two-Family and Multi-Family uses

14. 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. Order Home Rule Petition- supplementing education budget (COTW) *05/12/2014
4. Amend ORD Ch. 2 Section 2-45 City Council Salary *05/12/2014
5. Amend ORD Ch. 2 Section 2-61A School Committee Salary *05/12/2014
6. Human Resources Dependent Audit *06/30/2014
7. Letter from Hope Church regarding Master Box fee *11/10/2014
8. Annual Audit FY2014 Financial Statements – copy on file in City Clerk's office *04/27/2015
9. Health-Energy/Recycling Solid Waste Fee to Hsehd Haz Waste \$10,000 *06/08/2015
10. Health-Energy/Recycling Solid Waste Fee to Sal. Energy Recycl.Coord. \$21,697 *06/08/2015
11. Fire Dept. FROM Lease of Vehicles \$77,000, Fuel/oil \$17,500, Protective Clothing \$12,500, Educ. Materials \$3,000 TO Overtime \$110,000 *06/08/2015
12. Mayor FROM Insurance 32-B \$410,500, Gen'l Fd Free Cash \$136,855.96, FEMA Reimb 2007 Rsv Appr \$23,367.67 TO Snow & Ice Exp \$570,723.63 *06/08/2015
13. Mayor Rsv Appr Legal Settlements \$134,772.44 to Snow & Ice Labor \$83,007.34, Snow & Ice Exp. \$51,765.10 *06/08/2015
14. Mayor Gen'l Fd Free Cash to Senior/Community Center Project \$100,000 *06/08/2015
15. Mayor Gen'l Fd Free Cash to Culvert Capital Project \$150,000 *06/08/2015
16. DPS Water Retained Earnings to FY16 Budget Reserves \$450,000 *06/08/2015
17. DPS Sewer Retained Earnings to FY16 Budget Reserves \$500,000 *06/08/2015
18. FY 2016 Budget *06/08/2015
19. Revolving Funds FY2016 *06/08/2015
20. CPC FY2016 appropriations *06/08/2015
21. Accept and Establish Initial Exemption Percentage *06/08/2015

General Government

In Committee:

1. Letter re: Health Insurance Benefit *05/11/2015

Joint Education

In Committee:

1. Order Home Rule Petition- supplementing education budget (COTW) *05/12/2014

License & Permits

In Committee:

1. Movable Sign Application Newburyport Brewing Company *02/10/2014
2. Amend ORD Sec. 9-114 Transient Vendors Restricted Areas *04/28/2014
3. Letter regarding transient vendor licensing *06/30/2014
4. Taxi License Renewal Harold Congdon Port Taxi, Inc. *01/12/2015
5. Taxi Cab Company Renewal Seacoast Taxi *03/09/2015
6. New Outdoor Seating Application 17 State Street Café *05/26/2015

Neighborhoods and City Services

In Committee:

1. Temple Street sidewalk repair *04/27/2015
2. Letter re: sidewalks and bike paths to Hale Street and West End *05/11/2015

3. Letter regarding Emerald Ash Borer
4. City-Wide Sidewalk Specifications

*05/26/2015
*06/08/2015

Planning & Development

In Committee:

1. Letter from Newburyport Preservation Trust *03/31/2014
2. First Refusal to Purchase Lot 8 Low Street *01/12/2015
3. Amend ORD Zoning Map Sec. III-C "Back Bay Area Zoning Map Change" *01/12/2015
4. Amend Zoning ORD Appendix A Sec. XXIX Smart Growth District (SGOD) *01/29/2015
5. Request to present to City council Essex Tech High School *05/11/2015
6. Amend Zoning Add Office Uses at Business Park *05/11/2015
7. Amend Zoning Definitions 2 Family and Multi-Family uses *05/11/2015
8. Land transfer March's Hill, Fish Pier, City Branch Rail Cor, 115 Water St, Joppa Park, land in Newbury *06/08/2015
9. Acquisition of Temp and Perm Easement s and other Interests in Land Clipper City Rail Trail *06/08/2015
10. Acquisition of Int in Land in fee or by Lease Easement or Agreement Clipper City Rail Trail *06/08/2015
11. Acq. of Int in Land in Fee or by Lease Esmt or Agmt Boston & Maine RR, Town of Newbury *06/08/2015
12. Acquisition of Interest in Land in Fee or by Lease Easement or Agreement Mass Electric land *06/08/2015
13. Transfer of Custody of Property and/or Grant of Esmt Newburyport/Newbury Clipper Rail Trail *06/08/2015
14. Acquisition of Interest in Land in fee or by Lease Easement or Agreement Clarridge Lot 2 *06/08/2015
15. Transfer of Custody of Property and/or Grant of Easement Lot 3 Lot 4 *06/08/2015
16. Order of taking Joppa Park *06/08/2015
17. Order of taking portions of land Parker, High, Purchase, Water Streets and Custom House Way *06/08/2015
18. Grant leasehold interest in land on Water Street *06/08/2015
19. Accept and Establish Initial Exemption Percentage *06/08/2015

Public Safety

In Committee:

1. London Livery request for valet parking at 38 State Street *04/27/2015
2. Seaside Santa Dash 5k event *05/26/2015
3. Order regarding Signs *05/26/2015
4. Amend Ch 9 Article 7 Div # Regulation of Door to Door Sales *05/26/2015
5. Amend Ch 13 Section 13-168 Parking restricted Toppan's Lane *05/26/2015
6. Newburyport Fire Dept. permission for Fill the Boot Drive July 30, 31, Aug. 1 for MDA *06/08/2015
7. Special Event Application Yankee Homecoming Road Race July 28, 2015 *06/08/2015
8. Special Event Application Newburyport Lions Bed Race July 30, 2015 *06/08/2015
9. Greater Nbpt Chamber of Commerce & Newburyport Dev. Use of Pleasant St 6/25/2015 *06/08/2015

Public Utilities Committee

In Committee:

1. Water and Sewer Commissions adjustment of sewer bill charges re second meters *11/24/2014

Rules Committee

15. GOOD OF THE ORDER

16. ADJOURNMENT

POLE HEARING

nationalgrid

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2015 MAY 21 P 1:33

May 19, 2015

**City of Newburyport
City Clerks office
60 Pleasant St PO Box 550
Newburyport Massachusetts**

To Whom It May Concern:

Enclosed please find a petition of NATIONAL GRID, covering NATIONAL GRID pole location(s)

If you have any questions regarding this permit please contact:

Maureen Miloro 978 725 1418

Please notify National Grid's Maureen Miloro of the hearing date / time

If this petition meets with your approval, please return an executed copy to:

National Grid Contact: Maureen Miloro; 1101 Turnpike Street; North Andover, MA 01845

Very truly yours,


Robert Nelcoski

Enclosures

Questions contact -- John Butler 978-725-1415

PETITION FOR POLE AND WIRE LOCATIONS

North Andover, Massachusetts

To the City Council of
Of Newburyport Massachusetts

NATIONAL GRID requests permission to locate poles, wires, and fixtures, including the necessary sustaining and protecting fixtures, along and across the following public way:

State St -National Grid to install one SO pole and 5 feet of underground conduit to serve 5 units at 172 State St, Newburyport.

Location approximately as shown on plan attached

Wherefore it prays that after due notice and hearing as provided by law, it be granted a location for and permission to erect and maintain poles and wires, together with such sustaining and protecting fixtures as it may find necessary, said poles to be erected substantially in accordance with the plan filed herewith marked -- State St-Newburyport Massachusetts

19230478 May 19, 2015

Also for permission to lay and maintain underground laterals, cables, and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each of said petitioners may desire for distributing purposes.

Your petitioner agrees to reserve space for one cross-arm at a suitable point on each of said poles for the fire, police, telephone, and telegraph signal wires belonging to the municipality and used by it exclusively for municipal purposes.

NATIONAL GRID
BY Bob M. M. M.
Engineering Department

City

Questions contact – John Butler 978-725-1415

ORDER FOR POLE AND WIRE LOCATIONS

To the City Council of Newburyport Massachusetts

Notice having been given and public hearing held, as provided by law,
IT IS HEREBY ORDERED:

that NATIONAL GRID and be and it is hereby granted a location for and permission to erect and maintain poles and wires to be placed thereon, together with such sustaining and protecting fixtures as said Company may deem necessary, in the public way or ways hereinafter referred to, as requested in petition of said Company dated the 19th day of May 2015.

All construction under this order shall be in accordance with the following conditions:

Poles shall be of sound timber, and reasonable straight, and shall be set substantially at the points indicated upon the plan marked – State St-Newburyport Massachusetts.

19230478 Dated: May 19, 2015. Filed with this order

There may be attached to said poles such wires, cables, and fixtures as needed in their business and all of said wires and cables shall be placed at a height of not less than twenty (20) feet from the ground.

The following are the public ways or part of ways along which the poles above referred to may be erected, and the number of poles which may be erected thereon under this order:

State St -National Grid to install one SO pole and 5 feet of underground conduit to serve 5 units at 172 State St, Newburyport.

I hereby certify that the foregoing order was adopted at a meeting of the City Council of the City/Town of _____, Massachusetts held on the _____ day of _____ 20 ____.

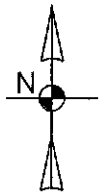
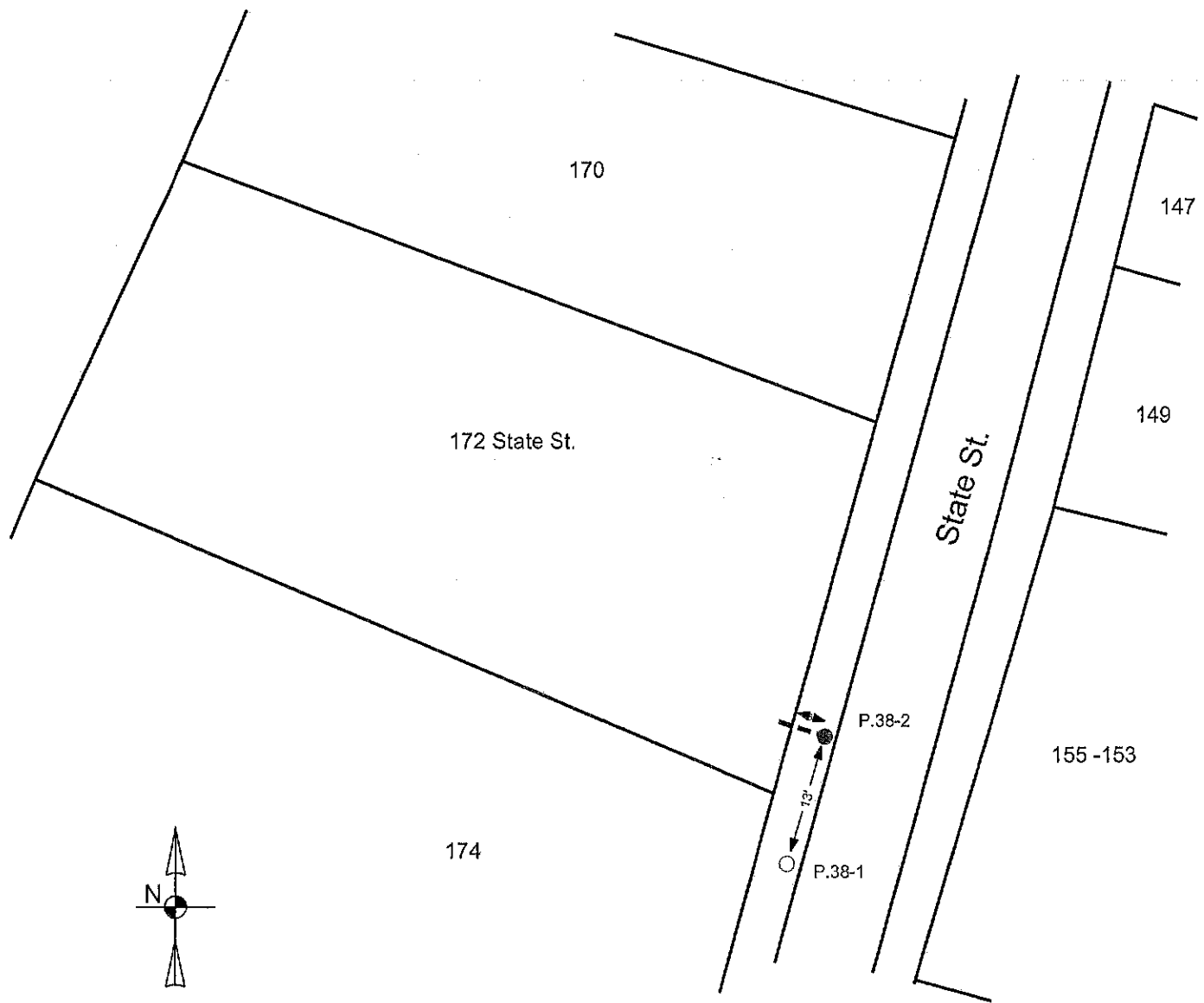
Massachusetts

City/Town Clerk.

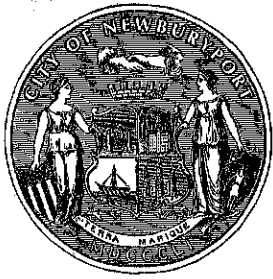
20 ____.

Received and entered in the records of location orders of the City/Town of _____
Book _____ Page _____

Attest:



POLE PETITION		nationalgrid	
<p>● Proposed NGRID Pole Locations</p> <p>○ Existing NGRID Pole Locations</p> <p>----- Proposed underground conduit</p> <p>A sketch to accompany a petition for the installation of 1 SO pole and 5' of underground conduit to serve 5 units at 172 State St, Newburyport</p>			
		<p>Plan Number: 19230478</p>	
		<p>To Accompany Petition Dated:</p>	
		<p>To The: Town Of Newburyport</p>	
		<p>For Proposed: 1 Pole: 38-1 Location: State St</p>	
<p>DISTANCES ARE APPROXIMATE</p>		<p>Date Of Original Grant:</p>	



CITY OF NEWBURYPORT

OFFICE OF THE ASSESSOR

DANIEL RAYCROFT
CITY ASSESSOR

May 21, 2015

NEWBURYPORT CITY HALL
60 PLEASANT STREET
NEWBURYPORT, MA 01950

TEL: 978-465-4403

FAX: 978-462-8495

WWW.CITYOFNEWBURYPORT.COM

TO: Richard Jones, City Clerk

FROM: Board of Assessors

**RE: 172 State Street -- Install one SO pole and 5 feet of
underground conduit to serve 5 units.**

**The attached are the abutters to the above described
location:**

Daniel Raycroft

34/ 13/ / /
TAGERMAN NEIL A TRS
BROADWAY PLAZA TRUST
75 OAK ST
NEWTON, MA 02464

34/ 14/ / /
BEBOSAM LLC
149 STATE ST
NEWBURYPORT, MA 01950

34/ 15/ / /
GALLAGHER PATRICIA
147 STATE ST
NEWBURYPORT, MA 01950

36/ 44/ / /
JAMES C BOURQUE CONSTRUCTION INC
21 STOREY AVE 2ND FLOOR
NEWBURYPORT, MA 01950

36/ 44/A 1/ /
BROYLES JILL MAY
HARRIETT A BROYLES J/T
174 STATE ST UNIT 1
NEWBURYPORT, MA 01950

36/ 44/A 2/ /
THOMAS BETSY E
174 STATE ST UNIT 2
NEWBURYPORT, MA 01950

36/ 44/A 3/ /
COLEMAN EDWARD J & JEAN K TRS
COLEMAN INVESTMENT TRUST
174 STATE ST UNIT 3
NEWBURYPORT, MA 01950

36/ 44/A 4/ /
PAPERT ALAN H & GLORIA TRUSTEES
PAPERT NOMINEE TRUST
174 STATE ST UNIT 4
NEWBURYPORT, MA 01950

36/ 44/A 5/ /
HEISIG MARK F
174 STATE ST UNIT 5
NEWBURYPORT, MA 01950

36/ 44/A 6/ /
MULVENNA ELLEN MARIE
174 STATE ST UNIT 6
NEWBURYPORT, MA 01950

36/ 45/A / /
ENRIGHT MARY H
170 STATE ST UNIT 1
NEWBURYPORT, MA 01950

36/ 45/B / /
FRANKLIN PETER W
MICHELLE E PLAISANCE T/E
168 STATE ST UNIT 2
NEWBURYPORT, MA 01950

36/ 45/C / /
FULTON SHARON L TRUSTEE
SHARON L FULTON REVOCABLE TRUST
170 STATE ST UNIT 3
NEWBURYPORT, MA 01950



CITY OF NEWBURYPORT

MASSACHUSETTS

CITY CLERK'S OFFICE

NEWBURYPORT CITY HALL

60 PLEASANT STREET • P.O. BOX 550

NEWBURYPORT, MA 01950

TEL: 978-465-4407 • FAX: 978-462-7936

RICHARD B. JONES

CITY CLERK

May 22, 2015

Dear Property Owner:

Notice is hereby given that a Public Hearing will be held on the petition of National Grid for the installation 1 SO pole and 5' of underground conduit to serve 5 units at 172 State St., Newburyport, MA

Said meeting will be held on Monday, June 29, 2015 at 7:15 PM in the City Council Chamber, City Hall, 60 Pleasant St., Newburyport, MA. At that time, all interested parties will have an opportunity to be heard.

A copy of the plan is enclosed.

Sincerely,

Tricia E. Barker
Assistant City Clerk

CONSENT AGENDA

CITY COUNCIL MEETING MINUTES - VERSION 1

June 8, 2015

7:00 PM

FY2016 BUDGET HEARING

Council President O'Brien called the meeting to order at 7:00 pm. He instructed the City Clerk to call the roll. The following Councillors answered present: Cameron, Connell, Cronin, Eigerman, Heartquist, Herzog, Kinsey, Vogel, O'Brien and Tontar. 10 present, 1 absent (Giunta).

Councillor Tontar motioned to postpone the start time of the hearing to the 7:30 meeting. So voted.

7:30 PM

PROPANE GAS HEARING- Tropic Star, 81 & 83 Storey Avenue

Council President O'Brien called the meeting to order at 7:31 pm. Councillor O'Brien instructed the City Clerk to call the roll. The following Councillors answered present: Cameron, Connell, Cronin, Eigerman, Giunta, Heartquist, Herzog, Kinsey, Vogel, O'Brien and Tontar. 11 present.

Councillor O'Brien asked if anyone wished to be heard. Attorney Jeffrey L. Roelofs spoke on behalf of the applicant. Councillor Vogel motioned to put in communications for the next meeting, seconded by Councillor Connell. So voted.

7:30 PM

Council President O'Brien called the meeting to order at 7:44 pm. A moment of silence was held for Christine Cashman's mother Rosemary Cashman, and Mary Goudreau. This was followed by the Pledge of Allegiance. He then instructed the City Clerk to call the roll. The following Councillors answered present: Cameron, Connell, Cronin, Eigerman, Giunta, Heartquist, Herzog, Kinsey, Tontar, Vogel and O'Brien. 11 present.

1. LATE FILES – Mayor's Update Communication #8, and Order #17

Motion to waive the rules and accept the late file items by Councillor Cameron, seconded by Councillor Tontar. 11yes. So voted.

2. PUBLIC COMMENT

- | | | |
|-------------------|------------------|----------------------------|
| 1. William Harris | 56 Lime Street | Transfer #7 Culvert |
| 2. Ann Ormond | 19 Water Street | Pleasant Street |
| 3. Rob Germinara | 2 Ashland Street | Order #16 Custom House Way |

3. MAYOR'S UPDATE

The Mayor gave an update.

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.

4. APPROVAL OF MINUTES

May 26, 2015

(Approved)

5. TRANSFERS

- | | |
|---|-------|
| 1. Health-Energy/Recycling Solid Waste Fee to Hsehd Haz Waste \$10,000 | (B&F) |
| 2. Health-Energy/Recycling Solid Waste Fee to Sal. Energy Recycl.Coord. \$21,697 | (B&F) |
| 3. Fire Dept. FROM Lease of Vehicles \$77,000, Fuel/oil \$17,500, Protective Clothing \$12,500, Educ. Materials \$3,000 TO Overtime \$110,000 | (B&F) |
| 4. Mayor FROM Insurance 32-B \$410,500, Gen'l Fd Free Cash \$136,855.96, FEMA Reimb 2007 Rsv Appr \$23,367.67 TO Snow & Ice Exp \$570,723.63 | (B&F) |
| 5. Mayor Rsv Appr Legal Settlements \$134,772.44 to Snow & Ice Labor \$83,007.34, Snow & Ice Exp. \$51,765.10 | (B&F) |
| 6. Mayor Gen'l Fd Free Cash to Senior/Community Center Project \$100,000 | (B&F) |
| 7. Mayor Gen'l Fd Free Cash to Culvert Capital Project \$150,000 | (B&F) |

Removed by Councillor Vogel.

- | | |
|--|-------|
| 8. DPS Water Retained Earnings to FY16 Budget Reserves \$450,000 | (B&F) |
| 9. DPS Sewer Retained Earnings to FY16 Budget Reserves \$500,000 | (B&F) |

6. COMMUNICATIONS

1. Newburyport Fire Dept. permission for Fill the Boot Drive July 30, 31, Aug. 1 for MDA (PS)
2. Special Event Application Yankee Homecoming Road Race July 28, 2015 (PS)
3. Special Event Application Newburyport Lions Bed Race July 30, 2015 (PS)
4. FY2016 Proposed Budget (B&F)

Removed by Councillor O'Brien.

5. Greater Newburyport Chamber of Commerce & Newburyport Dev. Use of Pleasant St 6/25/2015 (PS)
6. Block Party Munroe and Tyng and Merrimac Streets June 25, 2015 (Approve)

Removed # 5 & 6 by Councillor Tontar.

7. City-Wide Sidewalk Specifications (NC&S)

7. APPOINTMENTS – First Reading

APPOINTMENTS

- | | | | |
|-----------------|-----------------|-------------------------|--------------|
| 1. Dan Bourdeau | 376 High Street | Conservation Commission | June 1, 2017 |
|-----------------|-----------------|-------------------------|--------------|

RE-APPOINTMENTS

- | | | | |
|-------------------|---------------------|------------------------|-------------|
| 2. Roger E. Jones | 37 Storeybrooke Dr. | Water/Sewer Commission | May 1, 2018 |
|-------------------|---------------------|------------------------|-------------|

END OF CONSENT AGENDA

Motion to approve the consent agenda as amended by Councillor Cameron, seconded by Councillor Kinsey. So voted.

REGULAR AGENDA

8. TRANSFERS

7. Mayor Gen'l Fd Free Cash to Culvert Capital Project \$150,000

Motion to refer to Budget & Finance by Councillor Vogel, seconded by Councillor Cameron. So voted.

9. COMMUNICATIONS

4. FY 2016 Budget

Motion to refer to Budget & Finance and Committee of the Whole by Councillor Connell, seconded by Councillor Vogel. So voted. Councillor O'Brien reopened the Budget hearing. No one spoke in favor of, nor against. Councillor O'Brien closed the hearing. Referred to Budget & Finance by Councillor Connell, seconded by Councillor Vogel. So voted.

5. Greater Nbpt Chamber of Commerce & Newburyport Dev. use of Pleasant St. 6/25/2015

Emergency preamble approved. 9 yes, 2 recused (Kinsey, Vogel). So voted. Motion to approve by Councillor Herzog, seconded by Councillor Cameron. Motion to approve contingent on providing insurance and event application by Councillor Cameron, seconded by Councillor Giunta. 2 recused (Kinsey, Vogel). So voted.

6. Block Party Munroe and Tyng

Emergency preamble approved. So voted. Motion to approve by Councillor Cameron, seconded by Councillor Kinsey. So voted.

8. LATE FILE – Mayor's Communication

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

11. APPOINTMENTS - Second Reading

APPOINTMENTS

- | | | | |
|-----------------------|-----------------|-------------------------------|--------------|
| 1. Christopher Kealey | 8 Payson Street | Harbor Commission (Alternate) | June 1, 2017 |
|-----------------------|-----------------|-------------------------------|--------------|

Motion to approve 2nd reading by Councillor Herzog, seconded by Councillor Cronin. Roll call vote, 11 yes.

12. ORDERS

1. Authorizing Mayor to grant access easement on land on Spofford Street

Removed by Council President O'Brien.

2. Discontinuance of a portion of Belcher St.

Removed by Council President O'Brien.

3. Revolving Funds FY2016

Motion to refer to Budget & Finance by Councillor Herzog, seconded by Councillor Cameron. So voted.

4. CPC FY2016 appropriations

Motion to refer to Budget & Finance by Councillor Herzog, seconded by Councillor Cameron. 1 recused (Eigerman). So voted.

5. Accept gift of \$500,000 from the Institution for Savings for synthetic turf field at WW Memorial Stadium

Motion to accept the Emergency Preamble by Councillor Cameron, seconded by Councillor Kinsey. So voted.

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

6. Land transfer March's Hill, Fish Pier, City Branch Rail Corridor, 115 Water St, Joppa Park, land in Newbury
7. Acquisition of Temporary and Permanent Easements and other Interests in Land Clipper City Rail Trail
8. Acquisition of Interest in Land in fee or by Lease Easement or Agreement Clipper City Rail Trail
9. Acquisition of Interest in Land in Fee or by Lease Easement or Agreement Boston & Maine Railroad, Town of Newbury
10. Acquisition of Interest in Land in Fee or by Lease Easement or Agreement Mass Electric land
11. Transfer of Custody of Property and/or Grant of Easement Newburyport/Newbury Clipper Rail Trail
12. Acquisition of Interest in Land in fee or by Lease Easement or Agreement Clarridge Lot 2
13. Transfer of Custody of Property and/or Grant of Easement Lot 3 Lot 4
14. Order of taking Joppa Park
15. Order of taking portions of land Parker, High, Purchase, Water Streets and Custom House Way
16. Grant leasehold interest in land on Water Street

Motion to refer collectively # 6 to # 16 to Planning and Development by Councillor Herzog, seconded by Councillor Cameron. So voted.

17. LATE FILE Accept and Establish Initial Exemption Percentage

Motion to refer to Budget & Finance by Councillor Herzog, seconded by Councillor Cameron. So voted.

13. ORDINANCES - None

14. 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. Order Home Rule Petition- supplementing education budget (COTW) *05/12/2014
4. Amend ORD Ch. 2 Section 2-45 City Council Salary *05/12/2014
5. Amend ORD Ch. 2 Section 2-61A School Committee Salary *05/12/2014
6. Human Resources Dependent Audit *06/30/2014
7. Letter from Hope Church regarding Master Box fee *11/10/2014
8. Harbormaster Rate Increase *03/30/2015

Motion to remove by Councillor Tontar, seconded by Councillor Cameron. So voted. Motion to approve as amended by Councillor Tontar, seconded by Councillor Cameron. 9 yes, 2 no (Herzog, O'Brien).

9. Annual Audit FY2014 Financial Statements – copy on file in City Clerk's office *04/27/2015
10. Library Salaries Staff to Heat/Electricity \$20,000 *05/26/2015

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

11. Mayor Ins. 32B \$64,500 -- \$2000 to Veterans Benefits, \$50,000 to LGL City Solicitor, \$7,500 to Colby Farm Lot 1 Feasibility Study, \$5,000 Joppa Park Survey *05/26/2015

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

General Government

In Committee

1. Letter re: Health Insurance Benefit *05/11/2015

Joint Education

In Committee:

1. Order Home Rule Petition- supplementing education budget (COTW) *05/12/2014

License & Permits

In Committee:

1. Movable Sign Application Newburyport Brewing Company *02/10/2014
2. Amend ORD Sec. 9-114 Transient Vendors Restricted Areas *04/28/2014
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5. Taxi Cab Company Renewal Seacoast Taxi *03/09/2015
6. New Outdoor Seating Application 17 State Street Café *05/26/2015

Neighborhoods and City Services

In Committee:

1. Amend ORD Part 2 Article III Ch. 3-31 Feeding or baiting of wild birds *01/12/2015

Motion to remove by Councillor Connell, seconded by Councillor Herzog. So voted. Motion to amend by Councillor Connell, seconded by Councillor Herzog. Motion to approve first reading as amended and order to be published by Councillor Connell, seconded by Councillor Herzog. Roll call vote, 11 yes. Motion passed.

2. Temple Street sidewalk repair *04/27/2015
3. Letter re: sidewalks and bike paths to Hale Street and West End *05/11/2015
4. Letter regarding Emerald Ash Borer *05/26/2015

Planning & Development

Councillor Cameron announced a joint hearing on June 17th on Smart Growth with the Planning Board.

In Committee:

1. Letter from Newburyport Preservation Trust *03/31/2014
2. First Refusal to Purchase Lot 8 Low Street *01/12/2015
3. Amend ORD Zoning Map Sec. III-C "Back Bay Area Zoning Map Change" *01/12/2015
4. Amend Zoning ORD Appendix A Sec. XXIX Smart Growth District (SGOD) *01/29/2015
5. Request to present to City Council Essex Tech High School *05/11/2015
6. Amend Zoning Add Office Uses at Business Park *05/11/2015
7. Amend Zoning Definitions 2 Family and Multi-Family uses *05/11/2015

Public Safety

In Committee:

1. Letter from Yankee Homecoming 2015 General Chair *02/23/2015

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

2. London Livery request for valet parking at 38 State Street *04/27/2015
3. Neurofibromatosis Northeast 5th Annual Coast to Cure, Sept. 12, 2015 *05/11/2015

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

4. Seaside Santa Dash 5k event *05/26/2015
5. Order regarding Signs *05/26/2015
6. Amend Ch 9 Article 7 Div # Regulation of Door to Door Sales *05/26/2015
7. Amend Ch 13 Section 13-168 Parking restricted Toppans Lane *05/26/2015

Public Utilities Committee

In Committee:

1. Water and Sewer Commissions adjustment of sewer bill charges re second meters *11/24/2014
2. Adopt Energy Aggregation Plan (COTW) *05/26/2015

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

Rules Committee

15. GOOD OF THE ORDER

16. ADJOURNMENT

Councillor Tontar moved to adjourn, seconded by Councilor Kinsey at 8:58pm. So voted.

TRANSFERS



Transfer #1
June 29, 2015

City of Newburyport

FY 2015

BUDGET TRANSFER REQUEST

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2015 JUN 23 P 3:10

Department: Mayor's Office

Submitted by: Mayor Donna D. Holaday

Date Submitted: 6/23/2015

Transfer From:

Account Name	Insurance - 32-B	YTD Bal:	\$ 191,199.47
Account Number:	01914001-51700	Trans In:	\$ -
Amount:	\$3,937.69	Trans Out:	\$ 475,000.00
Why are Funds Available:	A surplus is anticipated in this account at year-end. YTD balance includes pending transfers totaling \$410,500 submitted June 8, 2015.		

Transfer To:

Account Name	Advertising	YTD Bal:	\$ -
Account Number:	01129002-52122	Trans In:	\$ -
Amount:	\$3,937.69	Trans Out:	\$ -
Why are Funds Required:	To pay costs associated with marketing the Newburyport Summer Shuttle being provided by the Merrimack Valley Regional Transit Authority. The purpose of the shuttle is to support economic development within the City.		

Donna D. Holaday, Mayor

Ethan R. Manning, Auditor

City Council Approval: (Stamp)

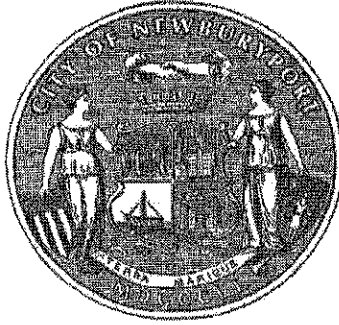
Donna D. Holaday
Ethan R. Manning

Date:

Date:

6/23/15
6/23/15

COMMUNICATIONS



RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA
2015 JUN 16 A 10:44

CITY OF NEWBURYPORT
60 PLEASANT STREET
NEWBURYPORT, MA 01950

BLOCK PARTY APPLICATION

Please fill out the application below and obtain the approving signatures for the street closure. Mail or drop off the completed signed application at: City Clerk's Office, City Hall, 60 Pleasant Street, Newburyport, MA 01950 **at least eight (8) business days prior** to a City Council meeting. The requested Block Party needs approval by the City Council. For any questions, please contact The City Clerk's Office at (978) 465-4407.

DATE OF REQUEST:

~~6/10/15~~ 6/15/15

CONTACT INFORMATION

FIRST AND LAST NAMES:

Robert + Patricia Hoffman

MAILING ADDRESS:

15 Lafayette St

PHONE NUMBER:

978-255-2894

E-MAIL ADDRESS:

hoffmanpatty@gmail.com, bob@hoffman.org

BLOCK PARTY INFORMATION

BLOCK PARTY DATE:

8/1/15

DESIRED STREET CLOSING LOCATION:

Lafayette St (b/t Highland & High St)

Please indicate cross streets when requesting the closing of street sections

STREET TO BE BARRICADED:

Lafayette St

DESIRED STREET CLOSING TIME:

3-8pm

Block Parties should run no later than 10:00 p.m.

REGULATIONS

By signing, I agree that I am a legal adult 18 years of age or older and understand this permit does not release me of any liability for damages that may result from the conducting of this Block Party. Further, I agree to comply with all requirements listed below:

I understand that applications for block party permits may take up to four (4) weeks to process.

Block parties will be conducted only on low-volume residential streets, dead-end streets, or cul-de-sacs. No thoroughfares or collector streets may be used.

It is hereby agreed that, by signing and presenting this application, signer(s) represents to the City of Newburyport that the following statements are true and correct, and agrees to and will abide by the following:

1. All residents living on the street or block for which the party is planned request the block party, or have been contacted and do not object to the Block Party.
2. To be responsible for placement, maintenance and removal of barricades.
3. A block party permit does not allow the sale of alcohol or the consumption of alcohol on public property (in city streets, sidewalks, parks, etc.) alcohol is allowed only on private property. All state and city alcohol laws still apply during Block Parties.
4. Amplified music shall be permitted with permission of the City Council.
5. To leave **AT LEAST A TWELVE (12) FOOT AISLE** in the street to permit passage of emergency vehicles or vehicles of residents. Failure to maintain a ten (10) foot aisle during the entire period of the party will necessitate denial of requests for subsequent block parties. **Public safety personnel will monitor the party for strict adherence to this rule.**
6. To maintain adult supervision at all times during the party.
7. Applicant(s) shall be responsible for the pick-up of trash and garbage within two (2) hours of the end of the party.
8. Streets may not be barricaded later than 10:00 P.M.
9. No residents of the area designated shall be prohibited from attending the party.
10. No such activity may be conducted within five hundred (500) feet of any school, church, hospital, nursing home or similar operation unless endorsed by the management of such institution.
11. Only approved readily removable Barricades will be permitted such as orange cones and sawhorses with a sign. No vehicles will be permitted to be used as a Barricade.
12. Block parties are permitted 10 A.M. - 10 P.M.

Applicant signature:

[Signature]

Date:

6/18/15

APPROVAL SIGNATURES REQUIRED FOR STREET CLOSURE

CITY MARSHALL

4 Green Street

FIRE CHIEF

Greenleaf Street

DEPUTY DIRECTOR

1 Perry Way

CITY CLERK

60 Pleasant Street

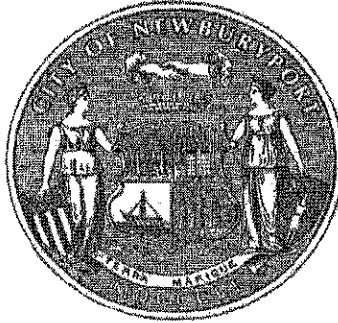
[Signatures]

City use only:

Approved

Denied

Date



2015 JUN 15 A 11:34

CITY OF NEWBURYPORT
60 PLEASANT STREET
NEWBURYPORT, MA 01950

BLOCK PARTY APPLICATION

Please fill out the application below and obtain the approving signatures for the street closure. Mail or drop off the completed signed application at: City Clerk's Office, City Hall, 60 Pleasant Street, Newburyport, MA 01950 **at least eight (8) business days prior** to a City Council meeting. The requested Block Party needs approval by the City Council. For any questions, please contact The City Clerk's Office at (978) 465-4407.

DATE OF REQUEST: June 10, 2015

CONTACT INFORMATION

FIRST AND LAST NAMES: Melissa Duncan

MAILING ADDRESS: 14 Dove St.

PHONE NUMBER: 978-499-9732 (home) 978-764-1019 (cell)

E-MAIL ADDRESS: djdener@msn.com

BLOCK PARTY INFORMATION

BLOCK PARTY DATE: August 1, 2015

DESIRED STREET CLOSING LOCATION: Dove St - from Monroe St to Merrimack St

Please indicate cross streets when requesting the closing of street sections

STREET TO BE BARRICADED: Dove St.

DESIRED STREET CLOSING TIME: 5^{pm} - 10 pm

Block Parties should run no later than 10:00 p.m.

REGULATIONS

By signing, I agree that I am a legal adult 18 years of age or older and understand this permit does not release me of any liability for damages that may result from the conducting of this Block Party. Further, I agree to comply with all requirements listed below:

I understand that applications for block party permits may take up to four (4) weeks to process.

Block parties will be conducted only on low-volume residential streets, dead-end streets, or cul-de-sacs. No thoroughfares or collector streets may be used.

It is hereby agreed that, by signing and presenting this application, signer(s) represents to the City of Newburyport that the following statements are true and correct, and agrees to and will abide by the following:

1. All residents living on the street or block for which the party is planned request the block party, or have been contacted and do not object to the Block Party.
2. To be responsible for placement, maintenance and removal of barricades.
3. A block party permit does not allow the sale of alcohol or the consumption of alcohol on public property (in city streets, sidewalks, parks, etc.) alcohol is allowed only on private property. All state and city alcohol laws still apply during Block Parties.
4. Amplified music shall be permitted with permission of the City Council.
5. To leave **AT LEAST A TWELVE (12) FOOT AISLE** in the street to permit passage of emergency vehicles or vehicles of residents. Failure to maintain a ten (10) foot aisle during the entire period of the party will necessitate denial of requests for subsequent block parties. **Public safety personnel will monitor the party for strict adherence to this rule.**
6. To maintain adult supervision at all times during the party.
7. Applicant(s) shall be responsible for the pick-up of trash and garbage within two (2) hours of the end of the party.
8. Streets may not be barricaded later than 10:00 P.M.
9. No residents of the area designated shall be prohibited from attending the party.
10. No such activity may be conducted within five hundred (500) feet of any school, church, hospital, nursing home or similar operation unless endorsed by the management of such institution.
11. Only approved readily removable Barricades will be permitted such as orange cones and sawhorses with a sign. No vehicles will be permitted to be used as a Barricade.
12. Block parties are permitted 10 A.M. – 10 P.M.

Will be having live music.

Applicant signature: Melissa Duncan Date: June 10, 2015

APPROVAL SIGNATURES REQUIRED FOR STREET CLOSURE

CITY MARSHALL

4 Green Street

FIRE CHIEF

Greenleaf Street

DEPUTY DIRECTOR

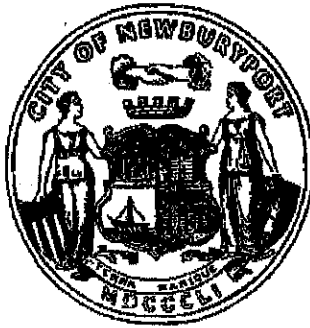
1 Perry Way

CITY CLERK

60 Pleasant Street

City use only:

Approved _____ Denied _____ Date _____



CITY OF NEWBURYPORT
60 PLEASANT STREET
NEWBURYPORT, MA 01950



2015 JUN 17 P 3:07

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

BLOCK PARTY APPLICATION

Please fill out the application below and obtain the approving signatures for the street closure. Mail or drop off the completed signed application at: City Clerk's Office, City Hall, 60 Pleasant St., Newburyport, MA 01950 at least 8 business days prior to a City Council meeting. The requested Block Party needs approval by the City Council. For any questions, please contact The City Clerk's Office at (978)465-4407.

DATE OF REQUEST: June 17, 2015

CONTACT INFORMATION

FIRST AND LAST NAME: Lynne Murray
MAILING ADDRESS: 8 54th St. Newburyport MA
PHONE NUMBER: 978-462-4240
E-MAIL ADDRESS: Sndipt@aol.com

BLOCK PARTY INFORMATION

BLOCK PARTY DATE: July 18, 2015

DESIRED STREET CLOSING LOCATION: 54th Street.

Please indicate cross streets when requesting the closing of street sections

STREET TO BE BARRICADED: Street will not be closed

DESIRED STREET CLOSING TIME: 5 PM - 10 PM.
Block Parties should run no later than 10:00 p.m.

REGULATIONS

By signing, I agree that I am a legal adult 18 years of age or older and understand this permit does not release me of any liability for damages that may result from the conducting of this Block Party. Further, I agree to comply with all requirements listed below:

I understand that applications for block party permits may take up to four weeks to process.

Block parties will be conducted only on low-volume residential streets, dead-end streets, or cul-de-sacs, No thoroughfares or collector streets may be used.

It is hereby agreed that, by signing and presenting this application, signer(s) represents to the City of Newburyport that the following statements are true and correct, and agrees to and will abide by the following:

1. All residents living on the street or block for which the party is planned request the Block party, or have been contacted and do not object to the Block Party.
2. To be responsible for placement, maintenance and removal of barricades.
3. A block party permit does not allow the sale of alcohol or the consumption of alcohol on public property (in city streets, sidewalks, parks, etc.) alcohol is allowed only on private property. All state and city alcohol laws still apply during Block Parties.
4. Amplified music shall be permitted with permission of the City Council.
5. To leave AT LEAST a TWELVE (12) FOOT AISLE in the street to permit passage of emergency vehicles or vehicles of residents. Failure to maintain a ten foot aisle during the entire period of the party will necessitate denial of requests for subsequent block parties. Public safety personnel will monitor the party for strict adherence to this rule.
6. To maintain adult supervision at all times during the party.
7. Applicant(s) shall be responsible for the pick-up of trash and garbage within 2 hours of the end the party.
8. Streets may not be barricaded later than 10:00 P.M.
9. No residents of the area designated shall be prohibited from attending the party.
10. No such activity may be conducted within 500 feet of any school, church, hospital, nursing home or similar operation unless endorsed by the management of such institution e
11. Only approved readily removable Barricades will be permitted such as, orange cones and sawhorses with a sign. No vehicles will permitted to be used as a Barricade.
12. Block parties are permitted 10AM-10PM

Applicant Signature

Lynne M. Murray

Date

6/11/15

APPROVAL SIGNATURES REQUIRED FOR STREET CLOSURE

CITY MARSHALL

4 Green Street

FIRE CHIEF

Greenleaf Street

DEPUTY DIRECTOR

1 Perry Way

CITY CLERK

60 Pleasant St.

M. M. 6/11/15

D. S. H. 6/11/15

W. J. W. 6/12/2015

R. B. J. 6/12/2015

City use only:

Approved

-Denied

Date



Communication #4
June 29, 2015

April 28, 2015

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

Dear Members of the Newburyport City Council,

I am writing to ask your permission to hold the 5th Annual GNOCA 5K Run/Walk, in honor of Jackie Poor and Paula Holm, in Newburyport, on Sunday, September 27, 2015, 10:30am – 1pm.

The Greater Newburyport Ovarian Cancer Awareness (GNOCA) was founded by Deb Green and Elaine Carroll, Newburyport businesswoman and resident. We raise money for Ovarians for the Cure, a non-profit organization, located in Natick. Ovarians for the Cure is devoted to educating the public on the signs and symptoms of ovarian cancer. Ovarian cancer is a particularly devastating cancer for women. It has a nearly 50% mortality rate because the symptoms often go unnoticed until it is in its later stages. GNOCA holds events from June through September, which is National Ovarian Cancer Awareness month.

Joppa Flats Running Club will be providing timing and consultation services for us again this year. The club has a strong background with 5K races and will help insure that the event will run smoothly.

I have included the 5K run route suggested by Joppa Flats Running Club. The 3.1 mile route begins and ends at Michael's Harborside Restaurant, 1 Tournament Wharf, who will also be providing the parking. It then travels along Merrimac to Jefferson, onto High, then Kent, onto Washington and follow the Rail Trail, finishing at Michael's Harborside. Please see the attached map.

If acceptable we would like to have the walkers follow a different route than the runners. The walker's route begins and ends at Michaels Harborside (same as runners). The walkers turn left onto Merrimac St., right onto Federal St., right onto Liberty St., onto State Street, right onto High St., right onto Broad Street cross Merrimac Street to Cashman Park. Walkers Continue along the Rail Trail ending at Michaels Harborside. Please see enclosed map.

We prefer this route for walkers as it is more interesting and exposes the walkers to the Farmer's Market at the Tannery and downtown merchants.

Thank you so much for your support in previous years. I look forward to working with the council. If you have any questions or concerns please feel free to contact me at 978-225-6700 or info@ocawareness.org

Sincerely,

Debra Green



Our hummingbird is a symbol for accomplishing that which seems impossible and discovering the miracle of joyful living from one's own life circumstances.

From Animal Speak by Ted Andrews

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA
2015 JUN 19 A 9:58



Newburyport Parks

One-Day Use Permit Application

Applicant Information

Name of organization Greater Newbury Ovarian Cancer Awareness
 Contact name Debra Green
 Address 1 R Water st (Greetings by Design)
Newburyport
 State MA Zip 01950
 Phone 978-225-6700 Fax _____
 Email Info@greetingsbydesign.com

Scheduling Information

Date of Application 5-19-15

We request use of:

- | | | |
|---|---|---|
| <input checked="" type="checkbox"/> Atwood Park - South End | <input checked="" type="checkbox"/> Bashing Park | <input type="checkbox"/> Perkins Park - South End |
| <input type="checkbox"/> Basketball Court | <input type="checkbox"/> Basketball Courts | <input type="checkbox"/> For ball field, please use Field Use Permit form |
| <input type="checkbox"/> Tennis Court | <input type="checkbox"/> Joppa Park on the Sea Wall - South End | <input type="checkbox"/> Basketball Courts |
| <input checked="" type="checkbox"/> Brown Square | <input type="checkbox"/> Jason Sawyer Playground - Plum Island | <input type="checkbox"/> Tennis Courts |
| <input checked="" type="checkbox"/> Cashman Park - North End | <input type="checkbox"/> Basketball Court | <input type="checkbox"/> Moseley Woods Pavilion |
| <input type="checkbox"/> For ball field, please use Field Use Permit form | <input type="checkbox"/> Pavilion | <input type="checkbox"/> Bartlett Mall |
| <input type="checkbox"/> Basketball Courts | <input type="checkbox"/> March's Hill | <input checked="" type="checkbox"/> Ball Trail |
| <input type="checkbox"/> Tennis Courts | <input type="checkbox"/> Basketball Court | |

Dates/days requested 9-27-15

Time slot requested 7:00-12 PM
 (1-1/2 hour blocks)

Activity Walk, Run Number of attendees 200

Authorized Applicant Signature [Signature]

FOR INTERNAL USE ONLY

Approval is contingent upon approval from the following authorities:

- ☐ Health Department
- ☐ Fire Department
- ☒ Police Department
- ☐ Licensing Commission
- ☐ City Council -
- ☒ Harbormaster [Signature]
- ☐ No further approvals needed

ADDITIONAL COMMENTS:

Submit completed form to
 Newburyport Parks
 Newburyport City Hall
 60 Pleasant Street
 Newburyport, MA 01950
 parks@cityofnewburyport.com
 978-465-4462

See page 2 for Rules and Regulations and contacts for use of other parks and recreational facilities

For Parks Commission Use	
Date reviewed	<u>6/8/15</u>
Approved	<input checked="" type="checkbox"/>
Rejected	<input type="checkbox"/>
Comments	<u>CONTINGENT ON FURTHER APPROVALS</u>
Donation received	

SPECIAL EVENT APPLICATION

SPECIAL EVENTS

Tel.

Fax.

(For Parades, Road Races and Walkathons Only - Please complete reverse side of this application)

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2015 JUN 19 A 9:55

NAME OF EVENT: 5th Annual Greater Newburyport ovarian Cancer Awareness

Run/Walk in Honor of Jackie Poon and Paula Holm

1. Date: 9/27/15 Time: from 10:30 AM to 1 PM

Rain Date: - Time: from - to -

2. Location: Start & End at Michael's Harborside

3. Description of Property: - Public - Private -

4. Name of Organizer: Deb Sheen (with the support of and in collaboration with The Joppa FLATS Running Club) City Sponsored Event: Yes - No X

Contact Person:

Address: 1R Water St., Newburyport Telephone: 978-225-6700

E-Mail: info@getttingsbydesign.com Cell Phone: 978-304-7740

Day of Event Contact & Phone: Deb Sheen, cell phone 978 304-7740

5. Number of Attendees Expected: 200 - 300 (Last year's walk/run had 180 participants)

6. MA Tax Number: Non Profit Organization: Ovarian for the Cure

7. Is the Event Being Advertised? yes Where? Banners: Low St., Stony Ave

8. What Age Group is the Event Targeted to? Flyers, Press Release in NBPT Daily News, Website, Email, Ovarian for the Cure, Website,

9. Have You Notified Neighborhood Groups or Abutters? Yes - No X Who? Joppa FLATS website

ACTIVITIES: (Please check where applicable.) Subject to Licenses & Permits from Relevant City Departments

A. Vending: Food - Beverages - Alcohol - Goods - Total # of Vendors N/A

B. Entertainment: (Subject to City's Noise Ordinance.) Live Music - DJ - Radio/CD - Performers - Dancing - Amplified Sound - Stage - N/A

C. Games /Rides: Adult Rides - Kiddie Rides - Games - Raffle - Other - Total # N/A

Name of Carnival Operator: -

Address: -

Telephone: -

D. Clean Up: # of additional trash receptacles required - # of additional recycling receptacles required -
we will provide plastic bags to collect used paper cups.

E. Portable Toilets: (Each cluster of portable toilets must include at least one ADA accessible toilet) N/A
- Standard # - ADA accessible

FOR PARADE, ROAD RACE AND WALKATHON EVENTS ONLY

PARADE _____

ROAD RACE X and WALKATHON X

1. Name of the Group or Person Sponsoring the Road Race, Parade, Walkathon: Deb Green, Co-Founder:
Greater Newburyport Ovarian Cancer Awareness
under the umbrella of Ovarians for the Cure (a non-profit organization)
2. Name, Address & Daytime Phone Number of Organizer: Deb Green, owner: Greetings by Design Cell: 978-364-7740
1R Water St., Newburyport Bus: 978-225-6700
3. Name, Address & 24/7 Telephone Number of Person Responsible for Clean Up Deb Green Cell: 978-304-7740
1R Water St., Newburyport Bus: 978-225-6700
4. Date of Event: 9/27/15 Expected Number of Participants: 200-300 (180 participants in 2014)
5. Start Time: 10:30 AM Expected End Time: 1 pm
6. Road Race, Parade or Walkathon Route: (List street names & attach map of route): Start: Michael's
Harborside, Merrimac to Jefferson, onto High, Then Kent, onto
Washington, The Rail Trail, and ending at Michael's Harborside
7. Locations of Water Stops (if any): High & Jefferson Streets; Washington &
Rail Trail
8. Will Detours for Motor Vehicles Be Required? No If so, where? —
Traffic is stopped & held at the start of the race.
7:30 AM is set-up time.
9. Formation Location & Time for Participants: Michael's Harborside, 1 Tournament wharf
1 pm
10. Dismissal Location & Time for Participants: Michael's Harborside
11. Additional Parade Information:
 - Number of Floats: —
 - Locations of Viewing Stations: —
 - Are Weapons Being Carried: N/A Yes _____ No _____
 - Are Marshalls Being Assigned to Keep Parade Moving: N/A Yes _____ No _____

APPROVAL SIGNATURES REQUIRED FOR STREET CLOSURE/CROSSING

CITY MARSHAL [Signature] 4 Green St FIRE CHIEF [Signature] Greenleaf St.
DEPUTY DIRECTOR [Signature] 1 Perry Way CITY CLERK [Signature] 60 Pleasant St

* Walk Route: If possible, we would like the walk route to be different in order to give them a more interesting walk that would take them by the Tannery's farmers market & down town businesses. They would begin at Michael's, turn left onto Merrimac, right onto Federal, right onto Liberty, onto State, right onto High, right onto Kent, cross Merrimac to Cashman Park, continue along Rail Trail & end at Michael's.

DEPARTMENT APPROVAL (For Committee members use only):

It will be necessary for you to obtain permits or certificates from the following Departments: Please note that costs for some City support services during an event are an estimate only. Some Departments may forward an invoice for services rendered at the completion of the event, & others may request cash in advance payment.

Approval
Required

Date: _____ Signature: _____

1. Special Events: _____
2. Police: _____
Is Police Detail Required: _____ # of Details Assigned: _____
3. Traffic, Parking & Transportation: _____
4. ISD/Health: _____
5. ISD/Building: _____
6. Electrical: _____
7. Fire: _____
Is Fire Detail Required: _____ # of Details Assigned: _____
8. Public Works: _____
9. Recreation Department: _____
10. License Commission: _____

The Departments listed above have their own application process. Applicants are responsible for applying for and obtaining all required permits & certificates from the various individual Departments.

Limitations

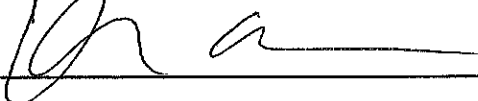
- (a) *"Procedure"* All road racing, walkathon, bicycle, or swimming events shall, through that event's organizer, board of directors, charity foundation or designee apply for authorization to hold the event through the Office of the City Clerk. The City Clerk upon review of the completed form will place the application on the regular City Council agenda. Upon following the procedures of the Council, as deemed appropriated in the sole judgment of the Council, the application will be considered approved if the Council votes favorably by majority. The event will name one person responsible on the application and shall provide contact information to include name, address and telephone number.
- (b) *"Exemptions"* Each event organizer or organization shall comply with this ordinance and no exemptions will be permitted.
- (c) *"Course map"*, All applications shall be accompanied by a course map showing the event route, water stops, refreshment stops, and so-called "porta-potties". The course map shall also include any road closures, detours and parking areas. The course map shall be approved by Police, Fire, Department of Public Services, Parks Commission and Harbormasters Departments prior to submission to the City Clerk.
- (d) *"Electronic Amplifier"* Electronic amplifiers, loudspeakers and bullhorn use shall be requested at time of application. Under no circumstances will they be used for public address announcements or music before 8:00 A.M. except for Sundays when electronic amplifiers, loud speakers or bullhorns will be used for public address announcements or music before 9:00 AM. This shall be deemed a requirement for all permitted events regardless of type or location.
- (e) *"Road Closure"* No ways, public or private, boat ramps or parking lots controlled or patrolled by the city shall be closed without authorization. Authorization shall be considered granted only if said closure(s) are contained in the approved permit. It is the sole responsibility of the race organizers to notify residents ten (10) days in advance that neighborhood roads will be closed if no alternate route is available to those residents.

- (f) *"Insurance"* All events shall have an insurance policy or rider in effect for the event naming the "City of Newburyport" as an insured. The policy shall be no less than two million dollars (\$2,000,000.00).
- (g) *"Event termination"* If in the judgment of the City Marshal, Fire Chief or Department of Public Services (DPS) Director or designees thereof determine that an event is unsafe due to existing conditions, that event may be stopped, terminated or suspended. In the case of a multidiscipline event such as a triathlon, the Harbormaster or his/her designee may likewise stop, terminate or suspend the swimming portion for cause.
- (h) *"Event and traffic Security"* The City Marshal, Fire Chief, DPS Director or in the case of a triathlon, the Harbormaster can require special duty personnel to oversee the safety and security of the event. All special duty assignments will be paid by the event organizers.
- (i) *"Clean-up"* The event organizers shall be responsible for post event trash collection, removal of signage, directional arrows, advertisements or other promotional material associated with the event.

13-101 Enforcement

- (a) *"Regulations"* Consistent with this ordinance, the city shall promulgate regulations to enforce and otherwise implement the provisions of this ordinance upon passage by the City Council. Any event previously approved by City Council shall be deemed permitted.
- (b) *"Warning"* In the circumstance that this ordinance is violated, the enforcement may consist of a warning. Any warnings issued for violation(s) will be reported to the City Clerk and City Council and may be used as a factor in future application approvals and denials.
- (c) *"Noncriminal Disposition"* If the city determines that a violation has occurred in which a noncriminal violation is issued, the named event organizer shall be penalized by a non-criminal disposition as provided in Massachusetts General Law as adopted by the City of Newburyport as a general ordinance in Subsection 1-17 of Chapter 1 of the Code or Ordinances of the City of Newburyport in the amounts set herein in 13-101(d)
- (d) *"Violation"* The non-criminal violation shall be \$100.00 for the first offense and \$250.00 for second and subsequent offenses. Any non-criminal citations issued for violation(s) will be reported to the City Clerk and City Council and shall be used as a factor in future application approvals and denials.

I fully understand and agree to all the terms set forth in this application. The information that I have provided is truthful and accurate. I accept all responsibility related to this event.

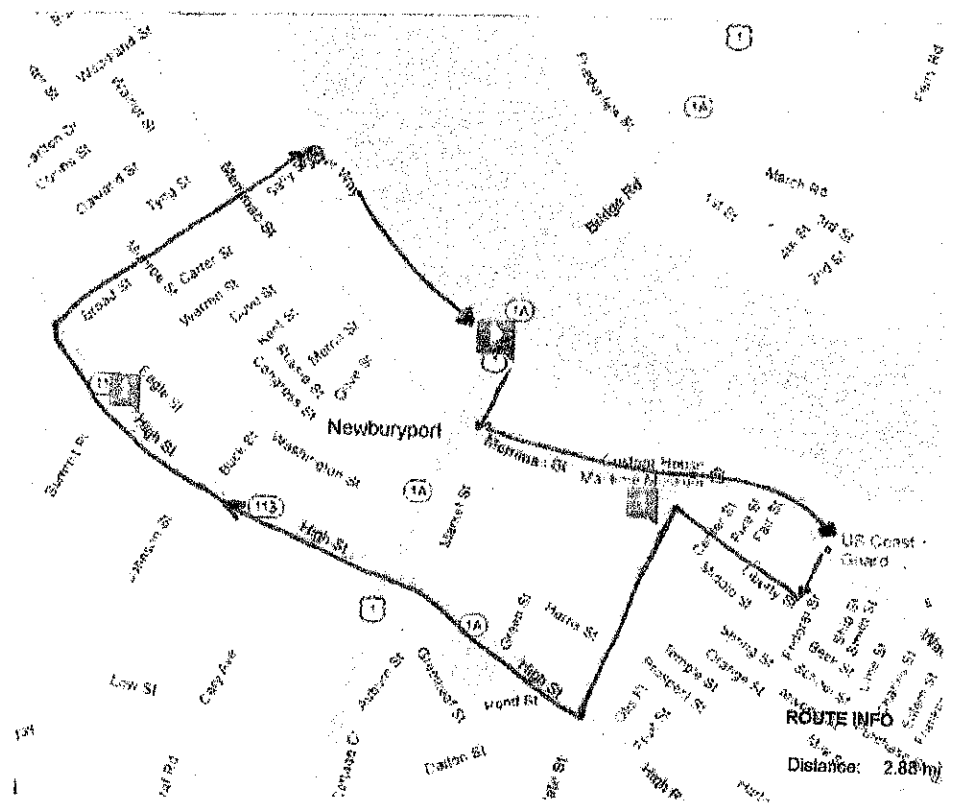
Signed:  Date: 6-19-15

OK Lt Stewards
5/18/15
to Thelon

Walk Map

Directions for walk

- ⇨ Turn left onto Merrimac St
- ⇨ Right on Federal St
- ⇨ Right on Liberty St to State St
- ⇨ Turn left on State St
- ⇨ Right on High St
- ⇨ Right on Broad
- ⇨ Cross Merrimac St to Cashman Park
- Continue along Rail Trail
- Ending at Michael's Harborside

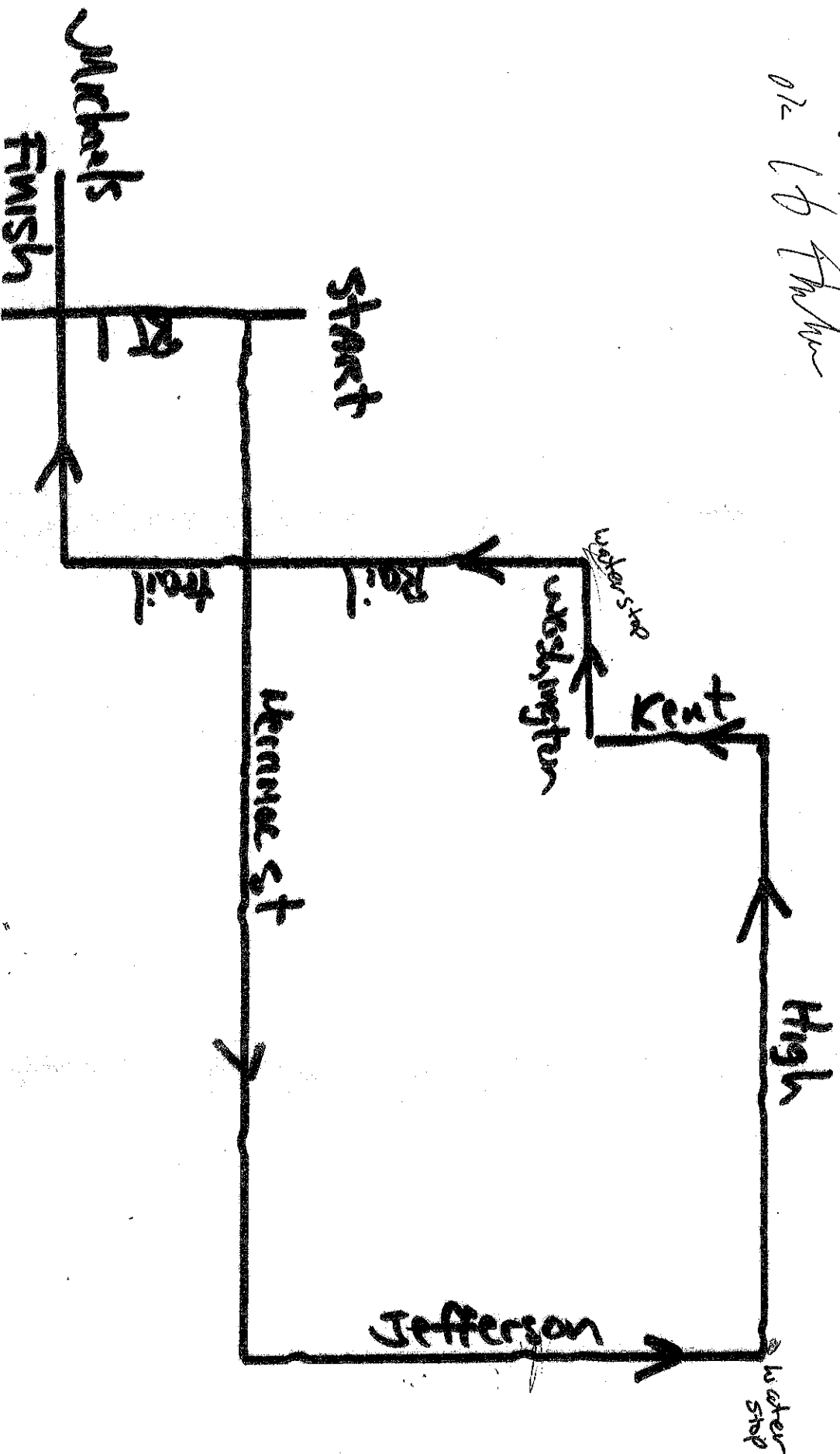


OK LT Malm
7/22/14

OK Lt Sennar

516115
OK Lt Malm

Run Map





CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

6/16/15

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 Twinbrook Insurance Brokerage 400A Franklin Street Braintree, MA 02184	CONTACT NAME: Paula Neves
	PHONE (A/C No. Ext): (781) 843-7000 FAX (A/C No.): (781) 848-6100
	E-MAIL ADDRESS: Pneves@twinbrook.com
	INSURER(S) AFFORDING COVERAGE
	INSURER A: Philadelphia Insurance Co.
	INSURER B: Travelers Insurance Co.
	INSURER C:
	INSURER D:
	INSURER E:
	INSURER F:

INSURED
Ovations for the Cure
251 West Central St, Suite 32
Natick, MA 01760

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 <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC		PHPK1205792	8/7/14	8/7/15	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 - COMP/OP AGG \$ 2,000,000
A	AUTOMOBILE LIABILITY ANY AUTO ALL OWNED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS SCHEDULED AUTOS NON-OWNED AUTOS <input checked="" type="checkbox"/>		PHPK1205792	8/7/14	8/7/15	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
	UMBRELLA LIAB EXCESS LIAB OCCUR CLAIMS-MADE DED RETENTION \$					EACH OCCURRENCE \$ AGGREGATE \$
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/ MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	N/A	0231T92-7-14	8/7/14	8/7/15	WC STATUTORY LIMITS E.L. EACH ACCIDENT \$ 500,000 E.L. DISEASE - EA EMPLOYEE \$ 500,000 E.L. DISEASE - POLICY LIMIT \$ 500,000

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

Event - Newburyport Ryder - September 27th, 2015

The City of Newburyport is added as an Additional Insured for the above referenced event.

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 Joseph P. Rizzo/pn

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ACORD 25 (2010/05)

The ACORD name and logo are registered marks of ACORD

Phone:

Fax:

E-Mail:

SPECIAL EVENT APPLICATION

SPECIAL EVENTS

Tel.

Fax.

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

(For Parades, Road Races and Walkathons Only - Please complete reverse side of this application)

2015 JUN 22 A 9:02

NAME OF EVENT: Newburyport Open Streets

1. Date: Sunday, September 20, 2015 Time: from 12 (noon) to 4pm
Rain Date: Sunday, September 27 Time: from 12 (noon) to 4pm

2. Location: See route (attached)

3. Description of Property: Neighborhood streets and City parks Public ☒ Private ☐

4. Name of Organizer: Newburyport Open Streets, Parks Dept. City Sponsored Event: Yes ☒ No ☐

Contact Juliet Walker Lise Reid Person:

Address: 13 Eagle St City Hall (978-518-9720) Telephone:

E-Mail: jtw51802@verizon.net Cell Phone: 978-518-1249

Day of Event Contact & Phone: same

5. Number of Attendees Expected: 500-1000

6. MA Tax Number: _____

7. Is the Event Being Advertised? Yes Where? Local media

8. What Age Group is the Event Targeted to? All ages

9. Have You Notified Neighborhood Groups or Abutters? Yes ☐ No ☒ Who? _____

Would like to begin outreach when event date is approved. Will include publicly advertised meeting as well as door to door outreach.

ACTIVITIES: (Please check where applicable.) Subject to Licenses & Permits from Relevant City Departments

A. Vending: Food ☒ Beverages ☒ Alcohol _____ Goods _____ Total # of Vendors 2 or 3

B. Entertainment: (Subject to City's Noise Ordinance.) Live Music _____ DJ _____ Radio/CD _____
Performers _____ Dancing _____ Amplified Sound _____ Stage _____

C. Games /Rides: Adult Rides _____ Kiddie Rides _____ Games _____ Raffle _____
Other _____ Total # _____

Name of Carnival Operator: _____

Address: _____

Telephone: _____

D. Clean Up: # of additional trash receptacles required _____ # of additional recycling receptacles required _____

E. Portable Toilets: (Each cluster of portable toilets must include at least one ADA accessible toilet)

_____ Standard # 2 ADA accessible

FOR PARADE, ROAD RACE AND WALKATHON EVENTS ONLY

PARADE _____

ROAD RACE _____

WALKATHON _____

Other ☒

1. Name of the Group or Person Sponsoring the Road Race, Parade, Walkathon: City of Newburyport Parks Department, Newburyport Open Streets
2. Name, Address & Daytime Phone Number of Organizer: Juliet Walker, 13 Eagle St, 978-518-1249
Lise Reid, Parks Director, City Hall, 978-518-9720
3. Name, Address & 24/7 Telephone Number of Person Responsible for Clean Up _____
4. Date of Event: September 20 Expected Number of Participants: 500-1000
5. Start Time: 12 Expected End Time: 4pm
6. Road Race, Parade or Walkathon Route: (List street names & attach map of route): Pleasant St, Titcomb St, Market St, Washington St, Clipper City Rail Trail, Oakland St, Jackson St, Woodland St, Maple St, Forrester St, Stanley Ave, Parker Ridge Way, Jefferson St, Christopher St, Plummer Ave
7. Locations of Water Stops (if any): _____
8. Will Detours for Motor Vehicles Be Required? Yes If so, where? All streets along the route will be closed to motor vehicle traffic for the duration of the event.
9. Formation Location & Time for Participants: _____
10. Dismissal Location & Time for Participants: _____
11. Additional Parade Information:
 - Number of Floats: _____
 - Locations of Viewing Stations: _____
 - Are Weapons Being Carried: Yes _____ No _____
 - Are Marshalls Being Assigned to Keep Parade Moving: Yes _____ No _____

APPROVAL SIGNATURES REQUIRED FOR STREET CLOSURE/CROSSING

CITY MARSHAL R C R 4 Green St FIRE CHIEF St Paul Greenleaf St.

DEPUTY DIRECTOR apm 1 Perry Way CITY CLERK apm 60 Pleasant St

DEPARTMENT APPROVAL (For Committee members use only):

It will be necessary for you to obtain permits or certificates from the following Departments: Please note that costs for some City support services during an event are an estimate only. Some Departments may forward an invoice for services rendered at the completion of the event, & others may request cash in advance payment.

Approval Required	Date: _____	Signature _____
_____	1. Special Events: _____	_____
_____	2. Police: _____	_____
	Is Police Detail Required: _____	# of Details Assigned: _____
_____	3. Traffic, Parking & Transportation: _____	_____
_____	4. ISD/Health: _____	_____
_____	5. ISD/Building: _____	_____
_____	6. Electrical: _____	_____
✓	7. Fire: <u>Lt. Panghwa</u>	_____
	Is Fire Detail Required: _____	# of Details Assigned: _____
_____	8. Public Works: _____	_____
✓	9. Recreation Department: <u>L.D.</u>	_____
_____	10. License Commission: _____	_____

The Departments listed above have their own application process. Applicants are responsible for applying for and obtaining all required permits & certificates from the various individual Departments.

Limitations

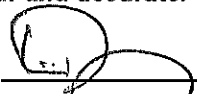
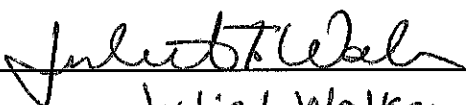
- (a) "Procedure" All road racing, walkathon, bicycle, or swimming events shall, through that event's organizer, board of directors, charity foundation or designee apply for authorization to hold the event through the Office of the City Clerk. The City Clerk upon review of the completed form will place the application on the regular City Council agenda. Upon following the procedures of the Council, as deemed appropriated in the sole judgment of the Council, the application will be considered approved if the Council votes favorably by majority. The event will name one person responsible on the application and shall provide contact information to include name, address and telephone number.
- (b) "Exemptions" Each event organizer or organization shall comply with this ordinance and no exemptions will be permitted.
- (c) "Course map" All applications shall be accompanied by a course map showing the event route, water stops, refreshment stops, and so-called "porta-potties". The course map shall also include any road closures, detours and parking areas. The course map shall be approved by Police, Fire, Department of Public Services, Parks Commission and Harbormasters Departments prior to submission to the City Clerk.
- (d) "Electronic Amplifier" Electronic amplifiers, loudspeakers and bullhorn use shall be requested at time of application. Under no circumstances will they be used for public address announcements or music before 8:00 A.M. except for Sundays when electronic amplifiers, loud speakers or bullhorns will be used for public address announcements or music before 9:00 AM. This shall be deemed a requirement for all permitted events regardless of type or location.
- (e) "Road Closure" No ways, public or private, boat ramps or parking lots controlled or patrolled by the city shall be closed without authorization. Authorization shall be considered granted only if said closure(s) are contained in the approved permit. It is the sole responsibility of the race organizers to notify residents ten (10) days in advance that neighborhood roads will be closed if no alternate route is available to those residents.

- (f) *"Insurance"* All events shall have an insurance policy or rider in effect for the event naming the "City of Newburyport" as an insured. The policy shall be no less than two million dollars (\$2,000,000.00).
- (g) *"Event termination"* If in the judgment of the City Marshal, Fire Chief or Department of Public Services (DPS) Director or designees thereof determine that an event is unsafe due to existing conditions, that event may be stopped, terminated or suspended. In the case of a multidiscipline event such as a triathlon, the Harbormaster or his/her designee may likewise stop, terminate or suspend the swimming portion for cause.
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I fully understand and agree to all the terms set forth in this application. The information that I have provided is truthful and accurate. I accept all responsibility related to this event.

Signed:   Date: 6/16/15
LISE REID Juliet Walker

oute



Newburyport Open Streets

June 2015

What is an Open Street?

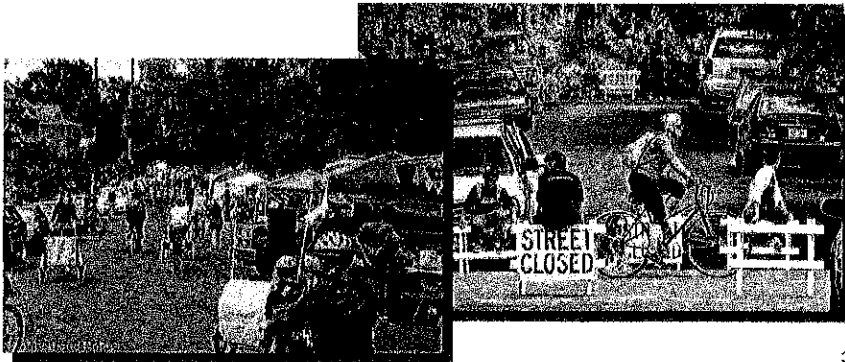
- A street temporarily closed to motor vehicle traffic and opened to bicycle and foot traffic only.

"People traffic replaces car traffic, and the streets become 'paved parks' where people of all ages, abilities, and social, economic, or ethnic backgrounds can come out and improve their mental, physical, and emotional health."

Gil Peñalosa, Executive Director of 8-80 Cities



Portland, OR

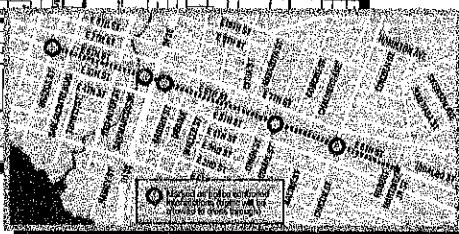


Southeast Portland Sunday Parkways Route: 9 Miles, August 26, 2012

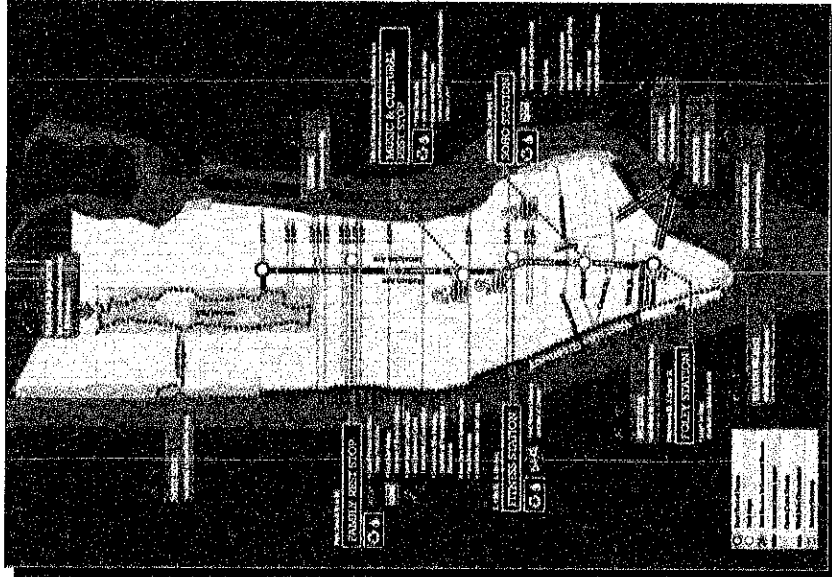


Portland, OR

Austin, TX

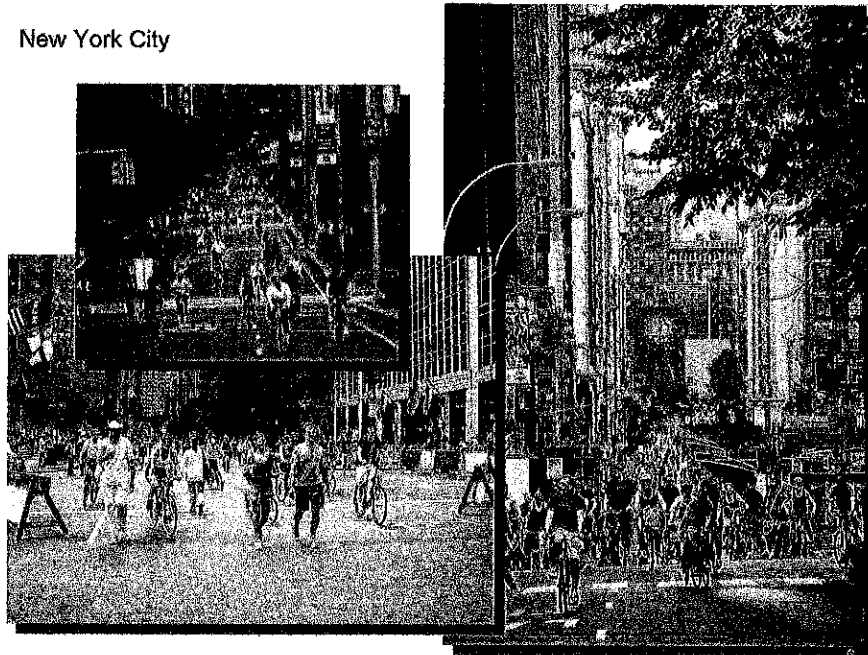


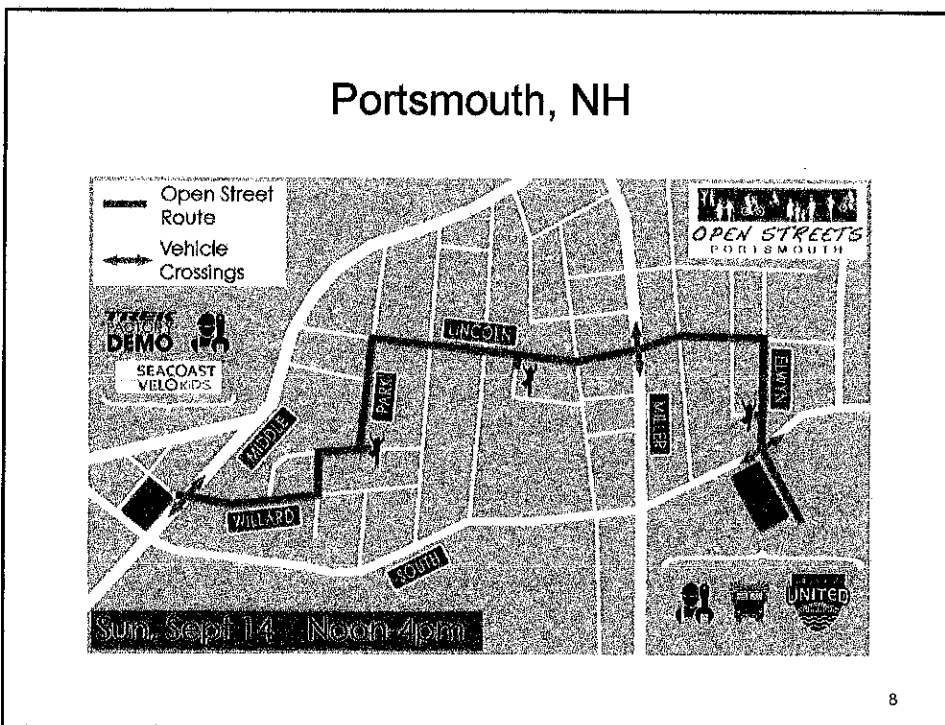
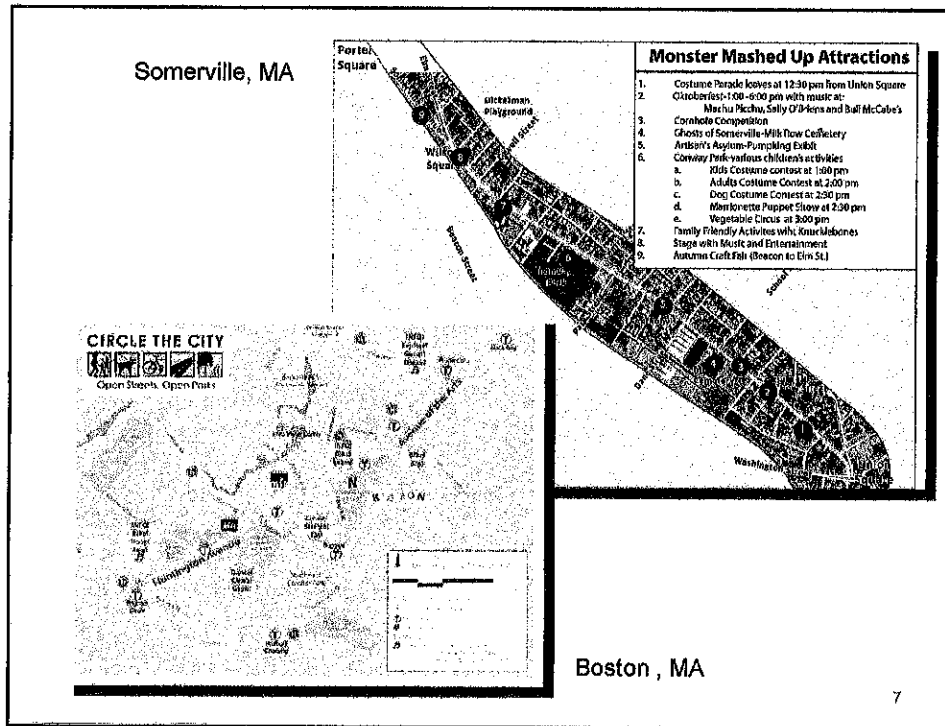
New York City



5

New York City





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[Initiatives](#)
[Resources](#)
[Technical Assistance](#)

Open Streets Project

Opening Streets to People, Sharing Resources, Transforming Communities

Search...

Open Streets initiatives temporarily close streets to automobile traffic, so that people may use them for walking, bicycling, skating, playing, and socializing.

With more than 100 documented initiatives in North America, open streets are increasingly common in cities seeking innovative ways to achieve environmental, social, economic, and public health goals.

[Learn More About The Open Streets Project...](#)

Previous

Next

Tweets

[Orly Orr Washington](#) @gwwash
 Any guesses for when DO will finally join the worldwide #OpenStreets movement? [gwwash.com/2109](#)
 ♣️ Reinstated by Open Streets Project
[Expand](#)

[Open Streets Project](#) @OpenStreets
 Thousands of people have already watched the latest #StreetsOn
[Tweet in @OpenStreets](#)

Find to and Follow

[The Open Streets Project](#) @TheOpenStreets
[The Open Streets Project](#)
 Have you checked out the most recent StreetsOn Open Streets? Featuring interviews and footage from around the world, including Oct. 4th, Sunday Streets San Francisco, Portland Sunday Parlayes and Summer Streets!

Recent News

- The Rise of Open Streets**
 01/02/2014 In 1965, Seattle started Bicycle Sunday, the first documented Open Streets Initiative in the ...
- Santa Barbara holds 1st Open Streets** 11/06/2013 This past Saturday, Santa Barbara, CA held their first Open Streets. The initiative closed Carillo ...

Proposed route and date

Sunday, September 20, 2015, 12 to 4pm

Entire Route

= likely police presence required (through vehicular traffic permitted)

Supporting Activities Nodes

Although the primary focus of Open Streets is on walking and biking, many events organize supporting activities at gathering points along the route. These can help build a sense of community and entertain a broader range of participants for longer periods of time.



Activities can include social, play, wellness, and educational activities.



Potential On-Route Activity Nodes

City Hall / Brown Square
Central Congregational Church
YWCA
Clipper City Rail Trail
Cashman Park
Ahavas Achim Synagogue
Cushing Park
Payson St / Dexter St neighborhood
Belleville Church

14

Logistics

Neighbors along route will be encouraged not to use their car during the event hours or else move it off-route prior to the event.

Each of the intersections will be blocked with temporary barricades and staffed with volunteers to help divert traffic and/or guide anyone who may need to drive to or from their house during the event should the need arise.

For emergency access and overall traffic management, a few key streets that cross the route will need to remain open and will need to be staffed with traffic cops who will direct Open Street traffic east and west and motor vehicles north and south. We will work with the City's emergency personnel to determine which cross streets should remain open.

Activity along the majority of the route will be restricted to walking and biking. The activity nodes will be locations for organized games, fitness, dancing, music, food vendors, booths, etc.

15

Potential Local Partners

- Coastal Trails Coalition
- Walking & Wheeling Newburyport
- Friends of Cushing Park
- Parks Department / Parks Commission
- Newburyport Youth Services
- Boy and Girl Scouts
- Churches / Synagogues along route
- YWCA Greater Newburyport
- Fitness Studios
- Running and Cycling Clubs
- Riverside Cycles
- Storm Surge Group
- Transition Newburyport
- Newburyport Mother's Club
- Newburyport PTO
- Essex National Heritage Commission (Sails and Trails)
- Chamber of Commerce
- ...

To: Ethan Manning
Subject: RE: Open Streets event



Hi Ethan,

Any town sponsored event is covered under the town's General Liability coverage. Of course, this coverage is subject to all policy exclusions and conditions. Some exclusion include bouncy houses, amusement type rides, fireworks and liquor.

You should obtain certificates of insurance listing the town as an Additional Insured from all vendors taking part in this event. Also, liquor is EXCLUDED so if there is liquor being served by the town in any way, a Liquor Liability policy could be put in place.

Please let me know if you have any further questions or concerns.

Susan Nadlie, CISR
Cabot Risk Strategies
15 Cabot Road
Woburn, MA 01801
800-222-5963
Direct Phone 781-939-6861
Fax 781-376-9907



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From: Ethan Manning [mailto:EManning@CityofNewburyport.com]
Sent: Tuesday, June 16, 2015 10:08 AM
To: Susan Nadlie
Cc: Lise Reid
Subject: FW: Open Streets event

**APPOINTMENTS
FIRST READING**

Appointment #1
June 29, 2015



CITY OF NEWBURYPORT

OFFICE OF THE MAYOR

DONNA D. HOLADAY, MAYOR

60 PLEASANT STREET - P.O. BOX 559 - 9 A 9 32
NEWBURYPORT, MA 01950

978-465-4413 PHONE

978-465-4402 FAX

To: President and Members of the City Council

From: Donna D. Holaday, Mayor

Subject: Appointment

Date: June 9, 2015

I hereby appoint, subject to your confirmation, the following named individual as a member of the Commission on Diversity & Tolerance. This term will expire on June 1, 2018.

Dr. Michelle R. LaFlamme
3 Bricher Street
Newburyport, MA 01950

rec. 5/8 84

May 5, 2015

(

Dear Board Members,

When I heard about The Commission for Diversity and Tolerance in Newburyport I was very interested in serving. I am a native of the area, and I have lived in Newburyport for the last 9 years. I believe in service to one's community and have been looking for ways to become more involved. I believe that your commission is a great match for my skill set.

I was the Director of the Health and Wellness Center at The Governors Academy for the last seven years. I have a good understanding of the challenges that teens face today. I work and connected well with many diverse populations, and believe that through education minds can be opened. This can only occur if honest conversations can take place in a safe and nonjudgmental atmosphere. I am the mother of 3 children, and they are on the brink of navigating this complex time. I am also interested in learning from the other members as we help Newburyport's youth prepare to be socially responsible and respectful young men and woman. Thank you for your consideration.

Be Well,

Dr. Michelle R. LaFlamme

MICHELLE R. LAFLAMME, D.O.

3 Bricher St. Newburyport, Massachusetts, 01950 978-270-7458 drlaflamme@gmail.com

WORK EXPERIENCE

ANNA JAKES HOSPITAL, NEWBURYPORT, MA

ER Attending, Nov 2014 – present

- Patient care of critical and emergent patients.

THE GOVERNORS ACADEMY, BYFIELD, MA

Director Health and Wellness Center, Jun 2008 – Dec 2014

- Responsible for the operation of a 7 bed health center in a boarding school environment, nurse management, policy creation, teaching affective education programs

DOCTORS EXPRESS URGENT CARE, NORTH ANDOVER,

Attending, Dec 2012 – Jul 2014

- Cola lab director, direct patient care, MA oversight

ANNA JAKES HOSPITAL, NEWBURYPORT, MA

ER Attending, Jun 2006 – Jun 2010

- Direct patient care

CAPE FEAR VALLEY HOSPITAL, FAYETTEVILLE, NC

ER Attending, Jun 2003 – Jun 2006

- Direct patient care, level 1 trauma center

ST. LUKE'S HOSPITAL, BETHLEHAM, PA

ER Attending, Jul 2002 – Jul 2003

- Direct patient care and resident oversight, level 1 trauma center

EDUCATION

THE GOVERNORS ACADEMY, BYFIELD, MA

High School Diploma, Jun 1988

UNIVERSITY OF CONNECTICUT, STORRS, CT

B.S., Jun 2003

- School of Education/Biology degree certified to teach grades 7-12

BOSTON UNIVERSITY SCHOOL OF PUBLIC HEALTH, BOSTON, MA

Jun 2003-Aug 2005

- Epidemiology major, short of degree entered medical school

UNIVERSITY OF NEW ENGLAND COLLEGE OF OSTEOPATHIC MEDICINE, BIDDEFORD, ME

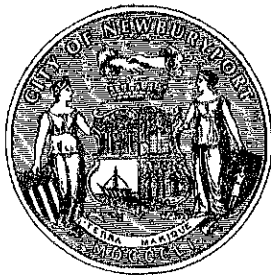
D.O. Sep 1995-Jun 1999

- Neuroanatomy Teaching Fellow

ST. LUKE'S HOSPITAL, BETHLEHAM, PA
EM Resident Jul 1999-Jun 2002

ADDITIONAL SKILLS

- Unbound Advisory Board 2014- present , JVC volunteer 1993, Girl Scout and Boy Scout leader 2007-present
- Acupuncture Harvard Medical School- 2011-2012, certified to teach ER ultrasound 2003, CPR instructor 2008-present, ACLS 2014, BLS 2015, ATLS 2015
- Personal Information- I enjoy RVing with my husband and 3 children, reading, and martial arts. I have a Black Belt in Kempo Karate 2014 and a Black Belt in Muay Thai Kickboxing 2013.



CITY OF NEWBURYPORT

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

Appointment #2
June 29, 2015

2015 JUN 23 69 PLEASANT STREET - P.O. BOX 550
NEWBURYPORT, MA 01950

978-465-4413 PHONE

978-465-4402 FAX

To: President and Members of the City Council
From: Donna D. Holaday, Mayor
Date: June 23, 2015
Re: Appointment

~~~~~  
I hereby appoint, subject to your approval, the following named individual as a member of the Tree Commission. This term shall expire on June 30, 2018.

Jane Niebling  
45 Temple Street  
Newburyport, MA 01950

I request permission to rejoin the Newburyport Tree Commission.

**Jane C. Niebling**

45 Temple Street  
Newburyport, Ma.  
978-697-3567

**SKILLS**

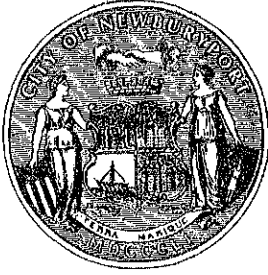
- Grant writing
- Writing
- Graphic Design
- Forager
- Sound tree/plant knowledge
- 

**EXPERIENCE**

|                                                                                                                                                                  |                |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|
| <i>The Print Colorist</i><br>Sole owner. Antique print and map hand colorist                                                                                     | 2010 – present |
| <i>Executive Director</i><br><i>Newburyport Chamber Music Festival</i><br>Co-founder and director. Managed every aspect of the year-long chamber music festival. | 2002 - 2014    |
| <i>Newburyport Tree Committee</i><br>Volunteer member                                                                                                            | 2008 - 2011    |
| <i>Paper Art</i><br>Sole owner<br>Dealer in antique prints                                                                                                       | 1988 - 2009    |

**EDUCATION**

|                                                                                       |      |
|---------------------------------------------------------------------------------------|------|
| <i>Bachelor of Arts: Fine Arts</i><br><i>University of New Hampshire – Durham, NH</i> | 1972 |
|---------------------------------------------------------------------------------------|------|



# CITY OF NEWBURYPORT

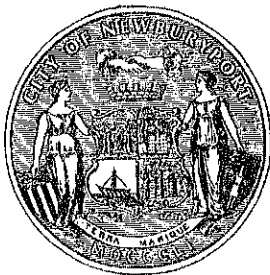
OFFICE OF THE MAYOR  
DONNA D. HOLADAY, MAYOR

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

To: President and Members of the City Council  
From: Donna D. Holaday, Mayor  
Date: June 11, 2015  
Subject: Re-Appointment

I hereby re-appoint, subject to your approval, the following named individual as an Assistant Harbor Master. This term will expire on June 15, 2018.

Richard Cummings  
7 Jewett Street  
Newburyport, MA 01950



# CITY OF NEWBURYPORT

OFFICE OF THE MAYOR  
DONNA D. HOLADAY, MAYOR

RECEIVED  
CITY CLERK'S OFFICE  
JUN 11 2015

60 PLEASANT STREET - P.O. BOX 285  
NEWBURYPORT, MA 01950  
978-465-4413 PHONE  
978-465-4402 FAX

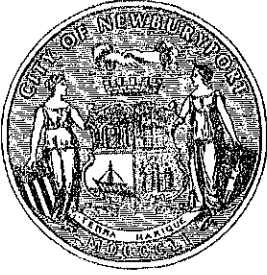
To: President and Members of the City Council  
From: Donna D. Holaday, Mayor  
Date: June 11, 2015  
Subject: Re-Appointment

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I hereby re-appoint, subject to your approval, the following named individual as a member of the Planning Board. This term will expire on May 31, 2020.

Susan Grolnic  
10 Willow Avenue  
Newburyport, MA 01950

Re-Appointment #5  
June 29, 2015



# CITY OF NEWBURYPORT

OFFICE OF THE MAYOR

DONNA D. HOLADAY, MAYOR

RECEIVED  
CITY CLERK'S OFFICE  
NEWBURYPORT, MA

60 PLEASANT STREET - P.O. BOX 550  
NEWBURYPORT, MA 01950

978-465-4413 PHONE

978-465-4402 FAX

2015 JUL 11 A 11:54

To: President and Members of the  
City Council

From: Donna D. Holaday, Mayor

Date: June 11, 2015

Subject: Re-Appointment

---

I hereby re-appoint, subject to your approval, the following named individual as a member of the Atkinson Common Commission. This term will expire on May 1, 2018.

Wallace W. Thurlow  
2 Dorothy Lucey Drive  
Newburyport, MA 01950

**END OF CONSENT AGENDA**

**BEGINNING OF REGULAR AGENDA**

# COMMUNICATIONS

RECEIVED  
CITY CLERK'S OFFICE  
NEWBURYPORT, MA

2015 JUN 23 P 2:12



THE  
BOSTON SOLAR  
COMPANY

June 23, 2015

Bruce Vogel  
City of Newburyport Councilor  
60 High St  
Newburyport, MA

Councilor Vogel,

This letter is to follow up on our discussion about budgeting concerns the City of Newburyport has in regards to their current electricity expenses. I understand that the City of Newburyport is looking to reduce electrical expenses without incurring any additional cost. I am writing this letter to introduce you to the Boston Solar Company and to share with you how we can help the City of Newburyport earn \$1.1 million over the next 25 years by installing solar with not upfront expense.

Boston Solar is one of the largest Massachusetts based Solar Companies in the state and we have partnered with Technology Credit Corporation (TCC) to help municipalities and non-profits go solar and save on their current electric costs.

Boston Solar and TCC are pleased to offer the City of Newburyport a Power Purchase Agreement (PPA) that will show you immediate savings year 1 and these savings will only increase over time. Through a PPA, TCC will be able to offer you a program that can monetize the tax credits that you, as a non-profit, cannot use while giving you a system that costs you nothing up front and is cash flow positive (profitable) every year. On average this PPA will make the City of Newburyport \$44,000 per year, through a combination of a reduction in operating expenses and earned revenue from the State's solar incentives (SREC program) and the city will earn more than \$1.1 million over the 25 year life of the system.

In the attached cash flow analysis solar savings are calculated as follows: (Utility savings + SREC income) - (Yearly PPA Cost) = yearly profit. Solar renewable energy credits (SRECs) are tradable credits that represent all the clean energy benefits of electricity generated from a solar energy system. Each time a solar energy system generates 1,000 kWh (1MWh) of electricity, an SREC is issued which can then be sold or traded separately from the power.

Sincerely,

Josh Baker  
Project Director

The Boston Solar Company  
55 Sixth Road, Woburn MA 01801  
Phone: 617-680-8236 Fax number: 781-780-7813  
Email address: josh.baker@bostonsolar.us Web site: www.bostonsolar.us



## Option 1: Estimated Cash Flows for Full PPA Term then Purchase

Estimated 25 Year Savings: **\$1,106,218**

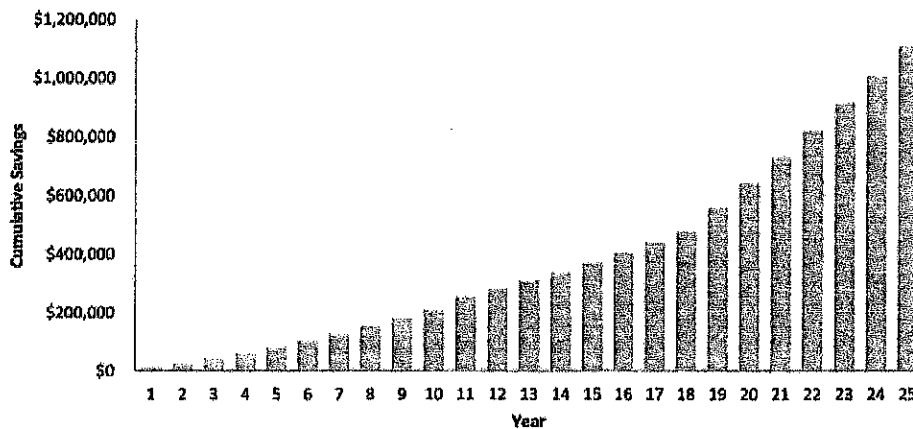
| Year   | Estimated<br>kWh Produced | Estimated<br>Utility Savings | PPA Payments<br>for Electricity | Estimated Inverter<br>Replacement | Estimated SREC<br>Income <sup>*</sup> | Estimated Annual<br>Cash Flow |
|--------|---------------------------|------------------------------|---------------------------------|-----------------------------------|---------------------------------------|-------------------------------|
| 1      | 298,890                   | \$53,800                     | (\$67,848)                      | \$0                               | \$24,210                              | \$10,162                      |
| 2      | 297,396                   | \$55,137                     | (\$67,732)                      | \$0                               | \$48,178                              | \$15,583                      |
| 3      | 295,909                   | \$56,507                     | (\$67,293)                      | \$0                               | \$47,937                              | \$17,151                      |
| 4      | 294,429                   | \$57,911                     | (\$66,857)                      | \$0                               | \$47,697                              | \$18,751                      |
| 5      | 292,957                   | \$59,350                     | (\$66,422) **                   | \$0                               | \$47,459                              | \$20,387                      |
| 6      | 291,492                   | \$60,825                     | (\$65,990)                      | \$0                               | \$47,222                              | \$22,057                      |
| 7      | 290,035                   | \$62,337                     | (\$65,560)                      | \$0                               | \$46,986                              | \$23,763                      |
| 8      | 288,585                   | \$63,886                     | (\$65,133)                      | \$0                               | \$46,751                              | \$25,504                      |
| 9      | 287,142                   | \$65,474                     | (\$64,707)                      | \$0                               | \$46,517                              | \$27,284                      |
| 10     | 285,706                   | \$67,101                     | (\$64,283)                      | \$0                               | \$46,284                              | \$29,102                      |
| 11     | 284,277                   | \$68,768                     | (\$63,860)                      | \$0                               | \$23,142                              | \$46,710                      |
| 12     | 282,856                   | \$70,477                     | (\$63,437)                      | \$0                               | \$0                                   | \$25,503                      |
| 13     | 281,442                   | \$72,228                     | (\$63,014)                      | \$0                               | \$0                                   | \$27,479                      |
| 14     | 280,035                   | \$74,023                     | (\$62,591)                      | \$0                               | \$0                                   | \$29,497                      |
| 15     | 278,635                   | \$75,862                     | (\$62,168)                      | \$0                               | \$0                                   | \$31,559                      |
| 16     | 277,242                   | \$77,747                     | (\$61,745) ***                  | \$0                               | \$0                                   | \$33,664                      |
| 17     | 275,856                   | \$79,679                     | (\$61,322)                      | \$0                               | \$0                                   | \$35,816                      |
| 18     | 274,477                   | \$81,659                     | (\$60,900)                      | \$0                               | \$0                                   | \$38,016                      |
| 19     | 273,105                   | \$83,688                     | (\$60,477)                      | \$0                               | \$0                                   | \$40,266                      |
| 20     | 271,739                   | \$85,768                     | \$0                             | \$0                               | \$0                                   | \$42,566                      |
| 21     | 270,380                   | \$87,899                     | \$0                             | \$0                               | \$0                                   | \$44,916                      |
| 22     | 269,028                   | \$90,083                     | \$0                             | \$0                               | \$0                                   | \$47,316                      |
| 23     | 267,683                   | \$92,322                     | \$0                             | \$0                               | \$0                                   | \$49,766                      |
| 24     | 266,345                   | \$94,616                     | \$0                             | \$0                               | \$0                                   | \$52,266                      |
| 25     | 265,013                   | \$96,967                     | \$0                             | \$0                               | \$0                                   | \$54,816                      |
| Totals | 7,040,654                 | \$1,834,114                  | (\$1,200,279)                   | \$0                               | \$472,383                             | \$1,106,218                   |

<sup>\*</sup> estimate of SREC income is based on forward contract pricing available from Skyview Finance. There is an assumed six month delay in monetization of SRECs. TCC makes no representations or warranties as to the actual SREC income to be realized by Customer.

\*\* true-up to actual production in years 5-15

\*\*\* all payments past year 15 are financing for the assumed buyout

Estimated Cumulative Cash Flows



**CITY OF NEWBURYPORT**  
**NOTICE OF CITY COUNCIL**  
**HEARING ON THE OPERATING**  
**BUDGET FOR FISCAL YEAR 2016**

Communication #7  
June 29, 2015

Notice is hereby given pursuant to Newburyport Home Rule Charter Section 6-4 that the Newburyport City Council will hold a Public Hearing on Monday, June 8, 2014 at 7:00 p.m. in the City Council Chambers at City Hall, 60 Pleasant Street, Newburyport, MA 01950 as part of its City Council Meeting on same date.

The purpose of the Public Hearing is to hear testimony and comment from interested persons relative to the proposed FY 2016 operating budget as submitted by the Mayor. The budget is available for inspection by the public during regular operating hours of the City Clerk's office, 60 Pleasant Street, Newburyport, MA and it is posted on the city website home page.

NT – 5/25/15

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**CITY OF NEWBURYPORT  
CITY COUNCIL  
NOTICE OF PUBLIC HEARING**

Tropic Star Development, LLC (as developer) and Giena of Newburyport, LLC (as owner) have filed an application with the City Council for a license under M.G.L. c. 148, s. 13 to store flammable and combustible liquids at 81 and 83 Storey Avenue, Newburyport, MA in connection with the approved service station to be constructed and operated at those properties (to replace the existing Shell Station at the corner of Storey Avenue and Low Street). The application is on file at the City Clerk's Office, City Hall, 60 Pleasant Street, Newburyport and can be reviewed during the normal hours of operation (tel: 978-465-4407). **There will be a public hearing related to this application at 7:30 pm on June 8, 2015 at City Council Chambers, 60 Pleasant Street, Newburyport MA.**

Thomas F. O'Brien, President

Publish date: Friday, May 29

Invoice:

Law Offices of Jeffrey L. Roelofs, P.C.  
30 Green Street  
Newburyport, MA 01950  
978-462-7600

**JEFFREY L. ROELOFS, P.C.**

**ENVIRONMENTAL AND LAND USE LAW**

RECEIVED  
COUNCILOR'S OFFICE  
NEWBURYPORT, MA

2015 MAY 29 A 9:21

**Jeffrey L. Roelofs**  
30 Green Street  
Newburyport, MA 01950

Office 978-462-7600  
Cell 978-376-1396  
Fax 978-462-7610  
jlr@roelofslaw.com  
www.roelofslaw.com

May 29, 2015

**By Hand**

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

RE:    Applicant:    Tropic Star Development, LLC (as developer) and  
                              Giena of Newburyport, LLC (as owner)  
          Properties:    81 and 83 Storey Avenue, Newburyport, MA  
          Subject:       Application for License under M.G.L. c. 148 § 13 to Store  
                              Flammable and Combustible Liquids

Dear Councilors:

Tropic Star Development, LLC ("Tropic Star"), as the project developer, and Giena of Newburyport, LLC, as the current owner of the properties at 81 and 83 Storey Avenue, Newburyport (the "Property"),<sup>1</sup> hereby apply for a license under M.G.L. c. 148 § 13 to store flammable and combustible liquids at the Property as associated with the recently approved service station and convenience store to be constructed and operated at the Property (to replace the existing Shell Station at the corner of Storey Avenue and Low Street).

The completed application form, proposed license and associated background materials are enclosed, as follows:

- Exhibit A      Application for License under M.G.L. c. 148 § 13, with Fire Department's endorsement of Approval (FP-002A, rev. 1/1/2015)
- Exhibit B      Requested License (FP-002, rev. 1/1/2015)
- Exhibit C      Public Notice to Abutters
- Exhibit D      Site Plan and Conceptual Rendering of Approved Service Station

As required by the applicable statute, notice of the Council's hearing on this application, scheduled for June 8, has been published today (May 29) and is also being sent by certified mail to all abutters – both more than seven days prior to the June 8 hearing.

<sup>1</sup> The two lots will be combined and new lot boundaries established for the approved new Shell Station.

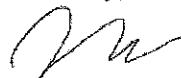
You may recall that Tropic Star's overall project involves (1) removing the existing Shell Station from the corner of Storey Avenue and Low Street, (2) constructing a new, replacement Shell Station with convenience store at the Property, (3) constructing a new pharmacy at the corner of Storey Avenue and Low Street, and (4) donating approximately 21-acres of open space behind the pharmacy to the City of Newburyport. For a conceptual depiction, see the Site Plan and Rendering included in Exhibit D hereto. The Zoning Board of Appeals issued a Special Permit for Use on September 25, 2014 approving the proposed new Shell Station that is the subject of this application. The Planning Board also issued a Site Plan Approval for the project (including the pharmacy component) on October 10, 2014.

The key points related to this license application are as follows:

1. The new service station will replace the existing Shell Station at the corner of Storey Avenue and Low Street.
2. The new station will have more storage capacity than the existing Shell Station, requiring fewer tanker deliveries to the site. The increased capacity is due in part to the new station including a tank for E85 fuel, which is not offered at the existing Shell Station. E85 is a new gasoline/ethanol blend that the USEPA is pushing to reduce emissions by increasing the percentage of ethanol in gas to 85%. The new station will also continue to offer E15 as the main product.
3. Fuel tank technology has improved over the years. All new tanks will be double wall fiberglass tanks, with a state-of-the-art leak detection system. This technology is an upgrade over the tanks used at the existing Shell Station.
4. The new tanks and fuel piping will comply with the new MassDEP UST regulations that went into effect January 2, 2015.
5. The Fire Department has reviewed and approved this Application for License – as noted on page two of the application form.

Accordingly, Tropic Star and Giena of Newburyport, LLC respectfully request that the City Council approve the enclosed application and endorse and issue the License included in Exhibit B hereto.

Sincerely,



Jeffrey L. Roelofs

Enclosures

cc: Christopher LeClaire, Fire Chief  
Andy Port (by email)

# EXHIBIT A



FP-002A  
(Rev. 1.1.2015)

*The Commonwealth of Massachusetts*  
*City/Town of* Newburyport

## Application For License

Massachusetts General Law, Chapter 148 §13

☒ New License ☐ Amended License

|                                                                                                          |
|----------------------------------------------------------------------------------------------------------|
| GIS Coordinates<br><u>70.54'38.5W</u><br>LAT.<br><u>42.41'08.21N</u><br>LONG.<br>_____<br>License Number |
|----------------------------------------------------------------------------------------------------------|

Application is hereby made in accordance with the provisions of Chapter 148 of the General Laws of Massachusetts for a license to store flammables, combustibles or explosives on land in buildings or structures herein described.

Location of Land: 81 & 83 Storey Avenue Assessor's Map 109 Lots 4 & 5  
Number, Street and Assessor's Map and Parcel ID

Attach a plot plan of the property indicating the location of property lines and all buildings or structures.

Owner of Land: Glena of Newburyport, LLC

Address of Land Owner: 321D Lafayette Road, Hampton, NH 03842

Use and Occupancy of Buildings and Structures: Convenience store with gasoline/diesel fuel sales

If this is an application for amendment of an existing license, indicate date of original license and any subsequent amendments  
N/A

Attach a copy of the current license

### Flammable and Combustible Liquids, Flammable Gases and Solids

*Complete this section for the storage of flammable and combustible liquids, solids, and gases; see 527 CMR 1.00 Table 1.12.8.50; Attach additional pages if needed. All tanks and containers are considered full for the purposes of licensing and permitting.*

| PRODUCT NAME                                               | CLASS | MAXIMUM QUANTITY | UNITS<br>gal., lbs,<br>cubic feet | CONTAINER<br>UST, AST, IBC,<br>drums  |
|------------------------------------------------------------|-------|------------------|-----------------------------------|---------------------------------------|
| Gasoline - Regular                                         | IB    | 20,000*          | gal.                              | UST                                   |
| Gasoline - Super                                           | IB    | 10,000*          | gal.                              | UST                                   |
| Ethanol Gasoline (E85)                                     | IB    | 6,000**          | gal.                              | UST                                   |
| Diesel                                                     | II    | 6,000**          | gal.                              | UST                                   |
| Motor Oil/Brake Fluid/Transmission<br>Fluid/Fuel Additives | IIIB  | 100              | gal.                              | Above ground<br>Individual Containers |

\*compartmentalized tank #1 (30,000 gallon total)

\*\*compartmentalized tank #2 (12,000 gallon total)

Total quantity of all flammable liquids to be stored: 36,000 gal.

Total quantity of all combustible liquids to be stored: 6,100 gal.

Total quantity of all flammable gases to be stored: N/A

Total quantity of all flammable solids to be stored: N/A

**LP-gas** (Complete this section for the storage of LP-gas or propane)

Indicate the maximum quantity of LP-gas to be stored and the sizes and capacities of all storage containers. (See 527 CMR 1.00 Table 1.12.8.50)

- ❖ Maximum quantity (in gallons) of LP-gas to be stored in aboveground containers: N/A

List sizes and capacities of all aboveground containers used for storage: \_\_\_\_\_

- ❖ Maximum quantity (in gallons) of LP-gas to be stored in underground containers: N/A

List sizes and capacities of all underground containers used for storage: \_\_\_\_\_

Total aggregate quantity of all LP-gas to be stored: N/A

**Fireworks** (Complete this section for the storage of fireworks)

Indicate classes of fireworks to be stored and maximum quantity of each class. (See 527 CMR 1.00 Table 1.12.8.50)

- ❖ Maximum amount (in pounds) of Class 1.3G: N/A Type/class of magazine used for storage: \_\_\_\_\_

- ❖ Maximum amount (in pounds) of Class 1.4G: \_\_\_\_\_ Type/class of magazine used for storage: \_\_\_\_\_

- ❖ Maximum amount (in pounds) of Class 1.4: \_\_\_\_\_ Type/class of magazine used for storage: \_\_\_\_\_

Total aggregate quantity of all classes of fireworks to be stored: \_\_\_\_\_

**Explosives** (Complete this section for the storage of explosives)

Indicate classes of explosive to be stored and maximum quantity of each class. (See 527 CMR 1.00 Table 1.12.8.50)

- ❖ Maximum amount (in pounds) of Class 1.1: N/A Number of magazines used for storage: \_\_\_\_\_

- ❖ Maximum amount (in pounds) of Class 1.2: \_\_\_\_\_ Number of magazines used for storage: \_\_\_\_\_

- ❖ Maximum amount (in pounds) of Class 1.3: \_\_\_\_\_ Number of magazines used for storage: \_\_\_\_\_

- ❖ Maximum amount (in pounds) of Class 1.4: \_\_\_\_\_ Number of magazines used for storage: \_\_\_\_\_

- ❖ Maximum amount (in pounds) of Class 1.5: \_\_\_\_\_ Number of magazines used for storage: \_\_\_\_\_

- ❖ Maximum amount (in pounds) of Class 1.6: \_\_\_\_\_ Number of magazines used for storage: \_\_\_\_\_

I, Scott Mitchell, hereby attest that I am authorized to make this application. I acknowledge that the information contained herein is accurate and complete to the best of my knowledge and belief. I acknowledge that all materials stored pursuant to any license granted hereunder must be stored or kept in accordance with all applicable laws, codes, rules and regulations, including but not limited to Massachusetts Chapter 148, and the Massachusetts Fire Code (527 CMR 1.00). I further acknowledge that the storage of any material specified in any license granted hereunder may not exceed the maximum quantity specified by the license.

Signature [Signature] Date 5/26/2015 Name Scott Mitchell

**Fire Department Use Only**

I, Christopher J. LeClair, Head of the Newburyport Fire Department endorse this application with my

☒ Approval ☐ Disapproval

Signature of Head of the Fire Department [Signature]

Date 5/26/15

Recommendations: pending final state fire marshal approved plans



# EXHIBIT B



FP-002  
(Rev. 1.1.2015)

*The Commonwealth of Massachusetts*  
*City/Town of* Newburyport

## License

Massachusetts General Law, Chapter 148 §13

☒ New License   ☐ Amended License

After notice and hearing, and in accordance with Chapter 148 of the Mass. General Laws,  
a license is hereby granted to use the land herein described for the purposes described.

Location of Land: 81 & 83 Storey Avenue      Assessor's Map 109 Lots 4 & 5

Owner of Land: Giena of Newburyport, LLC  
Number, Street and Assessor's Map and Parcel ID

Address of Land Owner: 321 D Lafayette Road, Hampton, NH 03842

GIS Coordinates  
42° 49' 08.21" N  
LAT.  
70° 54' 38.5" W  
LONG.

License Number \_\_\_\_\_

### Flammable and Combustible Liquids, Flammable Gases and Solids

*Complete this section for the storage of flammable and combustible liquids, solids, and gases. All tanks and containers are considered full for the purposes of licensing and permitting. (Attach additional pages if necessary.)*

| PRODUCT NAME                                            | CLASS | MAXIMUM QUANTITY | UNITS<br>gal., lbs,<br>cubic feet<br>gal. | CONTAINER<br>UST, AST, IBC,<br>drums<br>UST |
|---------------------------------------------------------|-------|------------------|-------------------------------------------|---------------------------------------------|
| Gasoline - Regular                                      | IB    | 20,000*          | gal.                                      | UST                                         |
| Gasoline - Super                                        | IB    | 10,000*          | gal.                                      | UST                                         |
| Ethanol Gasoline (E85)                                  | IB    | 6,000**          | gal.                                      | UST                                         |
| Diesel                                                  | II    | 6,000**          | gal.                                      | UST                                         |
| Motor Oil/Brake Fluid/Transmission Fluid/Fuel Additives | IIIB  | 100              | gal.                                      | Above ground<br>Individual Containers       |

\*compartmentalized tank #1 (30,000 gallon total)

\*\*compartmentalized tank #2 (12,000 gallon total)

### LP-gas *(Complete this section for the storage of LP-gas or propane)*

❖ Maximum quantity (in gallons) of LP-gas to be stored in aboveground containers: N/A

List sizes and capacities of all aboveground containers used for storage \_\_\_\_\_

❖ Maximum quantity (in gallons) of LP-gas to be stored in underground containers: N/A

List sizes and capacities of all underground containers used for storage \_\_\_\_\_

Total aggregate quantity of all LP-gas to be stored: \_\_\_\_\_

### Fireworks *(Complete this section for the storage of fireworks)*

❖ Maximum amount (in pounds) of Class **1.3G**: \_\_\_\_\_ N/A

❖ Maximum amount (in pounds) of Class **1.4G**: \_\_\_\_\_

❖ Maximum amount (in pounds) of Class **1.4**: \_\_\_\_\_

Total aggregate quantity of all classes of fireworks to be stored: \_\_\_\_\_

**THIS LICENSE OR A CERTIFIED COPY THEREOF MUST BE CONSPICUOUSLY  
POSTED ON THE LAND FOR WHICH IT IS GRANTED.**

**Explosives** *(Complete this section for the storage of explosives)*

N/A

- |                                                  |                                             |
|--------------------------------------------------|---------------------------------------------|
| ❖ Maximum amount (in pounds) of Class 1.1: _____ | Number of magazines used for storage: _____ |
| ❖ Maximum amount (in pounds) of Class 1.2: _____ | Number of magazines used for storage: _____ |
| ❖ Maximum amount (in pounds) of Class 1.3: _____ | Number of magazines used for storage: _____ |
| ❖ Maximum amount (in pounds) of Class 1.4: _____ | Number of magazines used for storage: _____ |
| ❖ Maximum amount (in pounds) of Class 1.5: _____ | Number of magazines used for storage: _____ |
| ❖ Maximum amount (in pounds) of Class 1.6: _____ | Number of magazines used for storage: _____ |

**Licensing Authority Use:**

This license is granted upon the condition that the licensed activity will comply with all applicable laws, codes, rules and regulations, including but not limited to Massachusetts General Law, Chapter 148, and the Massachusetts Fire Code (527 CMR 1.00) as amended. The license holder may not store materials in an amount exceeding the capacities herein specified unless and until any amended license has been granted.

**ADDITIONAL RESTRICTIONS:**

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\_\_\_\_\_  
Signature of Licensing Authority

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

**THIS LICENSE OR A CERTIFIED COPY THEREOF MUST BE CONSPICUOUSLY  
POSTED ON THE LAND FOR WHICH IT IS GRANTED.**

# EXHIBIT C

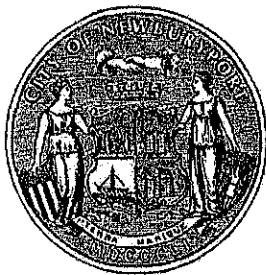
**CITY OF NEWBURYPORT  
CITY COUNCIL  
NOTICE OF PUBLIC HEARING**

**TO:** Owners Identified on Attached "Abutters List"

**SUBJECT PARCELS:** 81 and 83 Storey Avenue, Newburyport, MA

**PUBLIC HEARING NOTICE:**

Tropic Star Development, LLC (as developer) and Giena of Newburyport, LLC (as owner) have filed an application with the City Council for a license under M.G.L. c. 148, s. 13 to store flammable and combustible liquids at 81 and 83 Storey Avenue, Newburyport, MA in connection with the approved service station to be constructed and operated at those properties (to replace the existing Shell Station at the corner of Storey Avenue and Low Street). The application is on file at the City Clerk's Office, City Hall, 60 Pleasant Street, Newburyport and can be reviewed during the normal hours of operation (tel: 978-465-4407). **There will be a public hearing related to this application at 7:30 pm on June 8, 2015 at City Council Chambers, 60 Pleasant Street, Newburyport MA.**



# City of Newburyport

## OFFICE OF THE ASSESSOR

City Hall  
60 Pleasant Street  
Newburyport, MA 01950

Date: May 6, 2015

To: Newburyport License Commission

From: Newburyport Board of Assessors

Re: Abutters List – 79 & 81 & 83 Storey Ave  
Map: 109 Lot: 3, 4 & 5

---

The following are the abutters of the above mentioned property:

Board of Assessors

109/ 1/ / /  
LOW ST REDEVELOPMENT LLC  
6 NORINO WAY  
GEORGETOWN, MA 01833

109/ 9/ / /  
WARNECKE PATRICK J  
JULIE Z T/E  
3 RUSSELL TERR  
NEWBURYPORT, MA 01950

109/ 2/ / /  
PECTEN PROPERTIES LLC  
261 LEDYARD ST  
NEW LONDON, CT 06320

109/ 10/ / /  
MILLER HEATHER E  
5 RUSSELL TERR  
NEWBURYPORT, MA 01950

109/ 2/A / /  
REPUCI JC -CHRISTOPHER BI  
TRS LOW ST RLTY TRUST  
253 LOW ST STE 2  
NEWBURYPORT, MA 01950

109/ 11/ / /  
CARPENTER MAYA K  
3 AVIATORS LANE  
SANDWICH, MA 02563

109/ 2/B / /  
EAST-WEST REALTY LLC  
6 NORINO WAY  
GEORGETOWN, MA 01833

109/ 12/ / /  
SALYERS GAYLORD M & NANCY C TRS  
G & N SALYERS FAMILY TRUST  
9 RUSSELL TERR  
NEWBURYPORT, MA 01950

109/ 3/ / /  
WOODMAN ELEANOR  
26 JACKMAN ST  
GEORGETOWN, MA 01830

109/ 35/ / /  
GLOBAL COMPANIES LLC  
C/O ALLIANCE ENERGY LLC  
ATTN: TAX DEPARTMENT  
36 EAST INDUSTRIAL RD  
BRANFORD, CT 06405

109/ 4/ / /  
SWOFFORD GERALD E  
DORIS A T/E  
162 IPSWICH RD  
BOXFORD, MA 01921

109/ 38/ / /  
74 STOREY LLC  
C/O ARMAND SANCARTIER  
104B STATE ST  
NEWBURYPORT, MA 01950

109/ 5/ / /  
SWOFFORD GERALD E  
DORIS A T/E  
162 IPSWICH RD  
BOXFORD, MA 01921

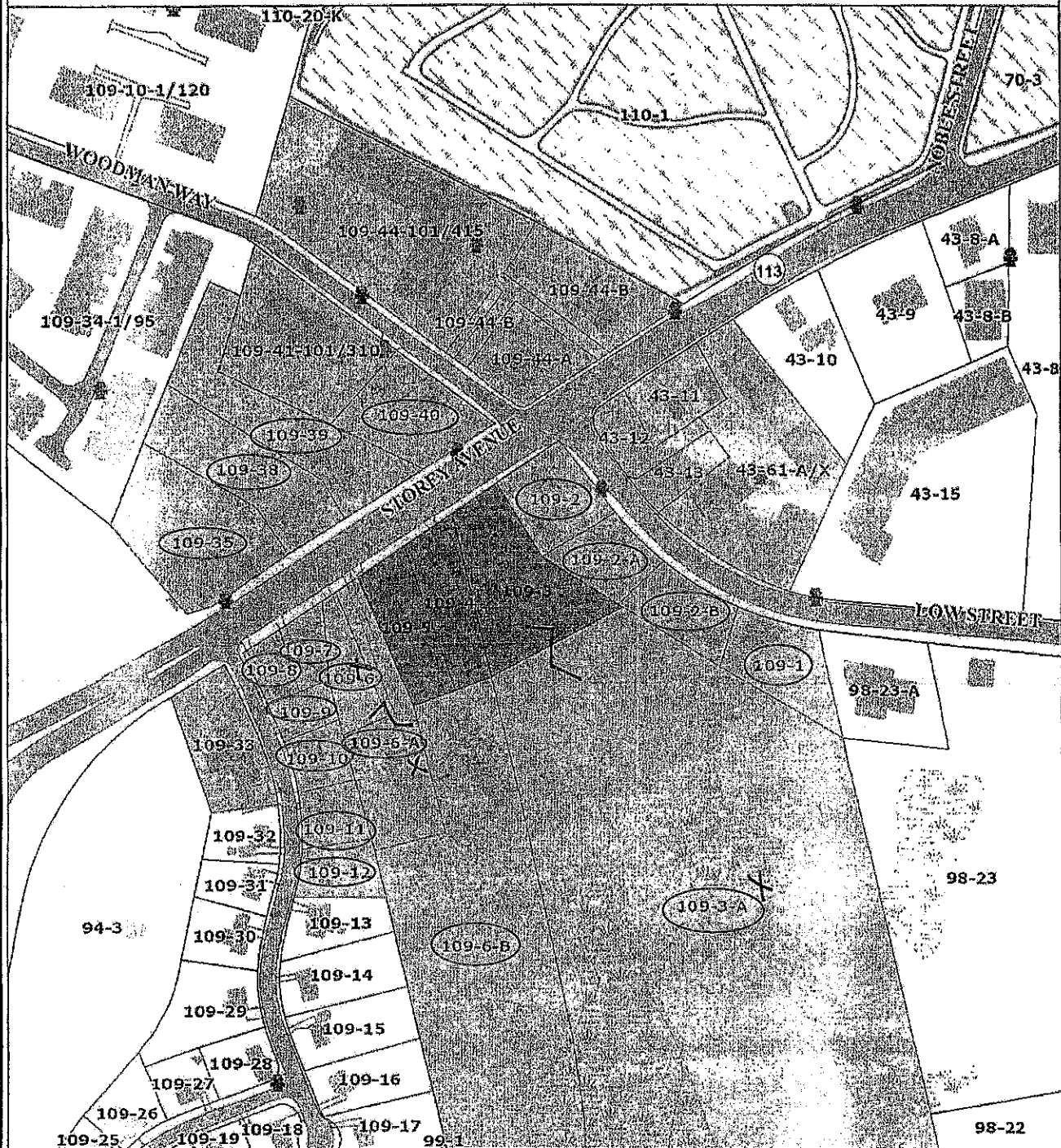
109/ 39/ / /  
REALTY INCOME CORPORATION  
C/O MARVIN F POER & COMPANY  
PO BOX 52427  
ATLANTA, GA 30355

109/ 6/B / /  
VTR NORTHEAST HOLDINGS LLC  
STE 300  
10350 ORMSBY PARK PLACE  
LOUISVILLE, KY 40223

109/ 40/ / /  
SARDINHA MANUEL & HELENA TRS  
C/O SARDINHA DONUTS INC  
PO BOX 686  
NEWBURYPORT, MA 01950

109/ 7/ / /  
BUCKLEY JOY MARIE  
87 STOREY AVE  
NEWBURYPORT, MA 01950

109/ 8/ / /  
CHEEVER JOSEPH L  
MARYBETH K T/E  
89 STOREY AVE  
NEWBURYPORT, MA 01950



- ☐ MVPC Bo
- ☐ Newburyport Boundary
- ☐ Railroad
- ☐ Parcel
- ☐ Water System
- ☐ Hydrant
- ☐ Trails
- ☐ Building Footprints
- ☐ Driveways
- ☐ Easements
- ☐ Road Right of Way
- ☐ Paved
- ☐ Unpaved
- ☐ Hydrographic Features
- ☐ Streams
- ☐ Stream
- ☐ Intermittent Stream
- ☐ Wetlands
- ☐ City
- ☐ City and State
- ☐ State
- ☐ Exempt Lands
- ☐ Recreation Areas

1" = 264 ft

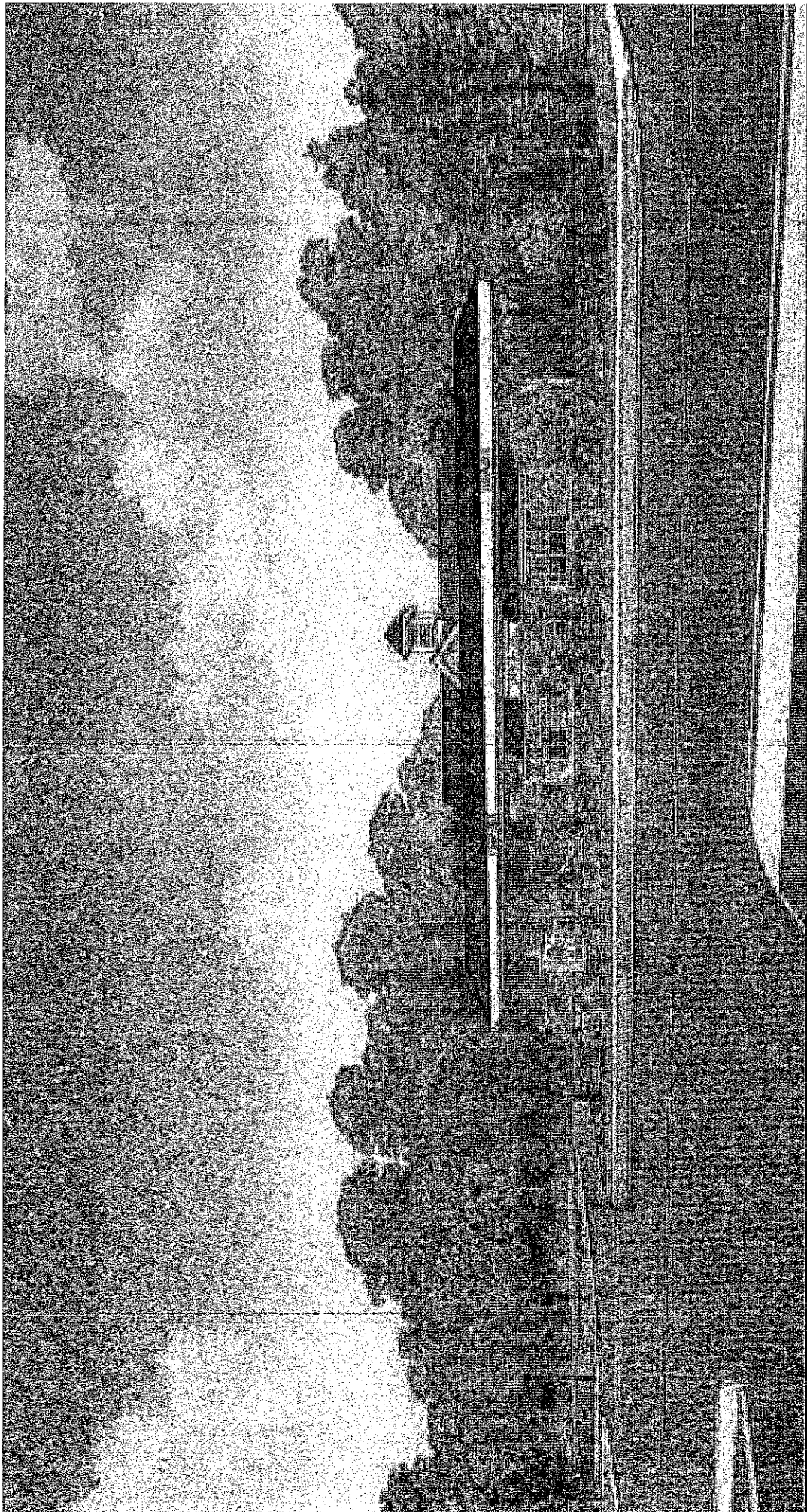


Horizontal Datum: MA Stateplane Coordinate System, Datum NAD83, Meters Data Source: The data for this map was produced by Merrimack Valley Planning Commission (MVPC) using data provided by the City of Newburyport. Additional data provided by the Executive Office of Environmental Affairs/MassGIS. The information depicted on this map is for planning purposes only. It may not be adequate for legal boundary definition or regulatory interpretation. THE CITY OF NEWBURYPORT MAKES NO WARRANTIES, EXPRESSED OR IMPLIED, CONCERNING THE ACCURACY, COMPLETENESS, RELIABILITY, OR SUITABILITY OF THESE DATA. THE CITY OF NEWBURYPORT DOES NOT ASSUME ANY LIABILITY ASSOCIATED WITH THE USE OR MISUSE OF THIS INFORMATION.



# EXHIBIT D

[illegible]



**APPOINTMENTS  
SECOND READING**

**MAYOR'S APPOINTMENTS**  
**June 29, 2015**  
**SECOND READING**

**APPOINTMENTS**

|                 |                 |                         |              |
|-----------------|-----------------|-------------------------|--------------|
| 6. Dan Bourdeau | 376 High Street | Conservation Commission | June 1, 2017 |
|-----------------|-----------------|-------------------------|--------------|

**RE-APPOINTMENTS**

|                   |                     |                        |             |
|-------------------|---------------------|------------------------|-------------|
| 7. Roger E. Jones | 37 Storeybrooke Dr. | Water/Sewer Commission | May 1, 2018 |
|-------------------|---------------------|------------------------|-------------|

**In City Council June 29, 2015**

Motion to approve the consent agenda as amended by Councillor Cameron, seconded by Councillor Kinsey. So voted.

## ORDERS

# CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

## EMERGENCY PREAMBLE

June 29, 2015

Pursuant to Section 2-9(b) of the Charter of the City of Newburyport there exists an emergency as further defined in Section 1-7(7) of said Charter such that immediate action is required to pass this order establishing the FY 2016 city budget before the expiration of current fiscal year.

June 29, 2015

**THAT** the General Fund budget for the City of Newburyport for **Fiscal Year 2016** (July 1, 2015 through June 30, 2016) be approved in the amount of \$59,099,245.66, and \$26,376,480.52 of this amount is established as a School Department Budget for Fiscal Year 2016.

The following Enterprise Fund budgets for Fiscal Year 2016 are also approved as follows:

|                              |                 |
|------------------------------|-----------------|
| Water Enterprise Fund        | \$ 5,125,208.43 |
| Sewer Enterprise Fund        | \$ 6,415,623.41 |
| Harbormaster Enterprise Fund | \$ 366,793.89   |

The above approved budget represents the budget submitted by Mayor Holaday on May 14, 2015 as amended.

\_\_\_\_\_  
President Thomas O'Brien

\_\_\_\_\_  
Councillor Edward C. Cameron

\_\_\_\_\_  
Councillor Barry N. Connell

\_\_\_\_\_  
Councillor Robert J. Cronin

\_\_\_\_\_  
Councillor Jared J. Eigerman

\_\_\_\_\_  
Councillor Larry G. Giunta

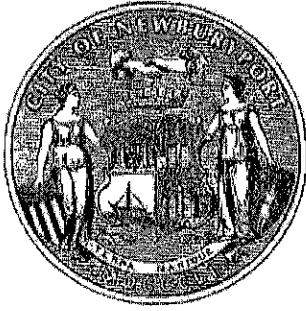
\_\_\_\_\_  
Councillor Allison Heartquist

\_\_\_\_\_  
Councillor Ari B. Herzog

\_\_\_\_\_  
Councillor Meghan C. Kinsey

\_\_\_\_\_  
Councillor Charles F. Tontar

\_\_\_\_\_  
Councillor Bruce L. Vogel



CITY OF NEWBURYPORT  
OFFICE OF THE MAYOR  
DONNA D. HOLADAY

60 PLEASANT STREET • P.O. BOX 550  
NEWBURYPORT, MA 01950  
(978) 465-4413 • (978) 465-4402 (FAX)  
WWW.CITYOFNEWBURYPORT.COM

RECEIVED  
CITY OF NEWBURYPORT  
2015 JUN 24 P 2:57

To: President and Members of the City Council  
From: Donna D. Holaday, Mayor  
Date: June 24, 2015  
Subject: Fiscal Year 2016 Budget

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Attached please find a revised proposed FY16 budget for the City of Newburyport. The new proposed funding is as follows:

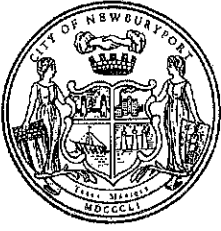
- **General Fund: \$59,099,245.66**
  - City Services: \$32,722,765.14
  - School Department: \$26,376,480.52
- **Harbormaster Enterprise Fund: \$366,793.89**
- **Sewer Enterprise Fund: \$6,415,623.41**
- **Water Enterprise Fund: \$5,125,208.43**

These revisions reflect cuts made to the General Fund and Water Enterprise Fund by the City Council at the special meeting of June 23, 2015. As discussed since the day I submitted my proposed FY16 budget to the Council on May 14, 2015, I have reallocated to the school department, the General Fund cuts totaling \$65,140 made by the Council.

Thank you for your thoughtful, thorough review of the FY16 budget and for the tough decisions you made with regard to ensuring that all of our City's departments will have the funds they need to effectively and efficiently serve the people of Newburyport.



# CITY OF NEWBURYPORT



IN CITY COUNCIL

## ACCEPTING GIFT OF PUBLIC BATHROOMS AT CASHMAN PARK

ORDERED:

June 29, 2015

**WHEREAS**, the Newburyport Zoning Ordinance under Section XXV (Towle Complex Redevelopment Overlay District), Subsection XXV-E(7) requires that the developer construct "public lavatory facilities within Cashman Park if so requested by the City of Newburyport"; and

**WHEREAS**, an August 11, 2008 City Council Order authorized the Mayor to accept the "Benjamin Choate -William Morss Carriage House," commonly referred to as the "Towle Barn", with the condition and purpose of installing publicly accessible bathroom facilities at Cashman Park to fulfill the above condition through an adaptive reuse of said historic structure; and

**WHEREAS**, the developer, First Republic Corporation of America, represented by Berkley Investments, Inc. and Blatman, Bobrowski, Mead & Taleran, LLC has confirmed its proposed alternative plan to renovate and adaptively reuse said Towle Barn as a residential unit within the Towle Complex Redevelopment project; and

**WHEREAS**, a June 16, 2015 letter from Mayor Holaday to the Parks Commission, and a subsequent June 18, 2015 vote of the Parks Commission collectively agree to accept the proposed public bathroom facilities at Cashman Park, subject to Parks Commission approval of the final design and location;

**NOW THEREFORE LET IT BE RESOLVED AND ORDERED** that the prior August 11, 2008 Order adopted and approved by the City Council regarding this matter is hereby repealed; and

**FURTHER**, that the City Council of the City of Newburyport, under the provisions of M.G.L. Chapter 44, § 53A½, accepts the gift of new seasonal bathroom facilities to be installed at Cashman Park, as depicted and described in attachments provided by the developer's representatives and incorporated herewith, including a two-page written description dated June 23, 2015, three (3) plan sheets dated May 6, 2015, and a locus plan dated June 23, 2015, and subject to their satisfactory construction and installation, and confirmation of their proper operation by the City's Facilities Maintenance Supervisor, with the condition that final design and location of the proposed facilities shall be subject to review and approval by the Parks Commission prior to installation; and

**FURTHER**, that the Mayor is hereby authorized to act on behalf of the City and enter into any and all instruments, to execute any necessary related documentation, and to take any other actions necessary to execute this acceptance accordingly.

Councillor Robert J. Cronin

# **Towle Condominium Development**

## **Preliminary Specifications for Public Lavatory Facilities in Cashman Park**

June 23, 2015

---

### **PROJECT DESCRIPTION**

---

As part of the Towle Condominium Development proposed at 260 – 274 Merrimac Street under the Towle Complex Redevelopment Overlay District, public lavatory facilities will be constructed in Cashman Park as a turnkey project per the following plan references and scope of work description:

1. Location plan dated June 23, 2015 and entitled "Proposed Location of Public Lavatory Facilities in Cashman Park."
2. Plan prepared by Bruner/Cott dated May 6, 2015 and entitled "Towle Condominium Development / Special Permit / Public Lavatory."

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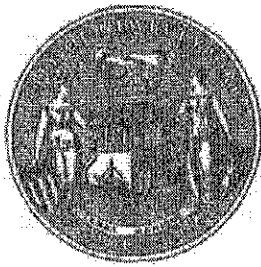
### **SCOPE OF WORK DESCRIPTION**

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The scope of work for the proposed public lavatory facilities in Cashman Park consists of the following:

1. Turnkey construction of an un-winterized building for accommodating accessible public bathrooms.
2. Accessible asphalt walkway to building entrance.
3. Accessible asphalt sidewalk extension to connect to existing walkway to nearby playground.
4. Landscaping to consist only of prepping and hydro-seeding areas disturbed by construction.
5. Building set on a concrete slab; interior flooring treatment to be polished concrete.
6. Building to be wood-framed construction.
7. Exterior siding to be HardieShingle or equal and factory painted.
8. Interior walls to be exposed wood planks or an appropriate resilient wall panel product.
9. Roofing material to be architectural (asphalt) shingles.
10. Men's and women's bathrooms each with the following:
  - a. 1 floor-mounted toilet.
  - b. Associated grab bars.
  - c. 1 toilet seat cover dispenser.
  - d. 1 sink (floor mounted or pedestal) and counter.
  - e. 1 touch-less faucet.
  - f. 1 soap dispenser.

- g. 1 touch-less hand dryer.
  - h. 1 folding changing table.
  - i. Bathroom door signage.
11. Supply closet located in-between the bathrooms.
  12. Water and sewer connections from closest available sources.
  13. 1 floor drain per bathroom.
  14. 1 hose bib per bathroom.
  15. Bathrooms to be passively ventilated. EXCLUDED: Any mechanical heating and/or cooling system.
  16. Power supply either brought to the building or from solar panels mounted on the roof (pending cost review and feasibility study).
  17. 3 photocell operated exterior lighting fixtures mounted to the building.
  18. Interior lighting to consist of motion detector operated fluorescent strip fixtures.



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

June 16<sup>th</sup>, 2015

Kimberly Turner, Chair  
Newburyport Parks Commission  
Newburyport City Hall  
60 Pleasant Street, PO Box 550  
Newburyport, MA 01950

Re: Cashman Park Bathrooms – Operation & Maintenance

Members of the Commission:

I have received a copy of your letter to the Zoning Board of Appeals (ZBA) dated June 3, 2015 regarding the so-called "Towle Barn". It concerns me that your request was not first discussed with me and coordinated with the many other considerations our City now has with respect to this project. We have worked for the past four years to get First Republic back into the City to complete this project.

Although the City previously discussed many options with the original developers regarding reuse of the Towle Barn and the creation of public bathrooms at Cashman Park, there was never a coherent or conclusive plan regarding outfit and use of the two-story structure. Most importantly, there has never been a solid commitment from any City Department to pay for the cost of operating this new facility. Despite an expression of interest from Merrohawke School to occupy the building, there is no funding to complete the extensive and necessary upgrades to this building nor can the Parks Commission sole source a contract of this nature to one selected company or non-profit.

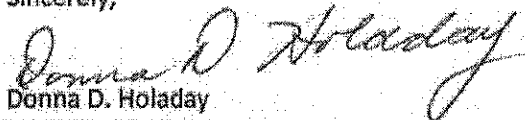
The Planning Board's decision, approved in 2007 required only that the developer relocate the Barn to Cashman Park and provide evidence that the Planning Director, Youth Services Director and the Parks Commission are "satisfied with the Barn's condition." The decision included no specifications regarding an elevator, heating system or other such upgrades. Nor can the Planning Board delegate this decision regarding permitting mitigation to a third party as originally contemplated.

It is in the best interest of the City of Newburyport to allow the developer (Berkley Investments, Inc.) to modify their original proposal by allowing adaptive reuse of the Towle Barn on-site as one of their waterside residential units, with new bathroom facilities to be constructed at Cashman Park for the City's use. This alternative has been presented to me by Lisa Mead, attorney for the developer and I have recommended that she and her team pursue this alternative in lieu of their original request (to eliminate the Barn entirely). This modification would allow the project to proceed while addressing historic preservation of the Barn, which according to the developer is structurally intact.

As Mayor I will ensure that adequate funding is included in the City's budget each year to provide for maintenance and upkeep of the new bathrooms. For efficiency I would like to establish one consolidated contract for maintenance of seasonal bathrooms at Plum Island Point, the Central Waterfront, Moseley Woods, Cashman Park and Atkinson Common.

I trust that this addresses your concern regarding maintenance of public bathroom facilities at Cashman Park and perceived need for a "tenant" in a larger building. The potential for adaptive reuse of the Towle Barn as a residential unit on-site will help to resolve a number of issues from the original project scope. I believe this solution is in the City's overall best interest and ask for your assistance in this regard by way of consensus. I am available to discuss this further and thank all of you for your continued care and diligence in the operation of our parks. Thank you again.

Sincerely,



Donna D. Holaday

MAYOR, CITY OF NEWBURYPORT

CC: Newburyport City Council  
Newburyport Planning Board  
Newburyport Historical Commission  
Newburyport Zoning Board of Appeals

## ORDINANCES

# CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

JANUARY 12, 2015

AN ORDINANCE TO REGULATE THE FEEDING OR BAITING OF MIGRATORY WATERFOWL AND SEA BIRDS

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

**General ordinance:**

**PART 2 Article III CHAPTER 3-31: Feeding or baiting migratory waterfowl or sea birds**  
**Short Title: Feeding or baiting wild birds**

**3-32 Purpose and Intent**

The presence of migratory shorebirds such as ducks, swans, geese as well as seagulls are part of the fabric of a coastal and riverfront community. These birds in essence bring to Newburyport's public and private waterfront and parks a connection with the Merrimack River and the Atlantic Ocean. An unfortunate by-product of these birds' presence is the inappropriate and harmful practice of human feeding of these birds. This feeding contributes to this wildlife becoming dependent on human intervention. It exposes them to predators and leaves behind bird waste that negatively affects the ecosystem. Therefore, the intent is to minimize migratory waterfowl and seabird exposure to human feeding and in the reduction of animal waste within the City of Newburyport.

**3-33 Definitions**

- (a) "Migratory Waterfowl", ducks, geese, swans, of the Anatidae family and any subspecies of said family.
- (b) "Seabirds", seagulls and any subspecies of seagulls
- (c) "Director", the Director of Massachusetts Division of Fisheries and Wildlife, agents or designees as authorized pursuant to Chapter 131 of the Massachusetts General Laws.
- (d) "Feeding or Baiting", shall mean the placing, exposing, depositing, distribution, or scattering, directly or indirectly of shelled, shucked, or unshucked corn, wheat, other grain; bread, salt, or any other feed or nutritive substance in any manner of form so as to constitute feeding or baiting within the City of Newburyport.

**3-34 Limitations**

- (a) No person, except the Director, as defined in 3-33 of this ordinance shall feed or bait any migratory waterfowl at any location within the City of Newburyport including all water bodies therein.
- (b) Nothing in this section shall be constituted to limit the feeding of domesticated waterfowl as defined by the Division of Fisheries and Wildlife, by a farmer as defined

in Section 1A of Chapter 128 on property owned or leased by him, or the feeding of waterfowl or other birds by propagators licensed under Section 23 of Chapter 131 of the General Laws when such waterfowl or other birds are confined in such a manner as may be required to said Section 23 and by Rules and Regulations issued under authority thereof; or the feeding by any person or his agents, invites or licensees of waterfowl lawfully kept as a pet by that person.

- (c) Notwithstanding any of the above, the Director may authorize the emergency feeding of waterfowl and other birds when, in his opinion, such action is necessary in order to alleviate undue losses and suffering of birds due to unusual weather conditions and other circumstances. The Director may authorize such action by such means as he deems necessary and expedient, but such means shall include the immediate notification of the Newburyport City Clerk by first-class mail

### **13-101 Enforcement**

- (a) *"Enforcement Agents"* This section may be enforced by the City of Newburyport animal Control Officer, agents of the Newburyport Board of Health, Newburyport Police Officers, Code Enforcement Officers.
- (b) *"Violation"* Any person who violates any provision of this section shall be subject to a warning for the first offense and a fine of \$25.00 for each subsequent offense thereafter. In lieu of enforcement through criminal proceedings, an enforcing agent may enforce this section by non-criminal disposition in accordance with Massachusetts general Laws Chapter 40 Section 21D.
- (c) While the posting of signage delineating this ordinance is encouraged in areas where both people and migratory waterfowl gather, signs need not be present to enforce this ordinance.

Councillor Robert J Cronin  
Public Safety Chair

### **In City Council January 12, 2015**

Motion to refer to Neighborhoods and City Services by Councillor Cronin, seconded by Councillor Connell. 8 yes, 1 no (O'Brien). So voted.

### **In City Council June 6, 2015**

Motion to remove by Councillor Connell, seconded by Councillor Herzog. So voted. Motion to approve by Councillor Connell, seconded by Councillor Herzog. Motion to approve first reading as amended and order to be published by Councillor Connell, seconded by Councillor Herzog. Roll call vote, 11 yes. Motion passed.



# CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

June 29, 2015

## 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 15                      Vehicles for Hire  
Article 2                        Taxicabs  
Section 15-32 et al

DELETE:

Section 15 – 32; 15 - 34

ADD:

### **Sec. 15-32. - Fees and terms for permits/licenses.**

All permits and licenses granted under this chapter shall continue and remain in full force and effect for a period from the first day of October each year until midnight on the 31st of September of the year in which said permit or license was granted.

- (1) The fee for a permit shall be fifty dollars (\$50.00) each year or any part of a year for each taxicab payable in advance of the application for a permit.
- (2) The fee for a license shall be twenty-five dollars (\$25.00) per year or any part of a year.
- (3) The fee for restoration of any permit that has been suspended or revoked shall be fifty dollars (\$50.00).

### **Sec. 15-34. - Application for renewal of permit or licenses.**

All applications for renewal of permits or licenses must be filed with the city clerk no later than the first day of August of any year in order to keep the renewal privilege. The city clerk may issue renewal permits or licenses at any time thereafter.

### **Sec. 15-38. – Effective Date.**

The effective date for the above Sec. 15 – 32 and Sec. 15-34 amended herewith shall be August 1, 2016.

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Councillor Allison Heartquist

# CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

June 29, 2015

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 13-168 | Parking restricted on certain streets. |

No person shall park any vehicle on the following streets or portions of streets as indicated below:

ADD:

|              |                                                                                                                                                             |
|--------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Toppans Lane | No parking 7:00 a.m. to 3:30 p.m. when school is in session on the easterly side from the intersection of Summit Place northerly for a distance of 75 feet. |
|--------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------|

Councillor Robert J. Cronin, Ward 3

# CITY OF NEWBURYPORT



IN CITY COUNCIL

June 29, 2015

ORDERED:

## AN ORDINANCE ENTITLED 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 IV: Specific Street Schedules  
Division 6: Stopping, Standing and Parking  
Sec. 13-175: Same – Two hours

No person shall park a vehicle for longer than two (2) hours between the hours of 9:00 a.m. and 6:00 p.m. of any day except Sundays and holidays in the following described streets or parts thereof:

Add the following:

| Street         | Extent                                                     |
|----------------|------------------------------------------------------------|
| North Atkinson | Both sides from the High Street for a distance of 80 feet. |

Councillor Charles F. Tontar

Councillor Larry G. Giunta, Jr.

# CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

JUNE 29, 2015

## A ZONING ORDINANCE AMENDING DEFINITIONS OF TWO-FAMILY AND MULTIFAMILY USES

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 V-E – List of allowable uses

Appendix A to the Code of Ordinances, City of Newburyport, Massachusetts, is hereby amended, by amending subsection 1 (residential uses) of Section V-E (list of allowable uses), as to Use Numbers 102 and 103, by deleting the relevant rows in their entirety, and replacing them with the following text:

| I. RESIDENTIAL |     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|----------------|-----|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| USE            | NUM | DESCRIPTION                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| Two-family     | 102 | A building or structure that contains two (2) dwelling units and either a common floor-ceiling assembly between the upper and lower level dwelling units or a common wall connector. A common wall connector means an interior wall that is shared by and separates the two dwelling units of a two-family dwelling and meets all four of the following requirements: (1) The shared length of the common wall is no less than 50% of the longest dimension of the rectangle in which the footprint of the larger unit exists; (2) it exists at the ground story level and is at least one (1) story in height; (3) it separates enclosed interior space(s) in each of the dwelling units it separates; and (4) the two dwelling units are connected to each other in such a way that the building or structure appears to be an integral whole rather than two conjoined masses. |

|             |     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|-------------|-----|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Multifamily | 103 | <p>A building or structure that contains three (3) or more dwelling units and either a common floor-ceiling assembly between the dwelling units, or common wall connectors.</p> <p>A common wall connector means an interior wall that is shared by and separates the dwelling units of a multifamily dwelling and meets all four of the following requirements:</p> <p>(1) The shared length of the common wall is no less than 50% of the longest dimension of the rectangle in which the footprint of the larger unit exists; (2) it is at least one (1) story in height; (3) it separates enclosed interior space(s) in each of the dwelling units it separates; and (4) the dwelling units are connected to each other in such a way that the building or structure appears to be an integral whole rather than two conjoined masses.</p> |
|-------------|-----|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

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Councillor Jared J. Eigerman

## COMMITTEE ITEMS

## BUDGET AND FINANCE

6-17

ENROLLMENT  
AUDIT  
SOLUTIONS

DEPENDENT AUDIT REPORT  
CITY OF NEWBURYPORT

September 9, 2013





CITY OF NEWBURYPORT  
FINANCE DEPARTMENT  
60 PLEASANT STREET • P.O. Box 550  
NEWBURYPORT, MA 01950  
(978) 465-4404 • (978) 462-3257 (FAX)  
WWW.CITYOFNEWBURYPORT.COM

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NEWBURYPORT, MA

315 APR 21 P 1:24

DONNA D. HOLADAY  
MAYOR

ETHAN R. MANNING  
FINANCE DIRECTOR/CITY AUDITOR

To: President and Members of the Newburyport City Council  
From: Ethan R. Manning, Finance Director/City Auditor  
Date: April 21, 2015  
Subject: Annual Audit of the City's FY 2014 Financial Statements

The certified public accounting firm of Melanson, Heath & Company has completed the annual audit of the City's FY 2014 financial statements. This audit must be performed by an independent CPA firm and is required by bond rating agencies, financial institutions, and various state and federal government entities. A copy of the audit is on file in the City Clerk's Office for your review.

The audit was conducted in accordance with auditing standards generally accepted in the United States and standards applicable to financial audits contained in the publication, Government Auditing Standards, issued by the Comptroller General of the United States. These standards require that the audit be performed to obtain a reasonable assurance that the City's financial statements are free of material misstatements. In addition, the audit assesses the accounting principles used and significant estimates made by City management.

The audit indicates that the City's Financial Statements and Schedule of Expenditures of Federal Awards, as required by OMB Circular A-133, are presented fairly, in all material respects, and are in conformity with accounting principles generally accepted in the United States of America.

The audit also includes a management report that contains recommendations for strengthening internal controls and operating efficiency. This is the second consecutive year that no new audit findings or recommendations for improvements were noted for FY2014 operations. This is a major accomplishment for the City and an indication that current financial management practices are working effectively.

However, while there were no recommendations made for the current fiscal year, Melanson, Heath & Company did provide a follow-up on prior year recommendations, the most notable being an improvement to the cash reconciliation process, which continues to be a material weakness within the Treasurer's office. As a result, the City is actively

working to address this recommendation during fiscal year 2015. Current year action steps include: 1) daily reconciliations between the Treasurer's and Auditor's offices to ensure consistency between the bank statements, cash book and general ledger, 2) researching and addressing all prior year and current year reconciling items as identified on the bank-to-book reconciliations, and 3) updating the City's cash receipts policy to ensure that all departments are providing timely and accurate turnovers of receipts.

In addition to addressing the cash reconciliation process, the outside auditors have made recommendations carried over from the prior year audit, which are not listed as material weaknesses, but suggestions for improving overall financial operations within the City. Many of these are currently being implemented and are detailed in the full management report available in the City Clerk's Office.

As you may be aware, the City established a Financial Policies and Procedures manual and continues to adapt the document to address many of the recommendations contained in the report. Additionally, given the inclusion of the Newburyport Contributory Retirement System as part of the City's annual audit, Melanson, Heath & Company was able to issue an unqualified or "clean" opinion of the City's FY2014 financial statements for the second year in a row.

Please feel free to contact me if you have any questions. A copy of the full audit report is on file in the City Clerk's Office.



Transfer #1  
May 26, 2015  
b87  
JUN 08 2015  
2015 JUN -2 P 2:15

**City of Newburyport**  
**FY 2015**  
**BUDGET TRANSFER REQUEST**

**Department:** Health -Energy/Recycling

**Submitted by:** Molly Ettenborough

**Date Submitted:** 6/2/2015

**Transfer From:**

|                                                                                                                                   |                                                                  |            |               |
|-----------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------|------------|---------------|
| Account Name                                                                                                                      | Solid Waste Fee                                                  | YTD Bal:   | \$ 316,291.33 |
| Account Number:                                                                                                                   | 2747-59600                                                       | Trans In:  | \$ -          |
| Amount:                                                                                                                           | \$10,000.00                                                      | Trans Out: | \$ 17,500.00  |
| Why are Funds Available:                                                                                                          | <i>Funded through compost sticker fees and recycling rebate.</i> |            |               |
| <i>This transfer is the standard method for moving funds from Reserve for Appropriations accounts into General Fund accounts.</i> |                                                                  |            |               |

**Transfer To:**

|                         |                                                                           |            |                |
|-------------------------|---------------------------------------------------------------------------|------------|----------------|
| Account Name            | Household Hazardous Waste                                                 | YTD Bal:   | \$ (30,872.51) |
| Account Number:         | 01519002-53424                                                            | Trans In:  |                |
| Amount:                 | \$10,000.00                                                               | Trans Out: | \$ -           |
| Why are Funds Required: | <i>To cover remaining balance of hazardous and solid waste materials.</i> |            |                |

Donna D. Holaday, Mayor  
Ethan R. Manning, Auditor  
City Council Approval: (Stamp)

*Donna D. Holaday*  
*Ethan R. Manning*

Date: 6/2/15  
Date: 6/2/15



# City of Newburyport

## FY 2015

### BUDGET TRANSFER REQUEST

Transfer #2  
May 26, 2015  
JUN 08 2015  
b40

2015 JUN -2 P 2:45

Department: Health -Energy/Recycling

Submitted by: Molly Ettenborough

Date Submitted: 6/2/2015

#### Transfer From:

|                          |                                                                  |            |               |
|--------------------------|------------------------------------------------------------------|------------|---------------|
| Account Name             | Solid Waste Fee                                                  | YTD Bal:   | \$ 316,291.33 |
| Account Number:          | 2747-59600                                                       | Trans In:  | \$ -          |
| Amount:                  | \$21,697.00                                                      | Trans Out: | \$ 17,500.00  |
| Why are Funds Available: | <i>Funded through compost sticker fees and recycling rebate.</i> |            |               |

*This transfer is the standard method for moving funds from Reserve for Appropriations accounts into General Fund accounts.*

#### Transfer To:

|                         |                                                                                                                                                           |            |                |
|-------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------|------------|----------------|
| Account Name            | Health Dept Salary Energy/Recycling Coor                                                                                                                  | YTD Bal:   | \$ (21,598.47) |
| Account Number:         | 01519001-51160                                                                                                                                            | Trans In:  | \$ -           |
| Amount:                 | \$21,697.00                                                                                                                                               | Trans Out: | \$ -           |
| Why are Funds Required: | <i>To cover salary for Energy Recycling Coordinator for remainder of FY 2015 that is funded by the Solid Waste Fee Reserve for Appropriation Account.</i> |            |                |

Donna D. Holaday, Mayor  
Ethan R. Manning, Auditor  
City Council Approval: (Stamp)

*Donna D. Holaday*  
*Ethan R. Manning*

Date: 6/2/15  
Date: 6/2/15



**City of Newburyport**  
**FY 2015**  
**BUDGET TRANSFER REQUEST**

Transfer #3  
May 26, 2015

JUN 08 2015

6/2/15

2015 JUN -2 P 2:15

**Department:** Fire Department

**Submitted by:** Chief Christopher LeClaire

**Date Submitted:** 6/2/2015

**Transfer From:**

|                          |                                                                                                                                                                                |            |               |
|--------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|---------------|
| Account Name             | Lease of Vehicles                                                                                                                                                              | YTD Bal:   | \$ 119,647.32 |
| Account Number:          | 01220002-52750                                                                                                                                                                 | Trans In:  | \$ -          |
| Amount:                  | \$77,000.00                                                                                                                                                                    | Trans Out: | \$ -          |
| Why are Funds Available: | <i>This line item included the lease payments on two Fire Engines that did not need to be made due to the issuance of debt to fund the purchase at a lower financing cost.</i> |            |               |

**Transfer From:**

|                          |                                                                                                       |            |              |
|--------------------------|-------------------------------------------------------------------------------------------------------|------------|--------------|
| Account Name             | Fuel/Oil                                                                                              | YTD Bal:   | \$ 19,623.86 |
| Account Number:          | 01220004-54801                                                                                        | Trans In:  | \$ -         |
| Amount:                  | \$17,500.00                                                                                           | Trans Out: | \$ -         |
| Why are Funds Available: | <i>A surplus is anticipated in this account at year-end due to lower than anticipated fuel costs.</i> |            |              |

**Transfer From:**

|                          |                                                              |            |              |
|--------------------------|--------------------------------------------------------------|------------|--------------|
| Account Name             | Protective Clothing                                          | YTD Bal:   | \$ 12,787.58 |
| Account Number:          | 01220004-54317                                               | Trans In:  | \$ -         |
| Amount:                  | \$12,500.00                                                  | Trans Out: | \$ -         |
| Why are Funds Available: | <i>A surplus is anticipated in this account at year-end.</i> |            |              |

**Transfer From:**

|                          |                                                              |            |             |
|--------------------------|--------------------------------------------------------------|------------|-------------|
| Account Name             | Educational Materials                                        | YTD Bal:   | \$ 3,219.33 |
| Account Number:          | 01220004-55101                                               | Trans In:  | \$ -        |
| Amount:                  | \$3,000.00                                                   | Trans Out: | \$ -        |
| Why are Funds Available: | <i>A surplus is anticipated in this account at year-end.</i> |            |             |

**Transfer To:**

|                         |                                                                                                                                                                               |            |                 |
|-------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|-----------------|
| Account Name            | Overtime                                                                                                                                                                      | YTD Bal:   | \$ (127,304.06) |
| Account Number:         | 01220001-51301                                                                                                                                                                | Trans In:  | \$ -            |
| Amount:                 | \$110,000.00                                                                                                                                                                  | Trans Out: | \$ -            |
| Why are Funds Required: | <i>The FY 2015 appropriation for Fire Overtime was \$250,000. The Fire Department anticipates total overtime costs to exceed \$400,000 by year-end (see attached detail).</i> |            |                 |

Donna D. Holaday, Mayor  
Ethan R. Manning, Auditor  
City Council Approval: (Stamp)

*Donna D. Holaday*  
*Ethan R. Manning*

Date: 6/1/15  
Date: 6/2/15

# Newburyport Fire Department

## *Office of the Fire Chief*

**To:** President and Members of the City Council  
**From:** Chief LeClaire  
**Date:** June 1, 2015  
**Re:** FY 15 Transfer

---

The fire department is hereby requesting a transfer of \$110,000.00 from three (3) line items within the NFD budget to cover cost overruns in the overtime line item. The overtime account is continually underfunded by approximately \$100,000.00 in each year's budget. This time last year the NFD requested a \$100,000.00 transfer out of free cash to cover overruns in the overtime line. This year, not unexpectedly, we once again must seek a transfer. However, this year there are other extenuating circumstances that further strained the account:

1. In the new contract, along with increases in wages, the city agreed to host an EMT course for those firefighters that did not have their EMT certification. The cost of shift coverage for those attending this three-month-long class came to **\$13,567.84**.
2. Firefighter Matt Houle attended the Massachusetts State Firefighting Academy as part of the hiring and certification requirements. The cost to send Matt to the academy and cover his shifts came to **\$16,436.65**.
3. Several firefighters were out on extended leave for injuries suffered in the line of duty. Two firefighters injured their rotator cuffs and required surgeries. FF Cutter is back to work. FF Elwell, who tore both rotator cuffs, is still out and is approaching one year. He expects to be back at work by the end of this month. Also out injured were Lt. Rick

*Department Memorandum*

Thurlow and Firefighter Tony Raven. Fortunately, they are back at work and healthy. The cost of covering those extended injury vacancies amounted to **\$74,788.67**.

- 
4. The extended coverage, emergencies during, and clean-up after our tremendous storms this winter took a toll, not only on this line item, but on our personnel as well. The extended exposure also added to the use of sick time as our run-down personnel caught ever flu bug circulating. The coverage for the storms amount to **\$15,409.60**, with sick leave throughout the year amounting to **\$78,706.79**.

These items alone amount to **\$198,909.55**. This does not account for vacation or personal days, bereavement, emergency call-back, training, mutual aid, or city events such as Yankee Homecoming Week, Riverfest, etc.

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The good news is that the insurance company that provides for our Worker's Compensation, Cabot Risk, has reimbursed the NFD for lost wages due to the long term injuries suffered by our personnel throughout the year in the amount of **\$99,428.57**. These funds returned to the NFD budget to offset wages and benefits paid. This is part of the reason we are able to ask for an internal transfer and not a request from free cash. Other items on the plus side include:

1. Lease of Vehicles – Lease payments budgeted in this year's budget are not due until next year, so there is a surplus of \$77,000.00 to be applied to the transfer.
2. Fuel Oil – Lower than expected pricing and usage resulted in a surplus of \$17,500.00 to be applied to the transfer.
3. Protective Clothing – Protective clothing purchases were delayed until the last quarter of the fiscal year. The purchases have now been postponed due to the deficit in the budget. The line item of \$12,500.00 can therefore be applied to the transfer.

If you should have any further questions or concerns, please let me know and I will provide more information in person. And, as always, thank you for your support of the NFD.



# City of Newburyport

## FY 2015

### BUDGET TRANSFER REQUEST

Transfer #4  
JUN 26, 2015  
JUN 8 2015  
BSP

315 SR-2 P 246

**Department:** Mayor's Office

**Submitted by:** Mayor Donna D. Holaday

**Date Submitted:** 6/2/2015

**Transfer From:**

|                          |                                                              |            |    |              |
|--------------------------|--------------------------------------------------------------|------------|----|--------------|
| Account Name             | Insurance - 32-B                                             | YTD Bal:   | \$ | 1,192,731.55 |
| Account Number:          | 01914001-51700                                               | Trans In:  | \$ | -            |
| Amount:                  | \$410,500.00                                                 | Trans Out: | \$ | 64,500.00    |
| Why are Funds Available: | <i>A surplus is anticipated in this account at year-end.</i> |            |    |              |

**Transfer From:**

|                          |                                                                                                                                                                                                                           |            |    |              |
|--------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|----|--------------|
| Account Name             | General Fund - Free Cash                                                                                                                                                                                                  | YTD Bal:   | \$ | 1,136,154.57 |
| Account Number:          | 01-35910                                                                                                                                                                                                                  | Trans In:  | \$ | -            |
| Amount:                  | \$136,855.96                                                                                                                                                                                                              | Trans Out: | \$ | 1,236,891.43 |
| Why are Funds Available: | <i>The Massachusetts Department of Revenue certified Free Cash for FY2015 at \$2,373,046. These funds are available for any legal expenditure with the approval of the Mayor and a majority vote of the City Council.</i> |            |    |              |

**Transfer From:**

|                          |                                                                                                                                                                                                       |            |    |           |
|--------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|----|-----------|
| Account Name             | FEMA Reimb 2007 Rsv Appr                                                                                                                                                                              | YTD Bal:   | \$ | 23,367.67 |
| Account Number:          | 01-35910                                                                                                                                                                                              | Trans In:  | \$ | -         |
| Amount:                  | \$23,367.67                                                                                                                                                                                           | Trans Out: | \$ | -         |
| Why are Funds Available: | <i>A FEMA reimbursement from 2007 was placed into a special revenue account, which is available for any legal expenditure with the approval of the Mayor and a majority vote of the City Council.</i> |            |    |           |

**Transfer To:**

|                         |                                                                                                                                                                                                                                                                                                                                                                                                          |            |                |   |
|-------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|----------------|---|
| Account Name            | Snow & Ice - Expenses                                                                                                                                                                                                                                                                                                                                                                                    | YTD Bal:   | (\$622,488.73) |   |
| Account Number:         | 01423002-52901                                                                                                                                                                                                                                                                                                                                                                                           | Trans In:  | \$             | - |
| Amount:                 | \$570,723.63                                                                                                                                                                                                                                                                                                                                                                                             | Trans Out: | \$             | - |
| Why are Funds Required: | <i>Snow and ice expenses are variable depending on winter weather conditions. Weather conditions during this past winter were severe and the amount appropriated for S/I Expenses was exceeded by \$622,488.73. State law allows communities to deficit spend in this category, however the deficit must be removed by fiscal year-end with available funds or raised in the following fiscal years.</i> |            |                |   |

Donna D. Holaday, Mayor

Ethan R. Manning, Auditor

City Council Approval: (Stamp)

*Donna D. Holaday*  
*Ethan R. Manning*

Date:

*6/2/15*

Date:

*6/2/15*





# City of Newburyport

## FY 2015

### BUDGET TRANSFER REQUEST

Transfer #5  
JUN 02 2015  
MAY 26 2015

Department: Mayor's Office

Submitted by: Mayor Donna D. Holaday

Date Submitted: 6/2/2015

#### Transfer From:

|                          |                                                                                                                                                                                                                                                                                                                                  |            |    |            |
|--------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|----|------------|
| Account Name             | Rsv Appr Legal Settlements                                                                                                                                                                                                                                                                                                       | YTD Bal:   | \$ | 134,772.44 |
| Account Number:          | 2745-59600                                                                                                                                                                                                                                                                                                                       | Trans In:  | \$ | -          |
| Amount:                  | \$134,772.44                                                                                                                                                                                                                                                                                                                     | Trans Out: | \$ | 450,000.00 |
| Why are Funds Available: | <i>The Reserve for Appropriation Legal Settlements account is a special revenue account set up, in accordance with Massachusetts General Laws, to deposit legal settlements awarded to the City. These funds are available for any legal expenditure with the approval of the Mayor and a majority vote of the City Council.</i> |            |    |            |

#### Transfer To:

|                         |                                                                                                                                                                                                                                                                                                                                                                                                      |            |               |   |
|-------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|---------------|---|
| Account Name            | Snow & Ice - Labor                                                                                                                                                                                                                                                                                                                                                                                   | YTD Bal:   | (\$83,007.34) |   |
| Account Number:         | 01423001-51301                                                                                                                                                                                                                                                                                                                                                                                       | Trans In:  | \$            | - |
| Amount:                 | \$83,007.34                                                                                                                                                                                                                                                                                                                                                                                          | Trans Out: | \$            | - |
| Why are Funds Required: | <i>Snow and ice expenses are variable depending on winter weather conditions. Weather conditions during this past winter were severe and the amount appropriated for S/I Labor was exceeded by \$83,007.04. State law allows communities to deficit spend in this category, however the deficit must be removed by fiscal year-end with available funds or raised in the following fiscal years.</i> |            |               |   |

#### Transfer To:

|                         |                                                                                                                                                                                                                                                                                                                                                                                                          |            |                |   |
|-------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|----------------|---|
| Account Name            | Snow & Ice - Expenses                                                                                                                                                                                                                                                                                                                                                                                    | YTD Bal:   | (\$622,488.73) |   |
| Account Number:         | 01423002-52901                                                                                                                                                                                                                                                                                                                                                                                           | Trans In:  | \$             | - |
| Amount:                 | \$51,765.10                                                                                                                                                                                                                                                                                                                                                                                              | Trans Out: | \$             | - |
| Why are Funds Required: | <i>Snow and ice expenses are variable depending on winter weather conditions. Weather conditions during this past winter were severe and the amount appropriated for S/I Expenses was exceeded by \$605,153.13. State law allows communities to deficit spend in this category, however the deficit must be removed by fiscal year-end with available funds or raised in the following fiscal years.</i> |            |                |   |

Donna D. Holaday, Mayor  
Ethan R. Manning, Auditor  
City Council Approval: (Stamp)

*Donna D. Holaday*  
*Ethan R. Manning*

Date: 6/2/15  
Date: 6/2/15



# City of Newburyport

## FY 2015

### BUDGET TRANSFER REQUEST

Transfer #6  
JUN 26, 2015  
bvt

2015 JUN -2 P 2:05

Department: Mayor's Office

Submitted by: Mayor Donna D. Holaday

Date Submitted: 6/2/2015

**Transfer From:**

|                          |                                                                                                                                                                                                                           |            |    |              |
|--------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|----|--------------|
| Account Name             | General Fund - Free Cash                                                                                                                                                                                                  | YTD Bal:   | \$ | 1,136,154.57 |
| Account Number:          | 01-35910                                                                                                                                                                                                                  | Trans In:  | \$ | -            |
| Amount:                  | \$100,000.00                                                                                                                                                                                                              | Trans Out: | \$ | 1,236,891.43 |
| Why are Funds Available: | <i>The Massachusetts Department of Revenue certified Free Cash for FY2015 at \$2,373,046. These funds are available for any legal expenditure with the approval of the Mayor and a majority vote of the City Council.</i> |            |    |              |

**Transfer To:**

|                         |                                                       |            |    |              |
|-------------------------|-------------------------------------------------------|------------|----|--------------|
| Account Name            | Senior/Community Center Project                       | YTD Bal:   | \$ | 2,959,343.72 |
| Account Number:         | 4505-49700                                            | Trans In:  | \$ | -            |
| Amount:                 | \$100,000.00                                          | Trans Out: | \$ | -            |
| Why are Funds Required: | <i>See explanatory memorandum from Mayor Holaday.</i> |            |    |              |

Donna D. Holaday, Mayor

Ethan R. Manning, Auditor

City Council Approval: (Stamp)

*Donna D. Holaday*  
*Ethan R. Manning*

Date:

Date:

*6/2/15*  
*6/2/15*



CITY OF NEWBURYPORT  
OFFICE OF THE MAYOR  
DONNA D. HOLADAY

60 PLEASANT STREET • P.O. BOX 550

NEWBURYPORT, MA 01950

(978) 465-4413 • (978) 465-4402 (FAX)

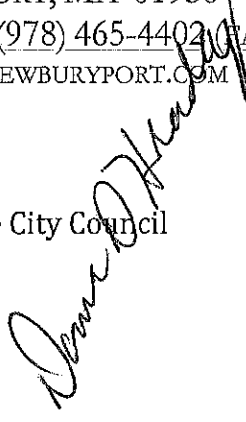
WWW.CITYOFNEWBURYPORT.COM

TO: President and Members of the City Council

FROM: Mayor Donna D. Holaday

DATE: June 1, 2015

RE: Transfer for Senior Community Center Project



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We are writing to respectfully request the City Council to authorize a transfer of \$100,000 from Free Cash to the Senior Community Center capital account in order to fully cover the projected costs of the project. Construction is scheduled to be substantially completed this September 2015.

In the spring of 2012, the community voted to approve \$6.5 million for the design and construction of the project. Soft costs for design, permitting, project management, and construction oversight have been about \$840,000, approximately 12% of the total project cost. However, when the project was advertised for construction two years later in 2014, the lowest bid came in \$450,000 over the professional itemized cost estimate due primarily to higher than expected sub-bid prices for various trades. The City had sufficient funding to contract with a very capable general contractor and initiate the project, but not enough to cover the projected cost of furnishings, construction contingency for projected change orders, testing, etc.

A fund-raising committee was formed and a very successful fund-raising campaign has been implemented that has resulted in pledges of approximately \$280,000 and \$130,000 received in hand to date. At the same time, the City has worked with the contractor to delete and credit various items and to hold change orders to a minimum (approximately 2-3%). Consequently, we have been able to reduce the funding gap. However, there is still a financial gap and there are 3-4 months of construction remaining as well as the need to bid out the furnishings this summer to coincide with the completion of the new facility in the fall. We therefore respectfully request the transfer of \$100,000 to fully cover the projected expenses of this much anticipated facility. Thank you for your consideration.



# City of Newburyport

## FY 2015

### BUDGET TRANSFER REQUEST

Transfer #7  
May 28, 2015  
JUN 08 2015

ADT

2015 JUN -2 P 2:45

Department: Mayor's Office

Submitted by: Mayor Donna D. Holaday

Date Submitted: 6/2/2015

#### Transfer From:

|                          |                                                                                                                                                                                                                           |            |                 |
|--------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|-----------------|
| Account Name             | General Fund - Free Cash                                                                                                                                                                                                  | YTD Bal:   | \$ 1,136,154.57 |
| Account Number:          | 01-35910                                                                                                                                                                                                                  | Trans In:  | \$ -            |
| Amount:                  | \$150,000.00                                                                                                                                                                                                              | Trans Out: | \$ 1,236,891.43 |
| Why are Funds Available: | <i>The Massachusetts Department of Revenue certified Free Cash for FY2015 at \$2,373,046. These funds are available for any legal expenditure with the approval of the Mayor and a majority vote of the City Council.</i> |            |                 |

#### Transfer To:

|                         |                                                       |            |        |
|-------------------------|-------------------------------------------------------|------------|--------|
| Account Name            | Culvert Capital Project                               | YTD Bal:   | \$0.00 |
| Account Number:         | New Account                                           | Trans In:  | \$ -   |
| Amount:                 | \$150,000.00                                          | Trans Out: | \$ -   |
| Why are Funds Required: | <i>See explanatory memorandum from Mayor Holaday.</i> |            |        |

Donna D. Holaday, Mayor

Ethan R. Manning, Auditor

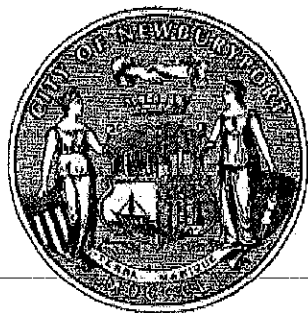
City Council Approval: (Stamp)

*Donna D. Holaday*  
*Ethan R. Manning*

Date:

Date:

*Refer to DF discussion  
BV/EC*



CITY OF NEWBURYPORT  
OFFICE OF THE MAYOR  
DONNA D. HOLADAY

60 PLEASANT STREET • P.O. BOX 550

NEWBURYPORT, MA 01950

(978) 465-4413 • (978) 465-4402 (FAX)

WWW.CITYOFNEWBURYPORT.COM

TO: President and Members of the City Council

FROM: Mayor Donna D. Holaday

DATE: June 1, 2015

RE: Transfer for culvert project

The City was informed in August 2014 by the new owner of the former Davis Electric Building property that a brick culvert runs through his property and under his building. He purchased the property to develop it into the "Ale House," which has recently been approved by the Planning Board and other local and State permitting authorities. The owner uncovered this culvert when he was doing his own exploratory digging in preparation of designing his foundation. I immediately directed the DPS to survey the culvert and determine its location and its purpose.

The DPS Engineering Department performed a thorough survey – size, location, depth, photos, and video recordings from the manhole near the Black Cow all the way past Merrimac Street and into Green Street. They determined that it does, in fact, collect roadway runoff from both Green and Merrimac Streets and discharges to an outfall at the boat ramp next to the Black Cow (see attached). It not only runs under the old Davis Electric Building but also runs under the Brown's Wharf Building (Port City Sandwich, etc.) and the adjacent Hudson Building (Chamber of Commerce, etc.).

DPS hired John O'Connell, Registered Structural Engineer, to assist in this effort. They looked at the culvert's condition under all three buildings and determined that it needs to be repaired or replaced soon. The condition of the culvert beneath the Brown's Wharf and Hudson Buildings is in poor condition. The culvert under those two buildings collapsed decades ago and was repaired in one location using corrugated metal arch pipe (CMP) and in another location spanning the culvert with timber planks to act as a ceiling. The CMP and timber planks are now corroded and rotted.

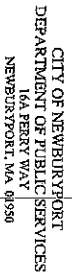
We looked at various options – slip-lining; inserting a smaller pipe within the culvert; re-pointing and structurally repairing the culvert; and relocating it outside the footprints of the buildings. We determined that relocating it is clearly the only sensible option:

1. Slip-lining is impossible with so many different materials and irregular shapes (CMP arch, timber plank ceiling, deformed brick cross-section, etc.).
2. Inserting a smaller pipe is virtually impossible from a constructability standpoint and would not make the situation much safer.
3. Re-pointing the brick culvert and repairing it structurally in-place does not address what to do with the CMP arch pipe nor timber plank ceiling. Repairing the CMP and timbers is impractical due to their condition. They need to be replaced.

Relocating the culvert and filling the existing culvert with concrete will cost the least to the City and reduce our risk. (See attached relocation and abandonment Plans.) We looked at relocating only a portion of it around the Ale House in order to spread out the total relocation costs over multiple fiscal years and to help expedite the construction of the Ale House but we do not suggest doing so. Constructing it in sections will cost the City tens of thousands more because of the extra work involved. It makes the most sense to relocate the entire culvert under one construction project to save the most money. A construction cost estimate is still being prepared pending the results of an environmental soils analysis by GZA.

We will continue to work with the owners to assist us financially in this work.



[illegible]

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| <p> <b>Signed By</b><br/> <b>M. PERE</b> </p> | <p> <b>Received By</b><br/> <b>J.E. WHITE</b> </p> |
|-----------------------------------------------|----------------------------------------------------|

SCORE: \_\_\_\_\_  
" = 40'  
40

80  
EST

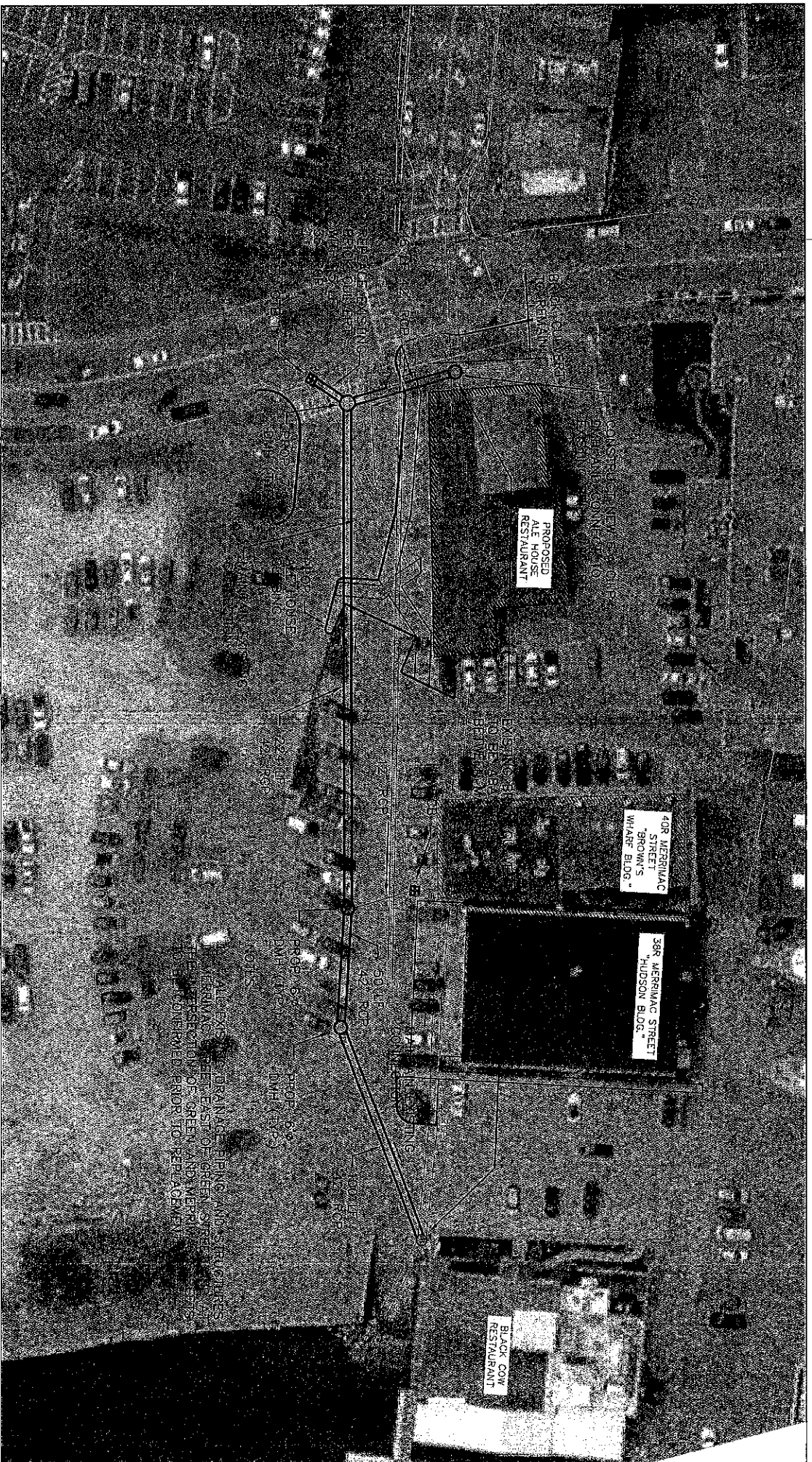
ALERT  
CONCE

HOUSE BREW  
CULVERT RE  
PTUAL LA

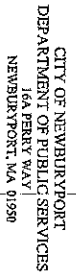
VERY DRAIN  
LOCATION  
YOUT - OP

### AGE TION 3

Sheet No.  
4 of 4  
C-4





[illegible]

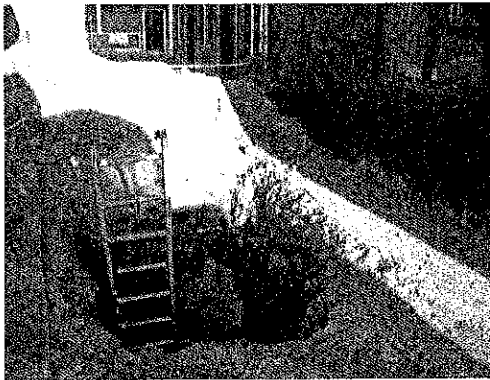
SCALE:  
1" = 40'  
0 20 40 80 FEET

**ALE HOUSE BREWERY DRAINAGE  
CULVERT RELOCATION  
CONCEPTUAL LAYOUT - OPTION 1**

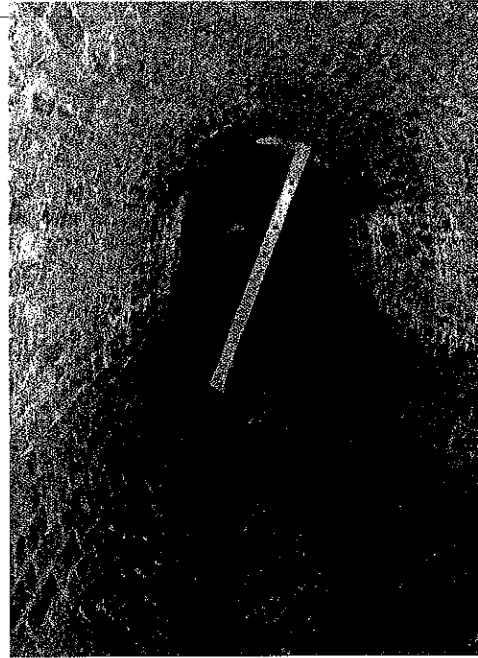
Sheet No.  
2 of 4  
C-2



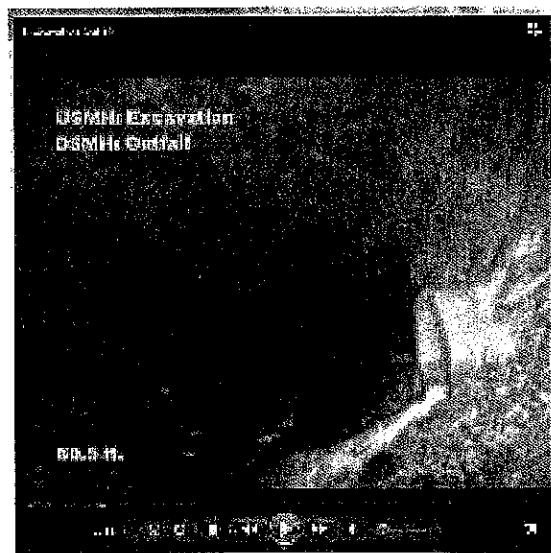
**FROM EXCAVATION PIT IN FRONT OF OLD DAVIS ELECTRIC BLDG.  
ON MERRIMAC ST. TO THE OUTFALL**



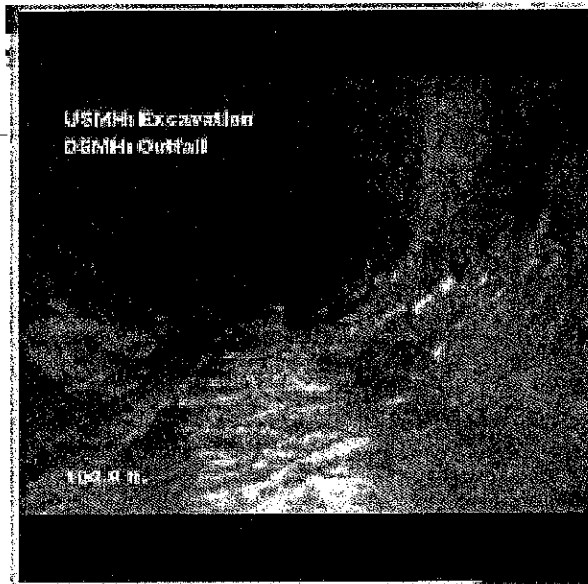
MERRIMAC ST. TO THE LEFT



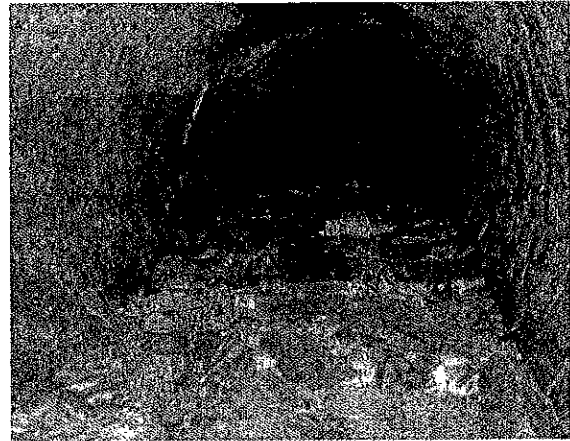
DOWNSTREAM OF ENTRY LOOKING  
UPSTREAM TOWARDS MERRIMAC ST.



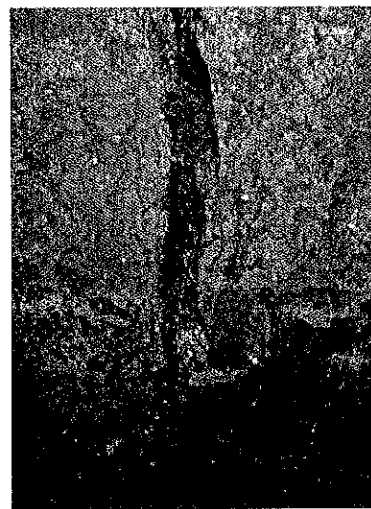
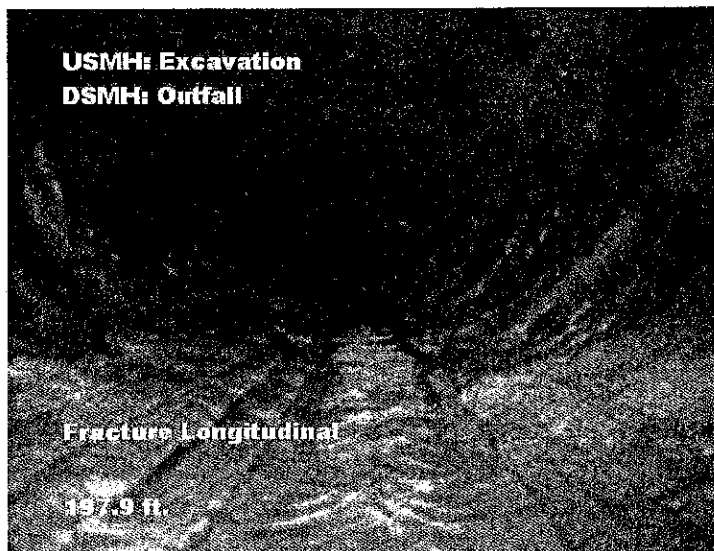
TAKEN AT 60' SHOWING 10'+- INLET DRAIN  
[taken 9-2-2014 by Inland Waters]

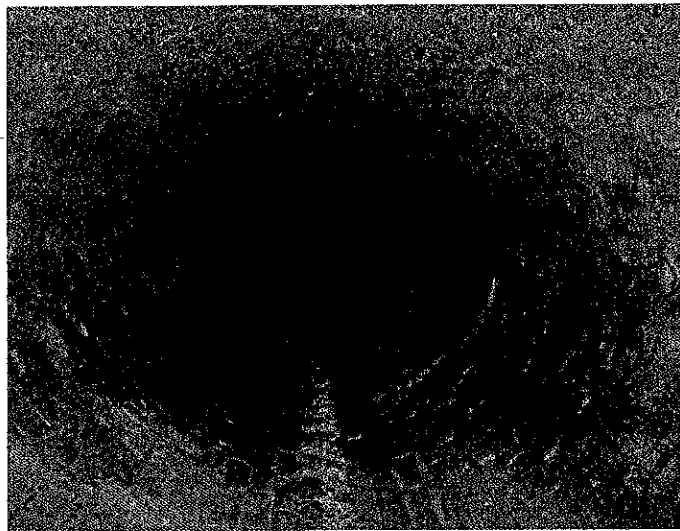


TAKEN AT 105' SHOWING 36" BRICK  
CULVERT CONNECTION ON RIGHT  
[taken 9-2-2014 by Inland Waters]

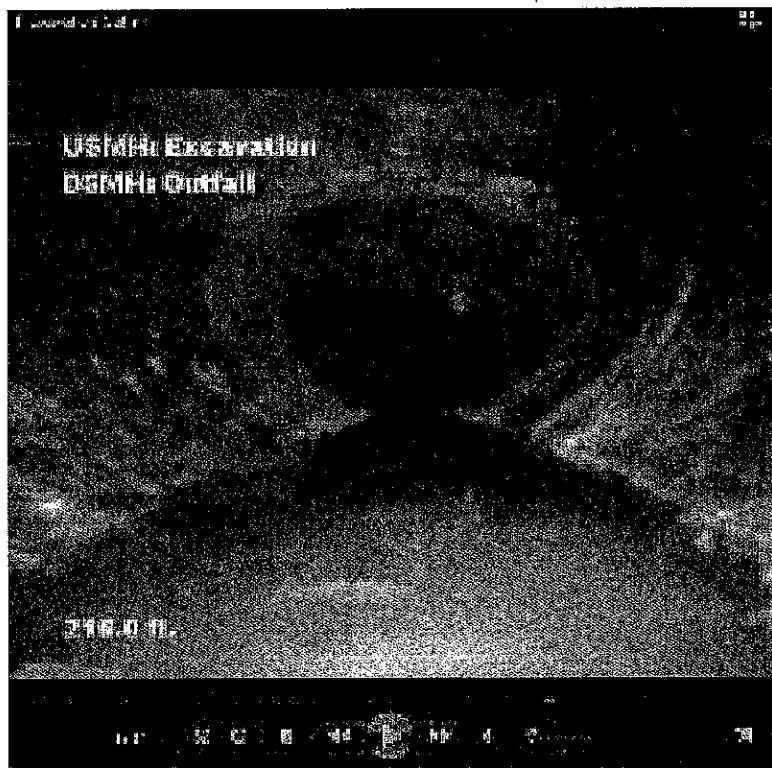


LOOKING UP 36" BRICK CULVERT

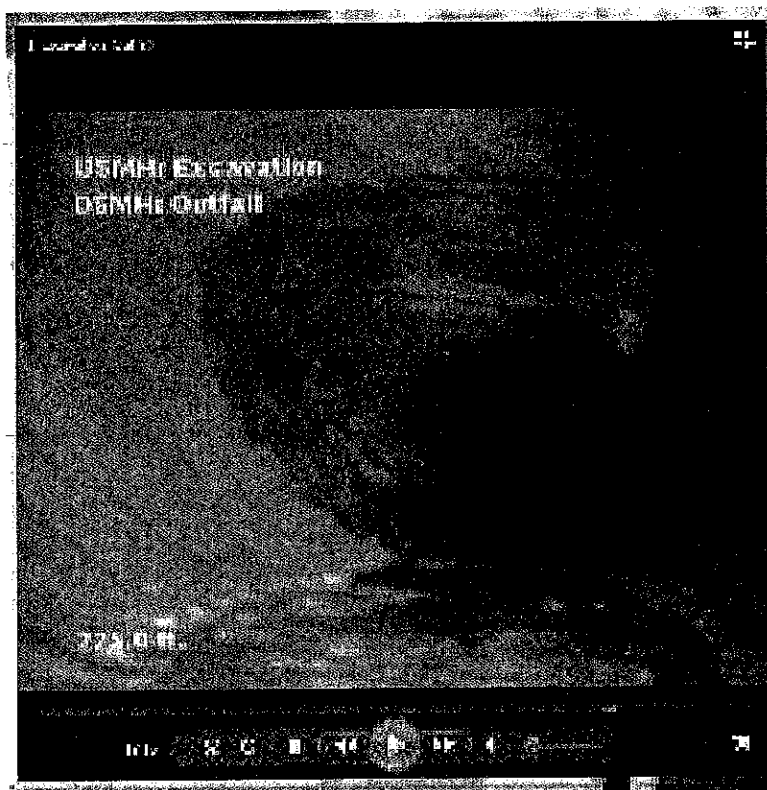




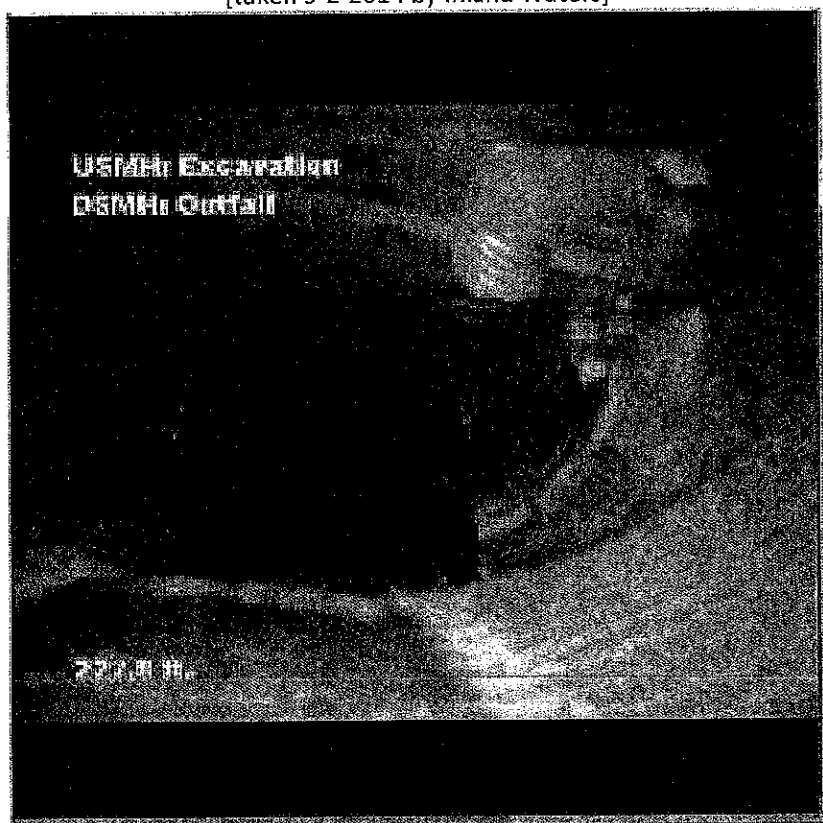
UNKNOWN LOCATION BUT GENERALLY  
WHERE IT STARTS TO FLATTEN OUT  
(APPROACHING THE 200-FOOT MARK)

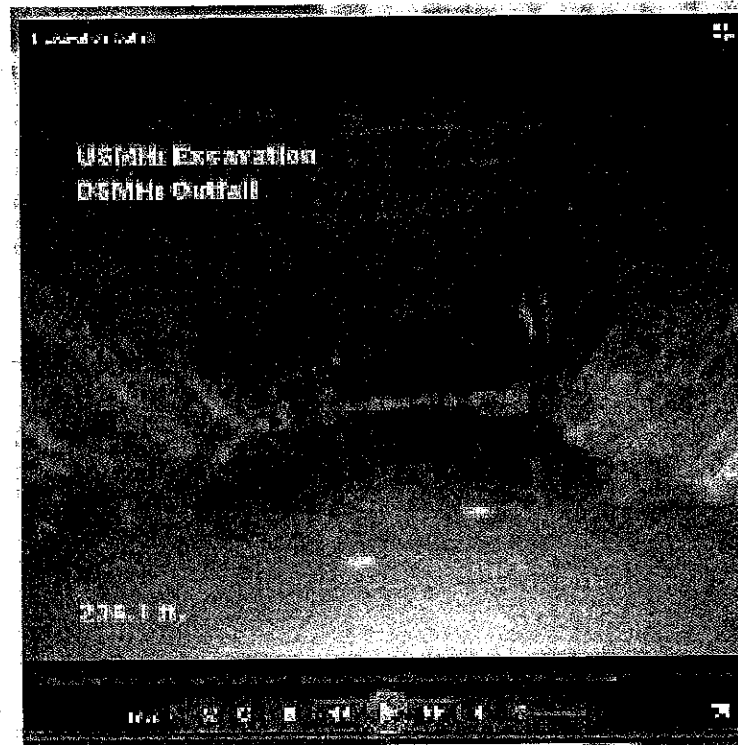


IN THE DEFORMED SECTION LOOKING AHEAD AT THE CMP ARCH SECTION  
[taken 9-2-2014 by Inland Waters]

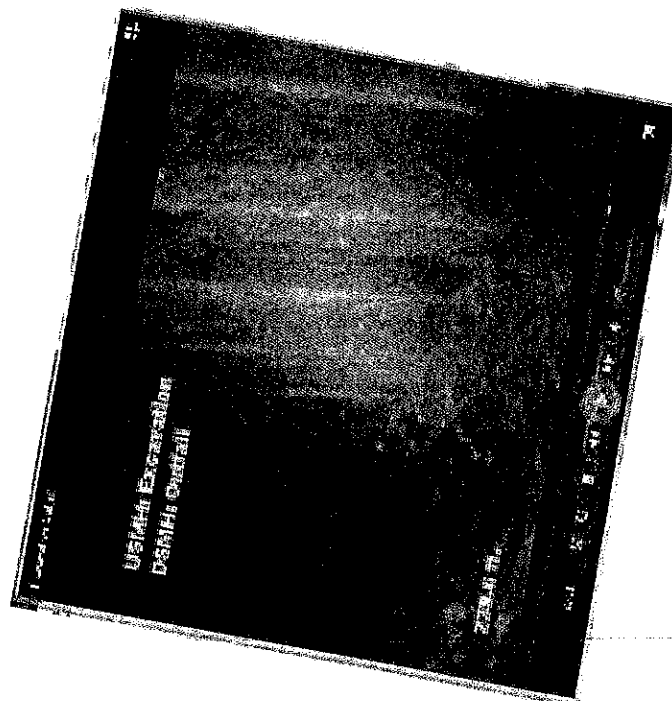


IN THE CMP ARCH SECTION LOOKING AT THE CMP PIPE FROM CATCH BASIN IN FRONT OF PORT SANDWICH.  
NOTICE TIMBER CEILING SECTION BEYOND.  
[taken 9-2-2014 by Inland Waters]



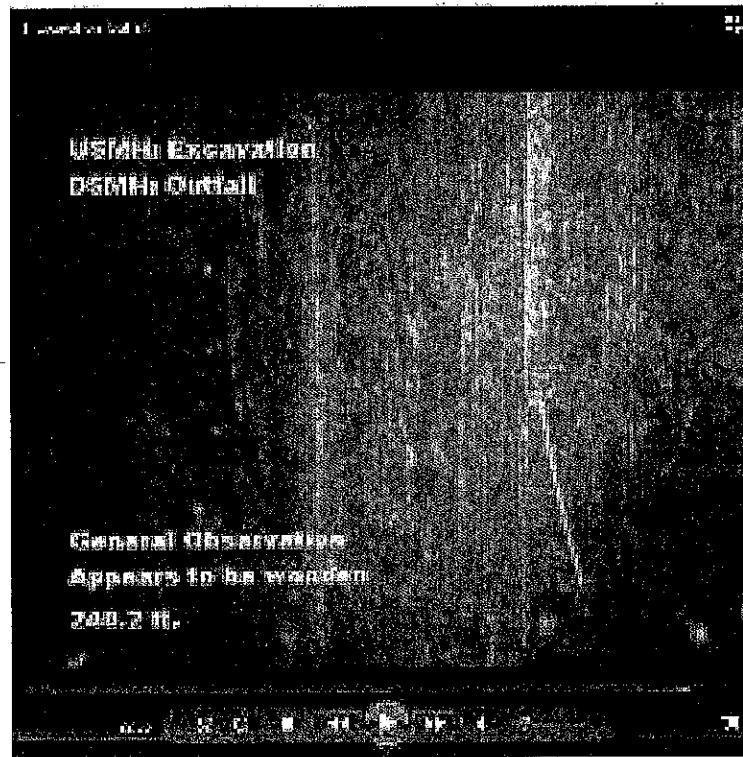


JUST PAST THE CMP ARCH SECTION LOOKING AT THE TIMBER CEILING SECTION  
[taken 9-2-2014 by Inland Waters]



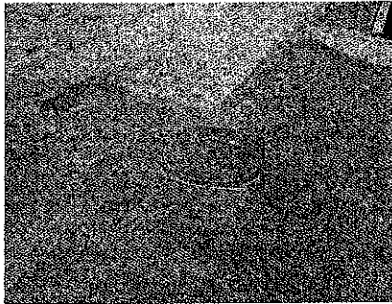
LOOKING AT TIMBER CEILING WITH CAMERA ROTATED.  
NOTICE CLEAN PLACEMENT OF TIMBERS ON CULVERT SIDEWALL  
[taken 9-2-2014 by Inland Waters]





LOOKING AT TIMBER CEILING  
[taken 9-2-2014 by Inland Waters]

**FROM MANHOLE AT BLACK COW VIDEOTAPING UPSTREAM**



DMH LOCATION AT TOP OF BOAT RAMP NEXT TO BLACK COW



VIEW LOOKING UPSTREAM AT 83'

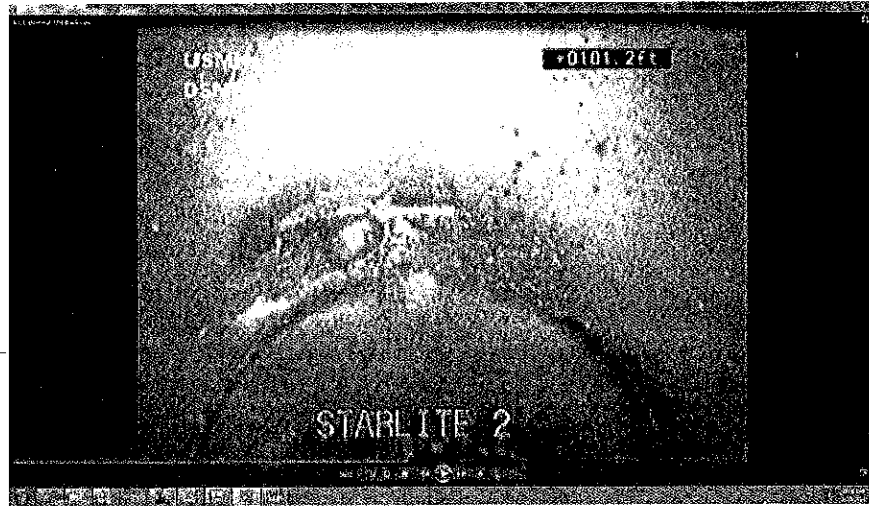


LOOKING TOWARDS MERRIMAC STREET, TAKEN 96' FROM BLACK COW MANHOLE

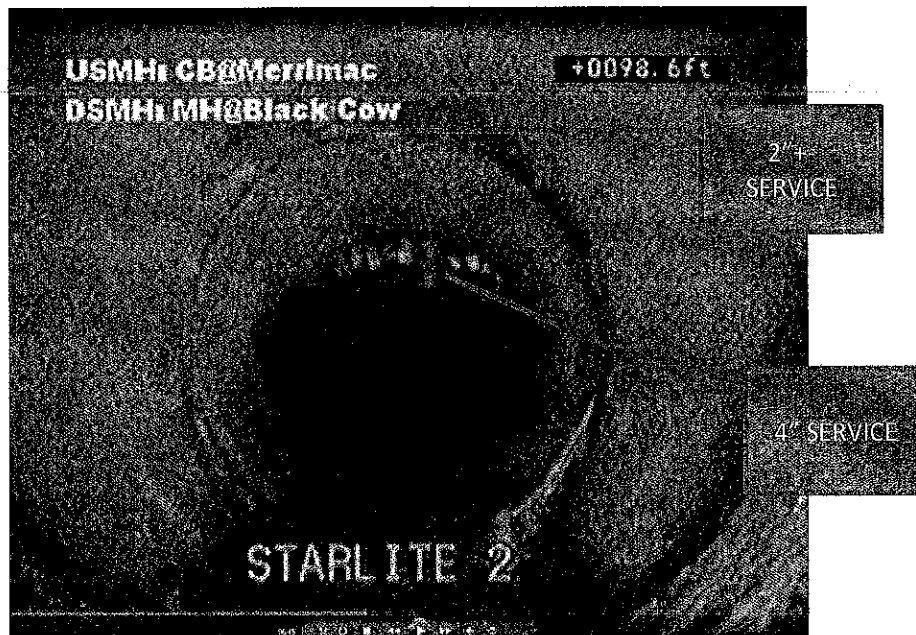
[taken 10-27-2011 by Inland Waters]

LOOKING AHEAD AT UNKNOWN SMALL (2"±) SERVICE CONNECTIONS IN THE CROWN OF PIPE, JUST LEFT OF CENTER. CONNECTION IS 105' FROM MANHOLE.





2" +- SERVICE CONNECTION  
[taken 10-27-2011 by Inland Waters]



SNAPSHOT TAKEN AT 99' FROM MANHOLE.  
[taken 10-27-2011 by Inland Waters]

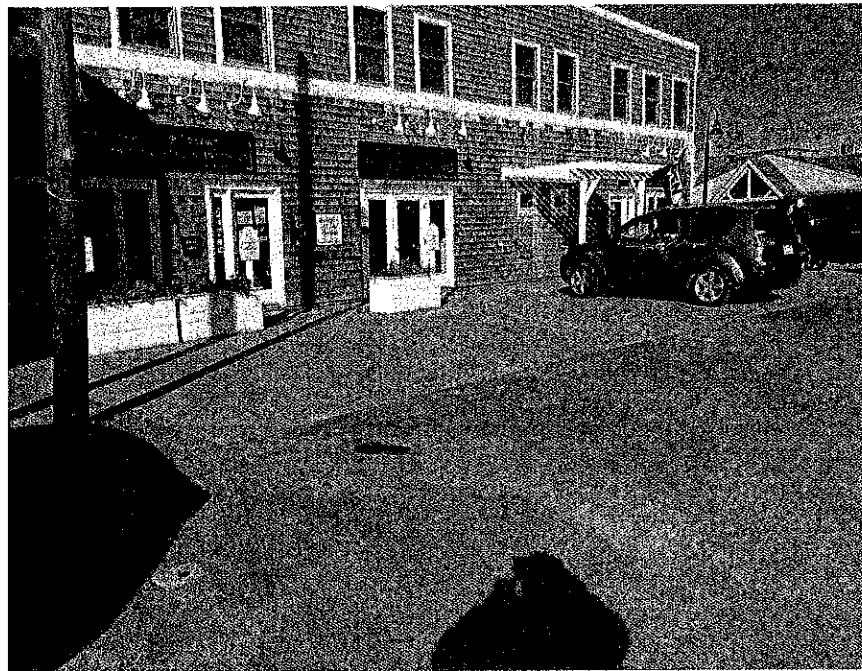
CULVERT CHANGES FROM RCP TO BRICK AT 110' FROM MANHOLE.  
ALSO LOOKING AT 2" +- AND 4" SERVICE CONNECTIONS IN THE CROWN OF PIPE.



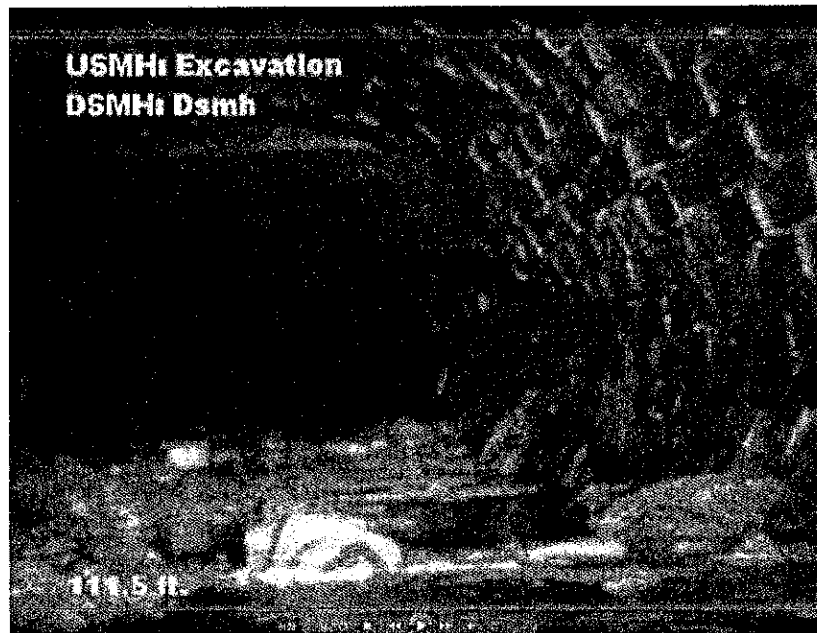
4" SERVICE CONNECTION AND CULVERT MATERIAL CHANGE BEYOND  
[taken 10-27-2011 by Inland Waters]



4" SERVICE CONNECTION  
[taken 10-27-2011 by Inland Waters]



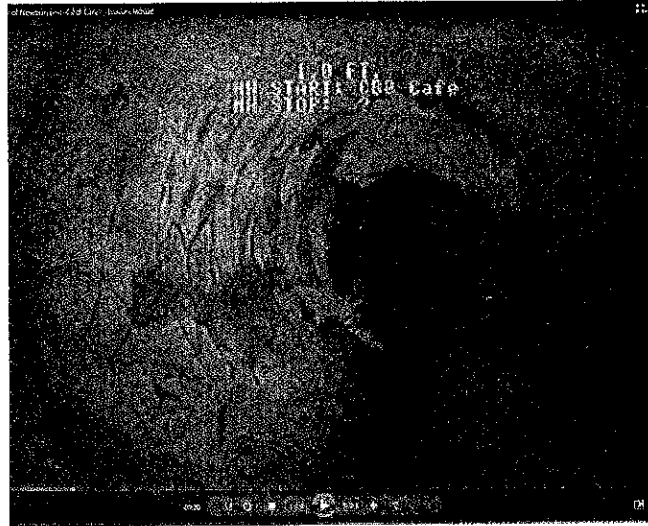
THIS CONCRETE SLAB WAS LIKELY POURED OVER THE TIMBER PLANKS THAT WERE PLACED ON TOP OF THE COLLAPSED CULVERT DECADES AGO. SEE PICS BELOW.



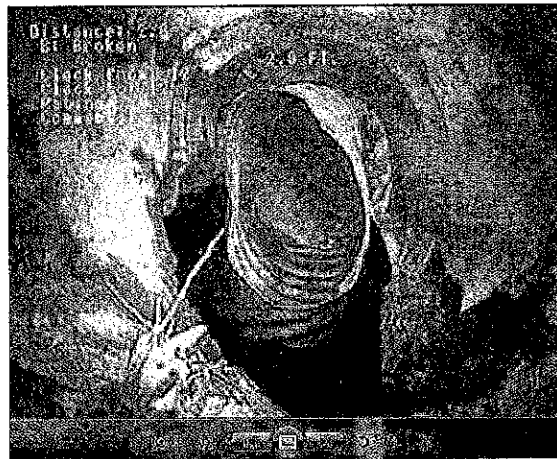
112' UP FROM DMH  
[taken 9-2-2014 by Inland Waters]

YOU CAN SEE AHEAD WHERE THE TOP OF THE BRICK CULVERT CHANGES TO A FLAT CEILING.  
THEY ARE LIKELY TIMBER PLANKS PLACED ON TOP OF THE CULVERT AFTER IT COLLAPSED DECADES AGO.  
THE PLANKS ACTED AS FORMS FOR THE CONCRETE POUR THAT IS NOW USED AS PARKING.

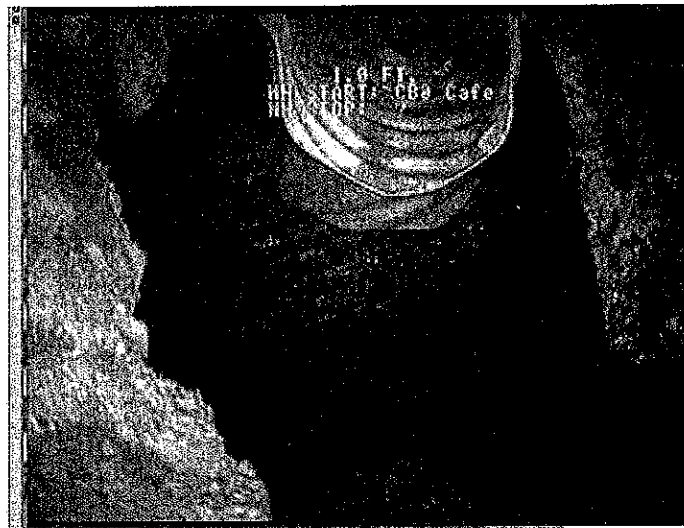
**FROM CATCH BASIN IN FRONT OF PORT CITY SANDWICH**



SNAPSHOT INSIDE CATCH BASIN OUTLET PIPE LOOKING TOWARDS PORT CITY SANDWICH.  
YOU'RE LOOKING AT THE CMP BEND AT THE END OF THIS OUTLET PIPE.  
[taken 7-8-2011 by Inland Waters]

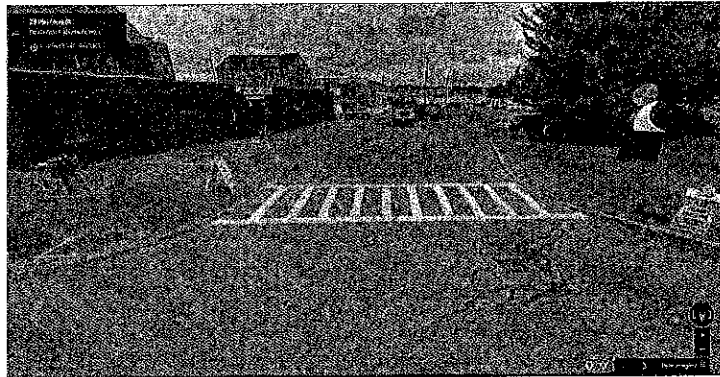


SNAPSHOT OF CMP BEND CONNECTING THE CATCH BASIN OUTLET PIPE INTO THE BRICK CULVERT.  
CMP IS A 90-DEGREE BEND DOWN INTO THE BRICK CULVERT.  
AS YOU CAN SEE, THE OUTLET PIPE AND ITS CONNECTION TO THE CMP BEND IS COMPLETELY GONE.  
[taken 7-8-2011 by Inland Waters]



CLOSEUP SHOT OF HUGE GAP AROUND CMP BEND.  
[taken 7-8-2011 by Inland Waters]

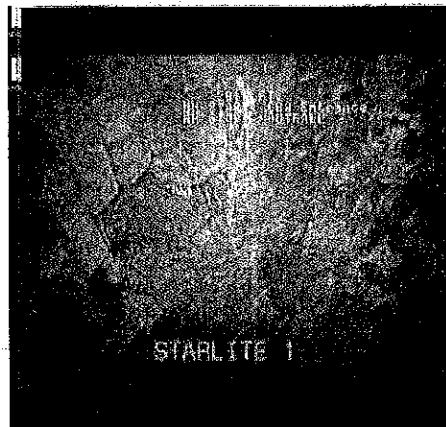
**FROM CATCH BASIN IN AT WATERFRONT PARK DRIVEWAY ENTRANCE**



ACCESS POINT FOR SNAPSOTS BELOW:  
CATCH BASIN AT WATERFRONT PARK DRIVEWAY ENTRANCE



CAMERA IN CULVERT AT BASE OF CATCH BASIN, LOOKING TOWARDS THE RIVER.  
THE BRICK AND STONES BEHIND BRICK IS ESSENTIALLY THE CATCH BASIN – CULVERT TO THE LEFT, BASIN TO  
THE RIGHT – LARGE VOIDS FROM WASHOUT.



SECTION OF BRICK LOSS AND VOIDS.



AT 31' IN, PIPE TO THE RIGHT. NOTICE THE MAIN CULVERT VEERING LEFT UP AHEAD IN THE PIC.



CROWN (CEILING) OF CULVERT ABOUT TO COLLAPSE.



# City of Newburyport

## FY 2015

### BUDGET TRANSFER REQUEST

Transfer #8  
JUN 26 2015  
8 2015

105 311-2 P 215

Department: DPS - WATER

Submitted by: Anthony Furnari, Director

Date Submitted: 6/2/2015

#### Transfer From:

|                          |                                                                                                                                                                                                                                                                 |            |                 |
|--------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|-----------------|
| Account Name             | WATER RETAINED EARNINGS                                                                                                                                                                                                                                         | YTD Bal:   | \$ 1,117,312.00 |
| Account Number:          | 60-35920                                                                                                                                                                                                                                                        | Trans In:  | \$ -            |
| Amount:                  | \$450,000.00                                                                                                                                                                                                                                                    | Trans Out: | \$ -            |
| Why are Funds Available: | <i>The Massachusetts Department of Revenue certified Retained Earnings for the Water Enterprise Fund at \$1,117,312 for FY2015. These funds are available for any legal expenditure with the approval of the Mayor and a majority vote of the City Council.</i> |            |                 |

#### Transfer To:

|                         |                                                                                                                                                                                                                                                                                                                                                                                |            |      |
|-------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|------|
| Account Name            | FY16 BUDGET RESERVE                                                                                                                                                                                                                                                                                                                                                            | YTD Bal:   | \$ - |
| Account Number:         | 60-32801                                                                                                                                                                                                                                                                                                                                                                       | Trans In:  | \$ - |
| Amount:                 | \$450,000.00                                                                                                                                                                                                                                                                                                                                                                   | Trans Out: | \$ - |
| Why are Funds Required: | <i>A transfer of \$ 450,000 is requested from Water Enterprise Fund Retained Earnings to fund the FY2016 Water Enterprise Fund Budget. This appropriation will assist the Water/Sewer Commission in mitigating rate increases, which would be necessary to pass on to the ratepayers to service the debt related to the capital improvements at the Water Treatment Plant.</i> |            |      |

Donna D Holaday, Mayor  
Ethan R. Manning, Auditor  
City Council Approval: (Stamp)

*Donna D Holaday*  
*Ethan R Manning*

Date: 6/2/15  
Date: 6/2/15





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

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

To: President and Members of the City Council  
From: Donna D. Holaday, Mayor  
Date: June 2, 2015  
Re: Water/Sewer Budget Reserve Transfers

In March of 2009 and August of 2010, the City Council voted favorably to authorize the issuance of debt, which would allow the City to embark on two major rehabilitation projects impacting our sewer and water systems. Given the age and condition of the Wastewater Treatment Facility and Water Treatment Plant, we knew the projects were not going to be easy, or inexpensive, but we did know that, in order to protect Newburyport's water and sewer system, the work had to be done and it had to be done right.

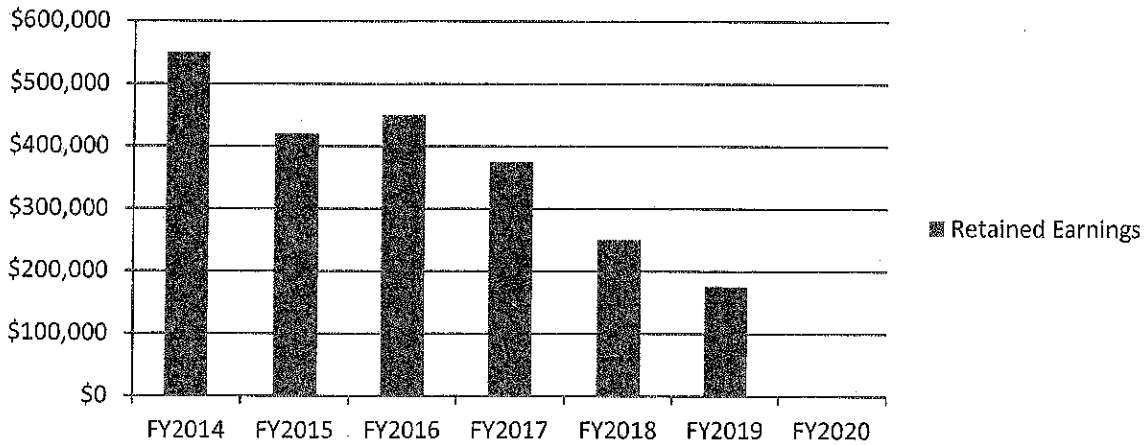
The FY2016 budgets for the Water and Sewer Enterprise Funds show total debt principle and interest of \$1,844,632 and \$2,256,436 respectively. Since 2014, the Water and Sewer Undesignated Fund Account has appropriated reserves to stabilize the Water and Sewer rate increases. As such, the purpose of the attached transfers is to mitigate the impact of rising debt service costs on ratepayers in the next fiscal year.

For water, the Water Commission recommends reserving \$450,000 in retained earnings for the purpose of stabilizing rates. For the typical household, instead of seeing a \$64 rise in water costs for next year, they will instead see an increase of \$16, or 3.6% from current rates. You may recall that Russell Consulting originally showed a total increase of \$88 per year for the typical household to fund the WTP Project.

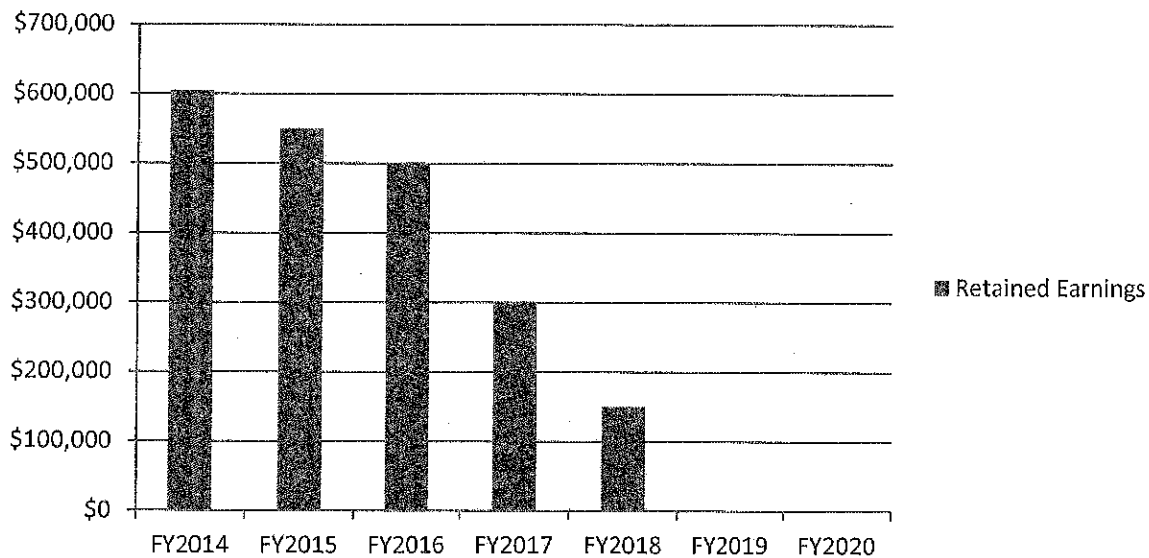
For sewer, the Sewer Commission recommends reserving \$500,000 in retained earnings for the purpose of stabilizing rates. For the typical household, instead of seeing an \$84.00 rise in sewer costs for next year, they will instead see an increase of \$26 or 4% from current rates. You may recall that Weston & Sampson originally projected a total increase \$153 per year to fund the WWTF Project.

I thank you for taking the time to review the attached information.

### Water Retained Earnings used for Rate Stabilization



### Sewer Retained Earnings Used for Rate Stabilization





# City of Newburyport

## FY 2015

### BUDGET TRANSFER REQUEST

Transfer #9  
JUN 02 2015  
May 26 2015  
84

2015 JUN -2 P 246

**Department:** DPS - SEWER

**Submitted by:** Anthony Furnari, Director

**Date Submitted:** 6/2/2015

**Transfer From:**

|                          |                                                                                                                                                                                                                                                                 |            |                 |
|--------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|-----------------|
| Account Name             | SEWER RETAINED EARNINGS                                                                                                                                                                                                                                         | YTD Bal:   | \$ 1,591,334.00 |
| Account Number:          | 61-35920                                                                                                                                                                                                                                                        | Trans In:  | \$ -            |
| Amount:                  | \$500,000.00                                                                                                                                                                                                                                                    | Trans Out: | \$ 346,798.00   |
| Why are Funds Available: | <i>The Massachusetts Department of Revenue certified Retained Earnings for the Sewer Enterprise Fund at \$1,938,132 for FY2015. These funds are available for any legal expenditure with the approval of the Mayor and a majority vote of the City Council.</i> |            |                 |

**Transfer To:**

|                         |                                                                                                                                                                                                                                                                                                                                                                                       |            |      |
|-------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|------|
| Account Name            | FY16 BUDGET RESERVE                                                                                                                                                                                                                                                                                                                                                                   | YTD Bal:   | \$ - |
| Account Number:         | 61-32801                                                                                                                                                                                                                                                                                                                                                                              | Trans In:  | \$ - |
| Amount:                 | \$500,000.00                                                                                                                                                                                                                                                                                                                                                                          | Trans Out: | \$ - |
| Why are Funds Required: | <i>A transfer of \$500,000 is requested from Sewer Enterprise Fund Retained Earnings to fund the FY2016 Sewer Enterprise Fund Budget. This appropriation will assist the Water/Sewer Commission in mitigating rate increases, which would be necessary to pass on to the ratepayers to service the debt related to the capital improvements at the Wastewater Treatment Facility.</i> |            |      |

Donna D Holaday, Mayor  
Ethan R. Manning, Auditor  
City Council Approval: (Stamp)

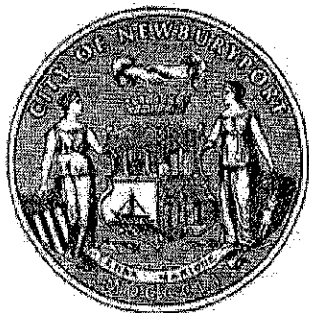
*Donna D Holaday*  
*Ethan R Manning*

Date:

*4/2/15*

Date:

*6/2/15*



CITY OF NEWBURYPORT  
OFFICE OF THE MAYOR  
DONNA D. HOLADAY

60 PLEASANT STREET • P.O. BOX 550  
NEWBURYPORT, MA 01950  
(978) 465-4413 • (978) 465-4402 (FAX)  
WWW.CITYOFNEWBURYPORT.COM

Communication #4

MAY 26, 2015  
MAY 28, 2015

RECEIVED  
CITY OF NEWBURYPORT  
OFFICE OF THE MAYOR

2015 MAY 28 P 6:25

TO: President and Members of the City Council

FROM: Mayor Donna D. Holaday

DATE: June 8, 2015

RE: FY16 Proposed Budget

Enclosed please find the FY16 proposed budget which includes expenditures of \$59,098,570 balanced by non-tax levy revenues totaling \$8,773,414 and estimated tax levy of \$50,678,964. The FY16 operating budget represents a 4.3% increase over last year's budget and 5.0% increase when factoring in excluded debt service. Copies of the proposed budget were made available to Councilors on May 14.

As we slowly emerge from these challenging economic times, we have made difficult but deliberative choices to ensure our City is on solid financial ground over the past five and a half years. We have moved forward on long overdue infrastructure needs and are working diligently to address the growing list of streets and sidewalks in need of repair. We must also remain dedicated to rebuilding our school programs and this year's budget demonstrates my continued commitment to doing so.

Although we are presenting a budget that allows us to maintain current level of programs and services, we must continue to be vigilant in efficiently managing these resources and maximizing benefits provided across the City. The development of this comprehensive budget and capital plan was a team effort and I am very grateful to the Finance Team members: Julie Languirand, Treasurer, Dan Raycroft, Assessor, and especially Peter Lombardi, former Director of Policy & Administration and Ethan Manning, Finance Director/Auditor. Mr. Lombardi and Mr. Manning deserve much credit and recognition for their diligence in preparing this FY 2016 budget. We are proud to submit this budget to you for consideration and look forward to working with you over the coming weeks to finalize this process and begin FY16.

refer to  
ARI/EC

SV  
CT  
NO comment

bx

# CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

June 8, 2015

## TO ACCEPT AND ESTABLISH INITIAL EXEMPTION PERCENTAGE

ARTICLE/ORDER. To see if the City of Newburyport will vote to accept Massachusetts General Laws Chapter 59, Section 5C ½, which provides for an additional real estate exemption for taxpayers who are granted personal exemptions on their domiciles under Massachusetts General Laws Chapter 59, Section 5, including certain blind persons, veterans, surviving spouses and seniors, and to provide that the additional exemption shall be up to 100 percent of the personal exemption, to be effective for exemptions granted for any fiscal year beginning on or after July 1, 2015, or take any other action relative thereto.

Councilor Charles F. Tontar

JUN 08 2015

## CITY OF NEWBURYPORT



## IN CITY COUNCIL

June 8, 2015

## ORDERED:

THAT, the city establish revolving funds for certain city departments under M.G.L. Chapter 44, §53E1/2 for the fiscal year beginning July 1, 2016, with the specific receipts credited to each fund, the purposes for which each fund may be spent and the maximum amount that may be spent from each fund for the fiscal year, as follows:

| Revolving Fund          | Authorized to Spend                | Revenue Source                                                                                                                                           | Use of Fund                                                                                                                                                                                                                                                                                                                                                                                        | FY16 Spending Limit |
|-------------------------|------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|
| Engineering Services    | Director of Planning & Development | Charges to developers who have applications before the City in an amount equal to the cost of acquiring the professional service                         | Expenses associated with the engagement, by the City, of engineers, architects, and other professionals qualified to evaluate various aspects of development projects and to advise the City accordingly                                                                                                                                                                                           | \$100,000           |
| Council on Aging        | Director of Council on Aging       | Program fees                                                                                                                                             | Senior citizen programs                                                                                                                                                                                                                                                                                                                                                                            | \$50,000            |
| Recreational Services   | Director of Youth Services         | Program fees                                                                                                                                             | Funds recreational services in the City including program supplies, materials and equipment, class instructor fees, fees for reservations and tickets related to trips and functions, and other costs related to the provisions of recreational services                                                                                                                                           | \$350,000           |
| Historical Commission   | Director of Planning & Development | Application fees                                                                                                                                         | Administration of the Historical Commission operations, including office supplies and technical assistance                                                                                                                                                                                                                                                                                         | \$10,000            |
| Electrical Inspector    | Building Commissioner              | Electrical permit fees                                                                                                                                   | Electrical Inspector's salary and related expenses                                                                                                                                                                                                                                                                                                                                                 | \$105,000           |
| Plumbing Inspector      | Building Commissioner              | Plumbing permit fees                                                                                                                                     | Plumbing Inspector's salary and related expenses                                                                                                                                                                                                                                                                                                                                                   | \$60,000            |
| Gas Inspector           | Building Commissioner              | Gas permit fees                                                                                                                                          | Gas Inspector's salary and related expenses                                                                                                                                                                                                                                                                                                                                                        | \$50,000            |
| Disabilities Commission | ADA Coordinator                    | Handicapped parking fines                                                                                                                                | Assist the Commission on Disabilities in their efforts to advise, assist, research, coordinate, review and make policy recommendations, provide information, referrals, guidance and technical assistance to individuals, public agencies, businesses and organizations in all matters pertaining to disability; and to coordinate activities of other local groups organized for similar purposes | \$25,000            |
| South End Branch        | Director of Public Services        | Income received from the rental of the apartment located on the second floor of the South End Branch Library, commonly known as the Emma Andrews Library | Expenses associated with building maintenance, repairs, renovations, upkeep and security                                                                                                                                                                                                                                                                                                           | \$35,000            |
| M-School Drop-in Center | Director of Youth Services         | Donations, gifts and grants received from the general public, private corporations and charitable foundations                                            | Expenses associated with the operation of the Drop-In Center, including staff salaries, equipment, materials, supplies and other costs related to the Drop-In Center programs and activities                                                                                                                                                                                                       | \$100,000           |
| Transient Vendors       | Director of Public Health          | License fees                                                                                                                                             | Maintain City streets, ways, parks, walkways and other public areas throughout the City, as well as, City expenses associated with carrying out holiday celebrations, special activities and other public events                                                                                                                                                                                   | \$35,000            |
| Planning & Zoning       | Director of Planning & Development | Planning and zoning service and application fees                                                                                                         | Planning and zoning related purposes including consultant's fees, legal expenses and other costs associated with project reviews and planning activities                                                                                                                                                                                                                                           | \$75,000            |

|                                   |                                |                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                           |
|-----------------------------------|--------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|
| Animal Control                    | Director of Public Health      | Fees and donations associated with animal control and animal shelter activities                                                                                                                                                                                                                  | Offset City expenses associated with carrying out animal control and animal shelter operations                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | \$25,000                  |
| Tree Commission                   | Newburyport Tree Warden        | Fines, voluntary payments, fees, charges, contributions, donations, grants, insurance settlements, and other payments received from private individuals, businesses, government entities, and persons or business making payment to the City for damage caused to trees located on City property | Plant, maintain, protect, and preserve public trees throughout the City in order to: contribute to the distinct character of the City; improve air quality; create habitats for wildlife, including various rare and protected species; reduce noise; provide privacy; protect soil from erosion; provide glare and heat protection; provide an aesthetic appeal that enhances property values; provides natural privacy to neighbors; and promotes civic pride and enjoyment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | \$30,000                  |
| Medicare/Medicaid                 | Director of Public Health      | Reimbursements charged to the state or federal Medicare/Medicaid programs                                                                                                                                                                                                                        | Maintain emergency planning programs and allow response to emergencies, as well as, offset City expenses associated with carrying out Health Department activities                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | \$50,000                  |
| Veterans Benefits                 | Director of Veteran's Services | Sale of grave markers, donations, gifts and grants received from the general public, government entities, private corporations, and charitable foundations                                                                                                                                       | Expenses associated with goods and services benefiting veterans residing in the City and their families                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | \$10,000                  |
| Downtown Paid Parking             | City Clerk/<br>Parking Clerk   | Parking fees, violation fines and passes                                                                                                                                                                                                                                                         | Expenses include:<br>a) all annual operational costs of the downtown paid parking program, including, without limitation, maintenance of the parking lots' asphalt and gravel surfacing, lighting, landscaping, and snow removal, equipment, supplies and signage, and parking enforcement officers;<br>b) monthly payments to the Newburyport Redevelopment Authority in an amount equal to its meter revenue from said East and West Lots;<br>c) contractual payments to the Newburyport Waterfront Trust;<br>d) annual capital reserve allocations towards cyclical replacement of revenue collection machines and re-surfacing of the asphalt parking lots;<br>e) not less than \$50,000 per year towards the general stewardship, care, maintenance, and improvement of the downtown's public infrastructure, including but not limited to, sidewalks, curbing, stairways, lighting, trees and landscaping and entities; and<br>f) other capital projects and general fund transfers, as determined by the Mayor and the City Council, based on the program's net income after the aforementioned expenditures have been satisfied | \$481,000                 |
| City Hall Maintenance             | Director of Public Services    | Fees, charges and donations paid to the City for the use and rental of City Hall facilities by outside groups, organizations and individuals                                                                                                                                                     | Expenses associated with City Hall maintenance, repairs, renovations, upkeep and security                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | \$25,000                  |
| <b>Total Spending<sup>2</sup></b> |                                |                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | <b><u>\$1,616,000</u></b> |

<sup>1</sup>FY16 per department spending limit is \$481,316 (1% of FY14 levy of \$48,131,629)

<sup>2</sup>FY16 total spending limit is \$4,813,163 (10% of FY14 levy of \$48,131,629)

Councillor Charles F. Tontar  
Chair, Budget & Finance Committee

# CITY OF NEWBURYPORT REVOLVING FUNDS

FY2015 YEAR-TO-DATE ACTIVITY  
(AS OF MAY 27, 2015)

| Account Name            | Fund Code | Beginning Balance | YTD Revenue | YTD Expended | Transfers In/(Out) | Current Balance |
|-------------------------|-----------|-------------------|-------------|--------------|--------------------|-----------------|
| Engineering Services    | 2801      | 68,235.46         | 22,150.00   | 24,890.00    | 0.00               | 65,495.46       |
| Council on Aging        | 2802      | 24,300.42         | 15,916.87   | 2,923.89     | 0.00               | 37,293.40       |
| Recreational Services   | 2803      | 198,378.05        | 225,460.18  | 288,666.17   | 0.00               | 135,172.06      |
| Historical Commission   | 2804      | 8,147.08          | 1,500.00    | 450.00       | 0.00               | 9,197.08        |
| Electrical Inspector    | 2806      | 111,094.38        | 62,790.00   | 36,497.90    | 0.00               | 137,386.48      |
| Plumbing Inspector      | 2807      | 39,191.19         | 37,691.95   | 45,763.33    | 0.00               | 31,119.81       |
| Gas Inspector           | 2808      | 15,483.33         | 24,748.00   | 24,522.65    | 0.00               | 15,708.68       |
| Disabilities Commission | 2809      | 1,920.82          | 400.00      | 0.00         | 0.00               | 2,320.82        |
| South End Branch        | 2810      | 18,913.85         | 18,635.00   | 21,898.89    | 0.00               | 15,649.96       |
| M-School Drop-in Center | 2811      | 7,852.05          | 42,527.91   | 30,569.93    | 0.00               | 19,810.03       |
| Transient Vendors       | 2812      | 37,918.51         | 15,275.00   | 15,458.64    | 0.00               | 37,734.87       |
| Planning & Zoning       | 2813      | 16,263.44         | 43,194.48   | 49,185.21    | 0.00               | 10,272.71       |
| Animal Control          | 2817      | 10,610.27         | 1,560.00    | 923.51       | 0.00               | 11,246.76       |
| Tree Commission         | 2818      | 15,418.99         | 0.00        | 2,925.55     | 0.00               | 12,493.44       |
| Medicare/Medicaid       | 2835      | 24,384.85         | 1,430.12    | 8,558.27     | 0.00               | 17,256.70       |
| Veterans Benefits       | 2836      | 2,701.17          | 1,165.00    | 1,287.44     | 0.00               | 2,578.73        |
| Downtown Paid Parking   | 2839      | 541,629.21        | 541,676.03  | 365,930.19   | (365,000.00)       | 352,375.05      |
| City Hall Maintenance   | 2840      | 890.00            | 700.00      | 0.00         | 0.00               | 1,590.00        |

Total Revolving Funds

\$1,143,333.07

\$1,056,820.54

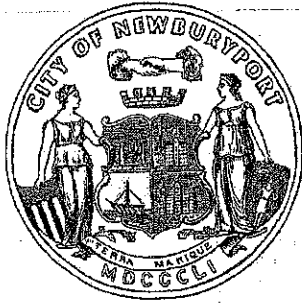
\$920,451.57

(\$365,000.00)

\$914,702.04



## **LICENSE & PERMITS**



RECEIVED  
CITY CLERK'S OFFICE  
NEWBURYPORT, MA  
NEW FILING  
RENEW

## City of Newburyport

2015 MAY 19 P 3:12

### Application

### Food Establishment Outdoor Seating on Public Property

Date: 5-19-15

Name of Business Owner: Cathy Moulton

Name of Property Owner: Newburyport Development

Business Name: 17 State Street Cafe

Business Address: 17 State Street Business Phone: 978.948.3456

Number of Tables Requested: 4 Dimensions: 30" Material: Wrought Iron

Number of Chairs Requested: 8 Dimensions: 20" Material: Wrought 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.

**\*Please note propane is not allowed unless approved by the Fire Department\***

### 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

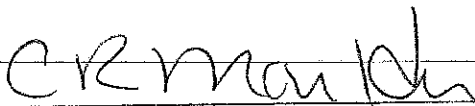
- 1) Applicants must provide evidence of liability insurance to the City Clerk with minimum coverage in the amount of one million dollars, naming the City of Newburyport as co-insured. This insurance coverage must be in force for the duration of the approved period.

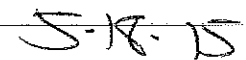
Application - Food Establishment Outdoor Seating on Public Property


- 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
- 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:
- 5) 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.
- 6) 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.

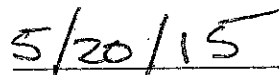
**RELEASE AND INDEMNITY AGREEMENT TO ENCUMBER A PUBLIC WAY**

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

  
\_\_\_\_\_  
DATE

  
\_\_\_\_\_  
Signature of ADA Coordinator  
(Building Department)

  
\_\_\_\_\_  
DATE

Lively Jack

← 14' 6" →

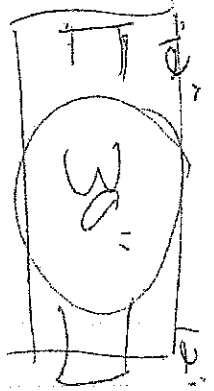
17 State Street Cafe 34' 3" →

porchway  
← 10' 3" →  
← 9' →

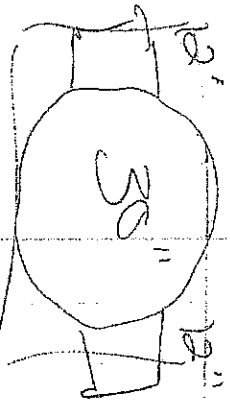


← 54" → 20" ← 54" →

Planters  
Planters



← 36" →

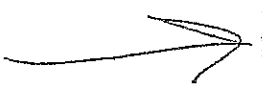


← 54" →

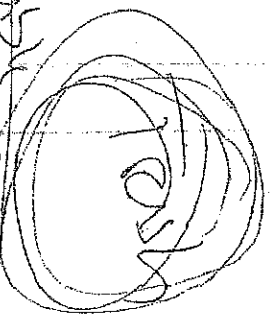
Planters

← 36" →

← 11' 4" overall



Town  
Gardens



Car 120

150  
overall



17STATE-01

LCARUSO

## CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

5/19/2015

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).

|                                                                                              |                                                                                  |               |
|----------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------|---------------|
| <b>PRODUCER</b><br>Salem Five Insurance Services, LLC<br>445 Main Street<br>Woburn, MA 01801 | <b>CONTACT NAME:</b>                                                             |               |
|                                                                                              | <b>PHONE (A/C, No, Ext):</b> (781) 933-3100 <b>FAX (A/C, No):</b> (781) 933-9048 |               |
|                                                                                              | <b>E-MAIL ADDRESS:</b> insurance.services@salemfive.com                          |               |
| <b>INSURED</b><br><br>17 State Street Cafe Inc<br>17 State Street<br>Newburyport, MA 01950   | <b>INSURER(S) AFFORDING COVERAGE</b>                                             | <b>NAIC #</b> |
|                                                                                              | <b>INSURER A:</b> Selective Ins Co of S Carolina                                 |               |
|                                                                                              | <b>INSURER B:</b> Selective Ins Co of the Southeast                              | 39926         |
|                                                                                              | <b>INSURER C:</b> Selective Ins Co of America                                    | 12572         |
|                                                                                              | <b>INSURER D:</b> Mass Retail Merchants                                          |               |
|                                                                                              | <b>INSURER E:</b>                                                                |               |
|                                                                                              | <b>INSURER F:</b>                                                                |               |

## 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 WVD                  | POLICY NUMBER   | POLICY EFF (MM/DD/YYYY) | POLICY EXP (MM/DD/YYYY) | LIMITS                                                                                                                                                                                                                                                                |
|----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------|-----------------|-------------------------|-------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| A        | <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY<br><input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR<br><br>GEN'L AGGREGATE LIMIT APPLIES PER:<br><input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC<br><input checked="" type="checkbox"/> OTHER |                                     | S1843484        | 06/07/2014              | 06/07/2015              | EACH OCCURRENCE \$ 1,000,000<br>DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000<br>MED EXP (Any one person) \$ 5,000<br>PERSONAL & ADV INJURY \$ 1,000,000<br>GENERAL AGGREGATE \$ 2,000,000<br>PRODUCTS - COM/OP AGG \$ 2,000,000<br>GL-ELITE PAC FI \$ 400,000 |
| B        | <input type="checkbox"/> AUTOMOBILE LIABILITY<br><input type="checkbox"/> ANY AUTO<br><input checked="" type="checkbox"/> ALL OWNED AUTOS <input checked="" type="checkbox"/> SCHEDULED AUTOS<br><input checked="" type="checkbox"/> HIRED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS                                                   |                                     | A9091536        | 06/07/2014              | 06/07/2015              | COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000<br>BODILY INJURY (Per person) \$<br>BODILY INJURY (Per accident) \$<br>PROPERTY DAMAGE (Per accident) \$<br>\$                                                                                                       |
| C        | <input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR<br><input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE<br><input type="checkbox"/> DED <input type="checkbox"/> RETENTION \$                                                                                                         |                                     | S1843484        | 06/07/2014              | 06/07/2015              | EACH OCCURRENCE \$ 1,000,000<br>AGGREGATE \$<br>\$                                                                                                                                                                                                                    |
| D        | WORKERS COMPENSATION AND EMPLOYERS' LIABILITY<br>ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)<br>If yes, describe under DESCRIPTION OF OPERATIONS below                                                                                                                                                                 | Y/N<br><input type="checkbox"/> N/A | 014005031861113 | 01/01/2014              | 01/01/2015              | <input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER<br>E.L. EACH ACCIDENT \$ 500,000<br>E.L. DISEASE - EA EMPLOYEE \$ 500,000<br>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)

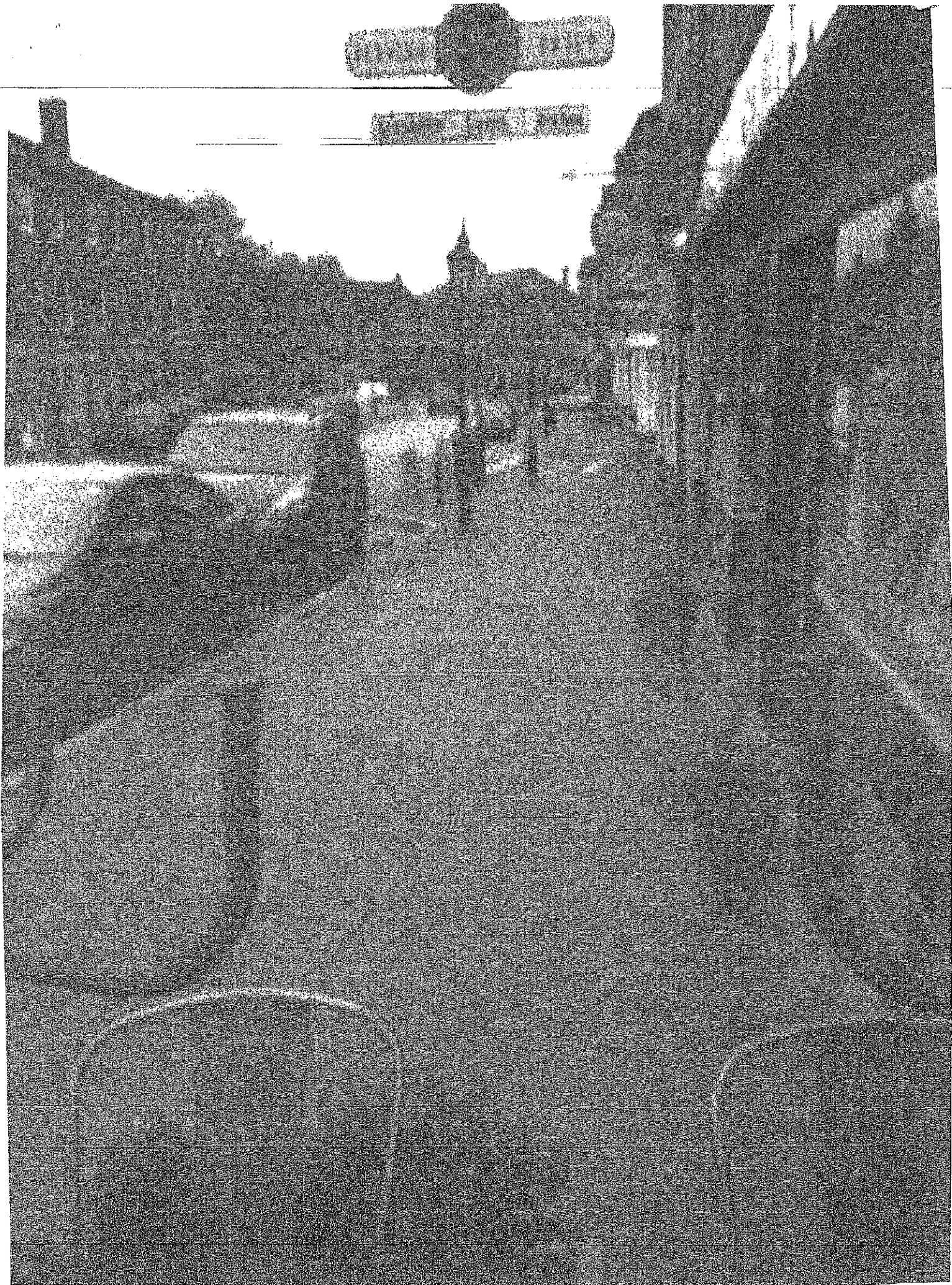
City of Newburyport is an Additional Insured when required in a written agreement with the Named Insured on the general liability coverage described above.  
Note: Liquor Liability follows General Liability.

## CERTIFICATE HOLDER

## CANCELLATION

|                                                                                       |                                                                                                                                                                |
|---------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------|
| City of Newburyport - Attn: Town Clerk<br>60 Pleasant Street<br>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<br>                                                                                                                                  |

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Communication #5  
January 12, 2015

RECEIVED  
CLERK'S OFFICE  
NEWBURYPORT, MA

2014 DEC 30 A 9 53

**CITY OF NEWBURYPORT  
VEHICLES FOR HIRE  
BUSINESS OWNERS'S APPLICATION**

Please Type or Print Clearly

**APPLICANT INFORMATION:**

Name of Applicant: Last: Congdon First: Norold Middle Initial: A  
Address: 52 Elm City: Salisbury State: MA Zip: 0196  
Phone Number: 978 265 5802 Message or work phone: 978 465 2333  
Driver's License Number: 5186 17747 State: MA Expiration Date: 9-23-15  
Social Security Number: 098-36-8262

**BUSINESS INFORMATION:**

Business Name: POST TAXI INC Business Phone Number: 978 465 2333  
Business Address: 52 Elm St City: Salisbury State: MA Zip: 01952  
Business Mailing Address: SAME City: Salisbury State: MA Zip: 01952  
Number of vehicles to be operated under this permit: 2

**FOR EACH VEHICLE, PLEASE LIST**

See ATTACHED sheet

|        |          |       |       |        |
|--------|----------|-------|-------|--------|
| Reg. # | Expires: | Year: | Make: | Model: |
| Reg. # | Expires: | Year: | Make: | Model: |
| Reg. # | Expires: | Year: | Make: | Model: |
| Reg. # | Expires: | Year: | Make: | Model: |
| Reg. # | Expires: | Year: | Make: | Model: |
| Reg. # | Expires: | Year: | Make: | Model: |

**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.

**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 no 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 Engdon  
(Signature of Applicant)

Date: 12/30/14

**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: \_\_\_\_\_



| CAR | PLATE   | vin               | YEAR | MAKE | MODEL   | COLOR |
|-----|---------|-------------------|------|------|---------|-------|
| 2   | TA24209 | 1B4GP24352B696269 | 2002 | DODG | CARAVAN | BLUE  |
| 3   | TA24210 | 2B4GP44382R732534 | 2002 | DODG | CARAVAN | WHITE |
| 4   | TA24225 | 1B4GP24372B524647 | 2002 | DODG | CARAVAN | WHITE |
| 5   | TA24222 | 2C4GP44392R777965 | 2002 | CHRY | TOWN    | WHITE |
| 6   | TA25259 | 2B4GP443X2R78904  | 2002 | DODG | CARAVAN | WHITE |
| 7   | TA24201 | 1B4GP25381B166911 | 2001 | DODG | CARAVAN | WHITE |
| 8   | TA24208 | 2D4GP44373R262603 | 2003 | DODG | CARAVAN | WHITE |

They all EXPIRE 11/15 NOV 2015



# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

11/17/2014

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<br>Lighthouse Insurance Agency, Ltd<br>470 West Broadway<br><br>South Boston MA 02127 | CONTACT NAME: Meghan O'Rourke<br>PHONE (A/C, No, Ext): (617) 464-3777 FAX (A/C, No): (617) 464-3888<br>E-MAIL ADDRESS: meghan.orourke@lighthouseins.net |
| INSURED<br>Port and Cars Inc<br>52 Elm St<br><br>Salisbury MA 01952                            | INSURER(S) AFFORDING COVERAGE<br>INSURER A: New Hampshire Insurance Co<br>INSURER B:<br>INSURER C:<br>INSURER D:<br>INSURER E:<br>INSURER F:            |

## COVERAGES

CERTIFICATE NUMBER: CL14111725296

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                                                                                                                                                                                                                                                                            | ADDITIONAL SUBROGATION INSR WVD | POLICY NUMBER   | POLICY EFF (MM/DD/YYYY) | POLICY EXP (MM/DD/YYYY) | LIMITS                                                                                                                                                                                   |
|----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------|-----------------|-------------------------|-------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|          | GENERAL LIABILITY<br><input type="checkbox"/> COMMERCIAL GENERAL LIABILITY<br><input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> OCCUR<br><br>GEN'L AGGREGATE LIMIT APPLIES PER:<br><input type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input type="checkbox"/> LOC |                                 |                 |                         |                         | EACH OCCURRENCE \$<br>DAMAGE TO RENTED PREMISES (Ea occurrence) \$<br>MED EXP (Any one person) \$<br>PERSONAL & ADV INJURY \$<br>GENERAL AGGREGATE \$<br>PRODUCTS - COM/POP AGG \$<br>\$ |
| A        | AUTOMOBILE LIABILITY<br><input type="checkbox"/> ANY AUTO<br><input type="checkbox"/> ALL OWNED AUTOS <input checked="" type="checkbox"/> SCHEDULED AUTOS<br><input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS                                                   | X                               | 01-ME-067180739 | 4/8/2014                | 4/8/2015                | COMBINED SINGLE LIMIT (Ea accident) \$<br>BODILY INJURY (Per person) \$ 100,000<br>BODILY INJURY (Per accident) \$ 300,000<br>PROPERTY DAMAGE (Per accident) \$ 50,000<br>\$             |
|          | UMBRELLA LIAB <input type="checkbox"/> OCCUR<br>EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE                                                                                                                                                                                             |                                 |                 |                         |                         | EACH OCCURRENCE \$<br>AGGREGATE \$<br>\$                                                                                                                                                 |
|          | DED <input type="checkbox"/> RETENTION \$                                                                                                                                                                                                                                                    |                                 |                 |                         |                         | WC STATUTORY LIMITS <input type="checkbox"/> OTHER <input type="checkbox"/>                                                                                                              |
|          | WORKERS COMPENSATION AND EMPLOYERS' LIABILITY<br>ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) <input type="checkbox"/> Y/N<br>If yes, describe under DESCRIPTION OF OPERATIONS below                                                                          | N/A                             |                 |                         |                         | E.L. EACH ACCIDENT \$<br>E.L. DISEASE - EA EMPLOYEE \$<br>E.L. DISEASE - POLICY LIMIT \$                                                                                                 |

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

TA24209 2002 DODGE CARAVAN 1B4GP24352B696269  
TA24210 2002 DODGE CARAVAN 2B8GP44382R732534  
TA24225 2002 DODGE CARA 1B4GP24372B524647  
TA24222 2002 CHRY TOWN 2C4GP44392R777985  
TA25259 2002 DODGE CARA 2B4GP443X2R789804  
TA24208 2003 DODGE CARAVAN 2D4GP44373R262603

## CERTIFICATE HOLDER

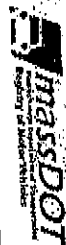
## CANCELLATION

The City of Newburyport  
Transportation Dept  
Newburyport, MA

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

Mark Boucher/RS



# **CERTIFICATE OF REGISTRATION** **RMV Division**

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

|                                                                                                                                                                                                |                                       |                                             |                                   |                                                                                                                                          |                   |                                             |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------|---------------------------------------------|-----------------------------------|------------------------------------------------------------------------------------------------------------------------------------------|-------------------|---------------------------------------------|
| PLATE TYPE<br><b>TAXI</b>                                                                                                                                                                      | REGISTRATION NUMBER<br><b>TA24222</b> | REGISTRATION TYPE<br><b>TAXI</b>            | EFFECTIVE DATE<br><b>12/01/14</b> | MONTH<br><b>11</b>                                                                                                                       | YEAR<br><b>15</b> | TRANSACTION NUMBER<br><b>02432201290553</b> |
| MAKE<br><b>2002</b>                                                                                                                                                                            | MODEL<br><b>CHRY</b>                  | BODY STRUCTURE<br><b>TOWN</b>               | COLOR<br><b>WHITE</b>             | NOT VALID FOR REGISTRATION<br>EXPIRATION DATE: 11/15/15                                                                                  |                   |                                             |
| VEHICLE IDENTIFICATION NUMBER<br><b>2C4GP44392R77985</b>                                                                                                                                       |                                       | FINANCE COMPANY<br><b>NEW HAMPSHIRE INS</b> | TITLE NUMBER<br><b>BN890452</b>   | IF VEHICLE CARRYING PASSENGERS THAT MAY BE SEATED:<br>TOTAL SEATED PASSENGERS: <b>0</b><br>TOTAL SEATED PASSENGERS: <b>0</b>             |                   |                                             |
| RESIDENTIAL ADDRESS (IF DIFFERENT)                                                                                                                                                             |                                       |                                             |                                   | FEES<br>REGISTRATION: <b>60.00</b><br>TITLE: <b>0.00</b><br>SPECIAL PLATES: <b>0.00</b><br>SALES TAX: <b>0.00</b><br>TOTAL: <b>60.00</b> |                   |                                             |
| NAMES OF OWNERS AND MAILING ADDRESS<br><b>Port Taxi Inc</b><br>*****AUTO**S-DIGIT 01950<br>PORT TAXI INC<br>52 BLA ST<br>SALESBURY MA 01952-1933<br><b>#5</b>                                  |                                       |                                             |                                   |                                                                                                                                          |                   |                                             |
| <b>MASSACHUSETTS DEPARTMENT OF TRANSPORTATION</b><br><b>REGISTRY OF MOTOR VEHICLES DIVISION</b><br>The records of the RMV database constitute the official status of the vehicle registration. |                                       |                                             |                                   |                                                                                                                                          |                   |                                             |
| SPECIAL USAGE IF THIS VEHICLE IS NEWLY ACQUIRED, IT MUST BE INSPECTED WITHIN SEVEN (7) DAYS OF REGISTRATION.                                                                                   |                                       |                                             |                                   | CHANGE OF ADDRESS<br>STREET ADDRESS: <b>1</b><br>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

• Return the registration plates to the RMV immediately if:  
 - The vehicle has been sold or junked and the registration is not

# CERTIFICATE OF TITLE

## MASSACHUSETTS DEPARTMENT OF TRANSPORTATION

|                                   |                                    |                                                           |                                                                       |                                    |                                |
|-----------------------------------|------------------------------------|-----------------------------------------------------------|-----------------------------------------------------------------------|------------------------------------|--------------------------------|
| TITLE NUMBER<br><b>BN890452</b>   |                                    | VEHICLE IDENTIFICATION NUMBER<br><b>2C4GP44392R777985</b> |                                                                       | DATE OF ISSUE<br><b>08/01/2014</b> |                                |
| MFPS, MODEL YEAR<br><b>2002</b>   | MAKE<br><b>CUPV</b>                | MODEL NAME<br><b>TOWN</b>                                 | MODEL NO.                                                             | BODY STYLE/TYPE<br><b>VAN</b>      | NEW/USED<br><b>USED</b>        |
| CYL. PASS. DRS.<br><b>06 07 4</b> | PURCHASE DATE<br><b>07/15/2014</b> | ODOMETER READING<br><b>168,514</b>                        | PREV. TITLE NO.<br><b>BH918842</b>                                    |                                    | PREV. TITLE STATE<br><b>MA</b> |
|                                   |                                    | ACTUAL MILEAGE<br><b>168,514</b>                          | IF PREVIOUS STATE WAS TITLE EXEMPT, REGISTRATION NUMBER IS DISPLAYED. |                                    |                                |

MAILING ADDRESS ONLY  
PORT TAXI INC  
52 ELM ST  
SALISBURY, MA 01952-1933

OWNER(S) NAME AND ADDRESS:  
PORT TAXI INC  
52 ELM ST  
SALISBURY, MA 01952-1933

### TITLE TYPE AND BRANDS

TITLE TYPE

BRAND  
BRAND  
BRAND  
BRAND

TITLE MESSAGE(S)

FIRST LIENHOLDER:

SECOND LIENHOLDER:

|                                                                                                                                                                                          |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| RELEASE OF FIRST LIEN:<br>THE FIRST LIENHOLDERS INTEREST IN THE VEHICLE DESCRIBED IN THIS CERTIFICATE IS HEREBY RELEASED<br>NAME:<br>AUTHORIZED SIGNATURE:<br><b>X</b><br>DATE RELEASED: |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

|                                                                                                                                                                                            |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| RELEASE OF SECOND LIEN:<br>THE SECOND LIENHOLDERS INTEREST IN THE VEHICLE DESCRIBED IN THIS CERTIFICATE IS HEREBY RELEASED<br>NAME:<br>AUTHORIZED SIGNATURE:<br><b>X</b><br>DATE RELEASED: |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

THE REGISTRAR OF MOTOR VEHICLES HEREBY CERTIFIES THAT AN APPLICATION FOR A CERTIFICATE OF TITLE FOR THE MOTOR VEHICLE DESCRIBED HEREIN HAS BEEN DULY FILED, PURSUANT TO THE PROVISIONS OF THE LAWS OF THE COMMONWEALTH OF MASSACHUSETTS, BASED ON THE STATEMENTS OF THE APPLICANT AND THE RECORDS ON FILE WITH THIS AGENCY, THE APPLICANT NAMED IS THE OWNER OF SAID VEHICLE.

THE REGISTRAR OF MOTOR VEHICLES FURTHER CERTIFIES THAT THE VEHICLE IS SUBJECT TO ANY SECURITY INTERESTS SHOWN HEREIN.

*Celia J. Blue*  
Celia J. Blue  
Registrar

CONTROL NO. **G 3334611**  
NOT THE TITLE NUMBER

ALTERATION OR ERASURE VOIDS THIS TITLE.

KEEP IN SAFE PLACE

REGISTRY OF MOTOR VEHICLES

HOLD TO LIGHT TO VIEW

VERIFY PRESENCE OF WATERMARK

VERIFY PRESENCE OF WATERMARK

HOLD TO LIGHT TO VIEW



# **CERTIFICATE OF REGISTRATION**

**RMV Division**

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

|                                                                                                                                                                                                               |                                       |                                  |                                                                 |                                    |                                               |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------|----------------------------------|-----------------------------------------------------------------|------------------------------------|-----------------------------------------------|
| PLATE TYPE<br><b>TAN</b>                                                                                                                                                                                      | REGISTRATION NUMBER<br><b>TA25259</b> | REGISTRATION TYPE<br><b>TAXI</b> | EFFECTIVE DATE<br><b>12/01/14</b>                               | EXPIRATION DATE<br><b>11/15/15</b> | TRANSACTION NUMBER<br><b>0243220121000000</b> |
| VEHICLE YEAR<br><b>2002</b>                                                                                                                                                                                   | MAKE<br><b>DODG</b>                   | MODEL<br><b>CARAV</b>            | BODY STYLE<br><b>VAN</b>                                        | COLOR<br><b>WHITE</b>              | TIME RANGES<br><b>BN821324</b>                |
| VEHICLE IDENTIFICATION NUMBER<br><b>2B4GP443X2R789804</b>                                                                                                                                                     |                                       |                                  | RESIDENTIAL ADDRESS (IF DIFFERENT)<br><b>NEW HAMPSHIRE, INS</b> |                                    |                                               |
| <p>OWNER'S OF DRIVER'S AND BILLING ADDRESS</p> <p>*****AUTO RVS-DIGIT 01950</p> <p>PORT TAXI INC</p> <p>52 ELM ST</p> <p>SALISBURY MA 01952-1933</p> <p>#6</p>                                                |                                       |                                  |                                                                 |                                    |                                               |
| <p><b>MASSACHUSETTS DEPARTMENT OF TRANSPORTATION</b></p> <p><b>REGISTRY OF MOTOR VEHICLES DIVISION</b></p> <p>The records of the RMV database constitute the official status of the vehicle registration.</p> |                                       |                                  |                                                                 |                                    |                                               |
| <p>CHANGE OF ADDRESS</p> <p>STREET ADDRESS</p> <p>CITY STATE ZIP CODE</p>                                                                                                                                     |                                       |                                  |                                                                 |                                    |                                               |
| <p>SPECIAL MESSAGE</p> <p>IF THIS VEHICLE IS NEWLY ACQUIRED, IT MUST BE INSPECTED WITHIN SEVEN (7) DAYS OF REGISTRATION.</p>                                                                                  |                                       |                                  |                                                                 |                                    |                                               |
| <p><b>FEES</b></p> <p>REGISTRATION 60.00</p> <p>TITLE 0.00</p> <p>SPECIAL PLATES 0.00</p> <p>SALES TAX 0.00</p> <p>TOTAL 60.00</p>                                                                            |                                       |                                  |                                                                 |                                    |                                               |

## **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

• Return the registration plates to the RMV immediately if the vehicle has been sold or junked and the registration is not

# CERTIFICATE OF TITLE

## MASSACHUSETTS DEPARTMENT OF TRANSPORTATION

|                                   |                                    |                                                                                       |                                                                                                                            |                                    |                         |
|-----------------------------------|------------------------------------|---------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------|------------------------------------|-------------------------|
| TITLE NUMBER<br><b>BN821-324</b>  |                                    | VEHICLE IDENTIFICATION NUMBER<br><b>2B4GP443X2R789804</b><br><b>2B4GP443X2R789804</b> |                                                                                                                            | DATE OF ISSUE<br><b>07/11/2014</b> |                         |
| MFPS. MODEL YEAR<br><b>2002</b>   | MAKE<br><b>DODG</b>                | MODEL NAME<br><b>CARAVA</b>                                                           | MODEL NO.<br><b>GRASFO</b>                                                                                                 | BODY STYLE/TYPE<br><b>VAN</b>      | NEW/USED<br><b>USED</b> |
| CYL. PASS. DRS.<br><b>06 07 4</b> | PURCHASE DATE<br><b>06/26/2014</b> | ODOMETER READING<br><b>151,861</b><br><b>151,861</b><br><b>ACTUAL MILEAGE</b>         | PREV. TITLE NO.<br><b>12990548</b><br><small>IF PREVIOUS STATE WAS TITLE EXEMPT, REGISTRATION NUMBER IS DISPLAYED.</small> | PREV. TITLE STATE<br><b>ME</b>     |                         |

MAILING ADDRESS ONLY:  
PORT TAXI INC  
52 ELM ST  
SALISBURY, MA 01952-1933

OWNER(S) NAME AND ADDRESS:  
PORT TAXI INC  
52 ELM ST  
SALISBURY, MA 01952-1933

### TITLE TYPE AND BRANDS

TITLE TYPE

BRAND  
BRAND  
BRAND  
BRAND

TITLE MESSAGE(S):

FIRST LIENHOLDER:

SECOND LIENHOLDER:

|                                                                                                  |
|--------------------------------------------------------------------------------------------------|
| RELEASE OF FIRST LIEN:                                                                           |
| THE FIRST LIENHOLDER'S INTEREST IN THE VEHICLE DESCRIBED IN THIS CERTIFICATE IS HEREBY RELEASED. |
| NAME:                                                                                            |
| AUTHORIZED SIGNATURE:<br><b>X</b>                                                                |
| DATE RELEASED:                                                                                   |

|                                                                                                   |
|---------------------------------------------------------------------------------------------------|
| RELEASE OF SECOND LIEN:                                                                           |
| THE SECOND LIENHOLDER'S INTEREST IN THE VEHICLE DESCRIBED IN THIS CERTIFICATE IS HEREBY RELEASED. |
| NAME:                                                                                             |
| AUTHORIZED SIGNATURE:<br><b>X</b>                                                                 |
| DATE RELEASED:                                                                                    |

THE REGISTRAR OF MOTOR VEHICLES HEREBY CERTIFIES THAT AN APPLICATION FOR A CERTIFICATE OF TITLE FOR THE MOTOR VEHICLE DESCRIBED HEREIN HAS BEEN DULY FILED, PURSUANT TO THE PROVISIONS OF THE LAWS OF THE COMMONWEALTH OF MASSACHUSETTS. BASED ON THE STATEMENTS OF THE APPLICANT AND THE RECORDS ON FILE WITH THIS AGENCY, THE APPLICANT NAMED IS THE OWNER OF SAID VEHICLE.

THE REGISTRAR OF MOTOR VEHICLES FURTHER CERTIFIES THAT THE VEHICLE IS SUBJECT TO ANY SECURITY INTERESTS SHOWN HEREIN.

*Celia J. Blue*  
Celia J. Blue  
Registrar

CONTROL NO. G 3253577  
NOT THE TITLE NUMBER

ALTERATION OR ERASURE VOIDS THIS TITLE.

KEEP IN SAFE PLACE

REGISTRY OF MOTOR VEHICLES

VERIFY PRESENCE OF WATERMARK HOLD TO LIGHT TO VIEW

VERIFY PRESENCE OF WATERMARK HOLD TO LIGHT TO VIEW

249



CITY OF NEWBURYPORT  
VEHICLES FOR HIRE  
BUSINESS OWNERS'S APPLICATION

Please Type or Print Clearly

APPLICANT INFORMATION:

Name of Applicant: Last: Hewlett First: Richard Middle Initial: \_\_\_\_\_  
Address: P.O. Box 1004 City: Seabrook State: NH Zip: 03874  
Phone Number: (978) 417-9974 Message or work phone: (978) 912-2265  
Driver's License Number: 09HTR51161 State: NH Expiration Date: 9-16-19

BUSINESS INFORMATION:

Business Name: Seacoast Taxi Business Phone Number: (978) 912-2265  
Business Address: 37 Elmira Dr City: Newburyport State: MA Zip: 01950  
Business Mailing Address: PO Box 1004 City: Seabrook State: NH Zip: 03874  
Number of vehicles to be operated under this permit: 2

FOR EACH VEHICLE, PLEASE LIST:

Reg. # 1A2008D Expires: 11-11-15 Year: 2004 Make: Grand Marais Model: Ford  
Reg. # 1A19361 Expires: 11-11-15 Year: 2004 Make: Grand Marais Model: Ford  
Reg. # \_\_\_\_\_ Expires: \_\_\_\_\_ Year: \_\_\_\_\_ Make: \_\_\_\_\_ Model: \_\_\_\_\_  
Reg. # \_\_\_\_\_ Expires: \_\_\_\_\_ Year: \_\_\_\_\_ Make: \_\_\_\_\_ Model: \_\_\_\_\_  
Reg. # \_\_\_\_\_ Expires: \_\_\_\_\_ Year: \_\_\_\_\_ Make: \_\_\_\_\_ Model: \_\_\_\_\_  
Reg. # \_\_\_\_\_ Expires: \_\_\_\_\_ Year: \_\_\_\_\_ Make: \_\_\_\_\_ Model: \_\_\_\_\_

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.

**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.

*Richard H. Hurlbitt*  
(Signature of Applicant)

Date: 1-31-15

**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: \_\_\_\_\_

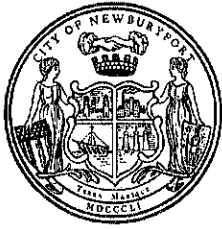


# **PLANNING & DEVELOPMENT**

JUN 08 2015

Order #6  
Dedication of City Land

## CITY OF NEWBURYPORT



IN CITY COUNCIL

June 29, 2015

### ORDERED:

#### Dedication of City Owned Land and Acquisition of Interest in Land In Fee or by Lease Easement or Agreement

THAT the City Council of the City of Newburyport hereby:

Dedicates and transfers, from the Mayor, the care, custody, management and control of the portions of parcels of land as follows:

1. That portion of the property known as "March's Hill" acquired by the City from Clara DeWindt by deed dated May 10, 1954 and recorded with said Registry of Deeds in Book 4066, Page 70 currently held for playground and recreational purposes;
2. That portion of the property known as the "Fish Pier" acquired by the City pursuant to an Order of Taking dated August 31, 1987 and recorded with said Registry of Deeds in Book 9209, Page 335 currently held for purposes of construction, operation and maintenance of boat landing places, public parks and to provide public access and related facilities in and to the coastal and inland waters of the Merrimack River Waterfront for the City; and
3. That portion of the property known as the "City Branch Rail Corridor" acquired by the City from Boston and Maine Corporation by deed dated June 27, 2006 and recorded with the Essex South District Registry of Deeds in Book 25956, Page 191 currently held for general municipal purposes;
4. That portion of the property known and numbered 115 Water Street" acquired by the City pursuant to an Order of Taking dated September 28, 2009 and filed with the Essex South District Division of Land Court as Document No. 5033345 and withdrawn from the jurisdiction of said Land Court by instrument dated July 27, 2012 and recorded with said Registry of Deeds in Book 31586, Page 329 currently held for sewer, access and utility purposes; and
5. That 1,482 s/f +/- portion of the 28,560 s/f +/- parcel of land known as "Joppa Park" which is subject to an Order of Taking voted on as of the date hereof and more particularly described in as Parcel 44-AT-1 and 44-C-9 on page 9 of 17 on a plan entitled "Newburyport/Newbury Clipper City Rail; Trail-Phase 2, Preliminary Right of Way Property Plans, Sheet 13 of 17" dated June 8, 2015 as revised on June 22, 2015; and
6. The City's entire interest in land located in the Town of Newbury more particularly described in deed of Boston and Maine Corporation by deed dated June 27, 2006 and recorded with said Registry of Deeds in Book 25956, Page 212 currently held for general municipal purposes;

Which portions of said parcels are shown on a plan in 17 sheets entitled "Newburyport/Newbury Clipper City Rail Trail- Phase 2, Preliminary Right of Way Property Plans" dated June 8, 2015;

to the Mayor, in addition to the uses for which said parcels are currently held, for transportation and rail trail corridor purposes, including bicycle, pedestrian and other non-motorized public transportation, recreation and associated purposes, which may include motorized handicapped access, together with the attendant customary

uses, including but not limited to the construction, operation, maintenance, repair, and replacement of footways and bicycle paths, drainage and other utilities, and for all uses and appurtenances related thereto.

And further, to authorize the Mayor to execute any and all documents and to take all related actions necessary or appropriate to effectuate the foregoing Dedication.

The City Council further authorizes the Mayor to acquire and accept any easements, long term leases and/or any other interests in land on behalf of the City, on such terms and conditions, and for such term of years if a lease or temporary easement, as the Mayor deems in the best interest of the City, from any landowner necessary in order to provide for a continuous Harborwalk/Rail Trail corridor and in connection with Phase 2 of the Newburyport/Newbury Clipper City Rail Trail project, provided, however, that the City shall pay no monetary consideration other than the nominal amount of one dollar (\$1.00).

The City Council further authorizes the Mayor to file, on behalf of the City, any and all applications deemed necessary to receive grants and/or reimbursements from any charitable, state and/or federal programs and to accept such grants and/or reimbursements to pursue design and then construction of Phase 2 of the Newburyport/Newbury Clipper City Rail Trail project.

---

Councilor Barry N. Connell

JUN 08 2015

Order #7  
Authority for Taking

## CITY OF NEWBURYPORT



IN CITY COUNCIL

June 29, 2015

ORDERED:

### **Acquisition of Fee, Temporary and Permanent Easements and Other Interests in Land**

**THAT** the City Council of the City of Newburyport by virtue of and in accordance with the authority of the provisions of Chapter 79 of the Massachusetts General Laws, as amended, and of any and every other power and authority which is hereunto in any way enabling, adopts an Order of Taking to acquire the fee and temporary and permanent easements in land for transportation and rail trail purposes, together with the attendant customary uses as set forth in the Order of Taking, upon the permanent and temporary easement areas described in Exhibit A to the Order of Taking, and as shown in the locations depicted on a plan in 17 sheets entitled "Newburyport/Newbury Clipper City Rail Trail- Phase 2, Preliminary Right of Way Property Plans" dated June 8, 2015 as revised on June 22, 2015, and to authorize the City Council President to execute any Order(s) of Taking to effectuate the purposes of this vote.

No damages are awarded, the Owners of said property having waived their respective rights to an appraisal and compensation, and further provided, however, that the City shall pay no monetary consideration other than the nominal amount of one dollar (\$1.00).

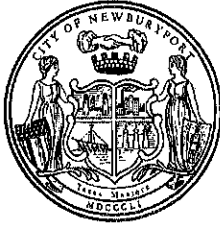
The City Council further authorizes the Mayor to acquire and accept the fee, and any easements, long term leases and/or any other interests in land on behalf of the City, on such terms and conditions, and for such term of years if a lease or temporary easement, as the Mayor deems in the best interest of the City, from any adjacent and/or abutting landowner necessary in order to provide for a continuous Harborwalk/Rail Trail corridor and in connection with Phase 2 of the Newburyport/Newbury Clipper City Rail Trail project, provided, however, that the City shall pay no monetary consideration other than the nominal amount of one dollar (\$1.00) .

\_\_\_\_\_  
Councilor Barry N. Connell

JUN 08 2015

Order #8  
Easement Agreements

## CITY OF NEWBURYPORT



IN CITY COUNCIL

June 29, 2015

**ORDERED:**

**Acquisition of Interest in Land In Fee or by Lease Easement or Agreement**

THAT the City Council of the City of Newburyport hereby authorizes the Mayor, or her designated representative, to acquire land or interests in land or portions thereof, on behalf of the City, for general municipal purposes, for transportation purposes and recreational rail trail purposes, which trail may be laid out pursuant to Chapter 82, Sections 21 and 35A of the Massachusetts General Laws and for all purposes related and ancillary thereto as shown in the locations depicted on a plan on a plan in 17 sheets entitled "Newburyport/Newbury Clipper City Rail Trail- Phase 2, Preliminary Right of Way Property Plans" dated June 8, 2015 as revised on June 22, 2015 and further to be depicted on a plan entitled: "Permanent and Temporary Easement Plan for the Clipper City Rail Trail – Phase 2 in the City of Newburyport, Essex County, Massachusetts to be prepared by and prepared by Chappell Engineering Associates, LLC, R.K. Executive Centre, 201 Boston Post Road West, Suite 101, Marlborough, MA 01752

by gift, purchase, or eminent domain, on such terms and conditions as the Mayor deems in the best interest of the City, and to execute any and all documents and take all related actions necessary or appropriate to carry out the foregoing, or take any other action relative thereto, provided, however, that the City shall pay no monetary consideration other than the nominal amount of one dollar (\$1.00).

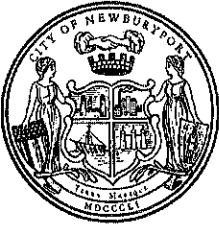
The City Council further authorizes the Mayor to acquire and accept any easements, long term leases and/or any other interests in land on behalf of the City, on such terms and conditions, and for such term of years if a lease or temporary easement, as the Mayor deems in the best interest of the City, from American Yacht Club, Range Light Limited Partnership, New England Development, Newburyport Manager LLC, Rear 51 Water Street Nominee Trust, 35-51 Water Street Nominee Trust, Salem Five Mortgage Company LLC, the Newburyport Redevelopment Authority, Massachusetts Electric Company and their respective affiliates, successors and assigns, and any landowner necessary in order to provide for a continuous Harborwalk/Rail Trail corridor and in connection with Phase 2 of the Newburyport/Newbury Clipper City Rail Trail project.

Councilor Barry N. Connell

JUN 08 2015

CITY OF NEWBURYPORT

Order #9  
Town of Newbury



IN CITY COUNCIL

June 29, 2015

**ORDERED: Acquisition of Interest in Land In Fee or by Lease Easement or Agreement**

**THAT** the City Council of the City of Newburyport hereby authorizes the Mayor, or her designated representative, to acquire by gift or purchase, a fee, leasehold interest or easement in land or a portion thereof of the Town of Newbury described in Release Deed from Boston and Maine Railroad dated June 27, 2006 and recorded with the Essex South District Registry of Deeds in Book 25956, Page 212, on behalf of the City, for transportation purposes, which may include recreational trail purposes, which trail may be laid out as a rail trail in accordance with the provisions of Chapter 82, Section 35A of the Massachusetts General Laws, and all purposes related and ancillary thereto, on such terms and conditions, and for such term of years if a lease, as the Mayor deems in the best interest of the City, and to execute any and all documents and take all related actions necessary or appropriate to carry out the foregoing, provided, however, that the City shall pay no additional monetary consideration other than the nominal amount of one dollar (\$1.00).

The City Council further authorizes the Mayor to acquire and accept any easements, long term leases and/or any other interests in land on behalf of the City, on such terms and conditions, and for such term of years if a lease or temporary easement, as the Mayor deems in the best interest of the City, from any adjacent and/or abutting landowner necessary in order to provide for a continuous Harborwalk/Rail Trail corridor and in connection with Phase 2 of the Newburyport/Newbury Clipper City Rail Trail project, provided, however, that the City shall pay no additional monetary consideration other than the nominal amount of one dollar (\$1.00) as set forth above.

\_\_\_\_\_  
Councilor Barry N. Connell

JUN 08 2015

# CITY OF NEWBURYPORT

Order #10  
Mass. Electric Lease



IN CITY COUNCIL

June 29, 2015

**ORDERED: Acquisition of Interest in Land In Fee or by Lease Easement or Agreement**

THAT the City Council of the City of Newburyport hereby authorizes the Mayor, or her designated representative, to acquire land or interests in land or portions thereof, on behalf of the City, for general municipal purposes, which may include, without limitation, for transportation purposes and recreational rail trail purposes, which trail may be laid out pursuant to Chapter 82, Sections 21 and 35A of the Massachusetts General Laws and for all purposes related and ancillary thereto as follows:

1. a fee, leasehold interest or easement in land of the Massachusetts Electric Company more particularly described in an instrument of taking dated March 7, 1930 and recorded with the Essex South District Registry of Deeds in Book 2838, Page 399; and
2. a fee, leasehold interest or easement in land of the Massachusetts Electric Company more particularly described in an instrument of taking dated March 7, 1930 and recorded with the Essex South District Registry of Deeds in Book 2838, Page 399 being the subject of a Confirmatory Instrument dated September 5, 1962 filed with the Essex South Registry District of Land Court as Document No. 102563; and
3. a fee, leasehold interest or easement in land of the Massachusetts Electric Company more particularly described in Deed dated August 9, 1955 and recorded with the Essex South District Registry of Deeds in Book 4198, Page 395; and
3. to enter into an assent or other agreement evidencing same with said Massachusetts Electric Company, to enter upon, access, construct, maintain and use for the aforementioned purposes, the land described in and subject to: i) an easement instrument dated April 14, 1950, recorded with said Registry of Deeds in Book 3745, Page 397; ii) an easement instrument filed with said Registry District of the Land Court as Document No. 408754; and iii) an Agreement dated August 3, 2006 recorded with said Registry of Deeds in Book 25953, Page 463;

by gift, purchase, or eminent domain, on such terms and conditions as the Mayor deems in the best interest of the City, and to execute any and all documents and take all related actions necessary or appropriate to carry out the foregoing, or take any other action relative thereto, provided, however, that the City shall pay no monetary consideration other than the nominal amount of one dollar (\$1.00).

The City Council further authorizes the Mayor to acquire and accept any easements, long term leases and/or any other interests in land on behalf of the City, on such terms and conditions, and for such term of years if a lease or temporary easement, as the Mayor deems in the best interest of the City, from any adjacent and/or abutting landowner necessary in order to provide for a continuous Harborwalk/Rail Trail corridor and in connection with Phase 2 of the Newburyport/Newbury Clipper City Rail Trail project, provided, however, that the City shall pay no monetary consideration other than the nominal amount of one dollar (\$1.00) as set forth above.

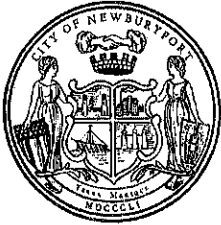
Councilor Barry N. Connell

JUN 08 2015

CITY OF NEWBURYPORT

Order #11

Transfer to Mass. Electric



IN CITY COUNCIL

ORDERED:

June 29, 2015

**Transfer of Custody of Property and/or Grant of Easement**

THAT the City Council of the City of Newburyport hereby:

Transfers, from the Mayor, the care, custody, management and control of a parcel of land shown as Parcel 59-13-C1, page 13 of 17, on a plan in 17 sheets entitled "Newburyport/Newbury Clipper City Rail Trail- Phase 2, Preliminary Right of Way Property Plans" dated June 8, 2015 being a portion of land described in a deed dated June 27, 2006 and recorded with the Essex South District Registry of Deeds in Book 25956, Page 191 and currently held for general municipal purposes including for rail trail corridor purposes, including bicycle, pedestrian and other non-motorized public transportation, recreation and associated purposes, which may include motorized handicapped access, together with the attendant customary uses, including but not limited to the construction, operation, maintenance, repair, and replacement of footways and bicycle paths, drainage and other utilities, and for all uses and appurtenances related thereto;

to the Mayor for the same purposes, and for the purposes of granting, for nominal consideration of One (\$1.00) Dollar, the fee, lease and/or easements in said property or any portion thereof to the Massachusetts Electric Company on such terms and conditions as the Mayor deems in the best interest of the City.

And further, to authorize the Mayor to execute any and all documents and to take all related actions necessary or appropriate to effectuate the foregoing easement confirmation or conveyance and further provided, however, that the City shall pay no monetary consideration other than the nominal amount of one dollar (\$1.00) as set forth above.

\_\_\_\_\_  
Councilor Barry N. Connell

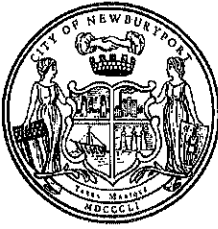


JUN 08 2015

CITY OF NEWBURYPORT

Order #12

Conveyance from Clarridge



IN CITY COUNCIL

June 29, 2015

ORDERED:

**Acquisition of Interest in Land In Fee or by Lease Easement or Agreement**

THAT the City Council of the City of Newburyport hereby authorizes the Mayor, or her designated representative, to acquire by gift or purchase, a fee, leasehold interest or easement in land or a portion thereof of David R. Clarridge shown as Lot 2 on a plan entitled "Plan of Land in Newburyport, Massachusetts, Essex County", dated November 17, 2013, prepared by DGT Survey Group – North Shore, recorded with Essex South District Registry of Deeds in Plan Book 441, Page 39 and containing 1,432 square feet, more or less, according to said plan, said premises being a portion of land further described in deed recorded with said Deeds in Book 12318, Page 330, on behalf of the City, for transportation purposes, which may include recreational trail purposes, which trail may be laid out as a rail trail in accordance with the provisions of Chapter 82, Section 35A of the Massachusetts General Laws, and all purposes related and ancillary thereto, on such terms and conditions, and for such term of years if a lease, as the Mayor deems in the best interest of the City, and to execute any and all documents and take all related actions necessary or appropriate to carry out the foregoing provided, however, that the City shall pay no monetary consideration other than the nominal amount of one dollar (\$1.00).

The City Council further authorizes the Mayor to acquire and accept any easements, long term leases and/or any other interests in land on behalf of the City, on such terms and conditions, and for such term of years if a lease or temporary easement, as the Mayor deems in the best interest of the City, from any adjacent and/or abutting landowner necessary in order to provide for a continuous Harborwalk/Rail Trail corridor and in connection with Phase 2 of the Newburyport/Newbury Clipper City Rail Trail project, provided, however, that the City shall pay no monetary consideration other than the nominal amount of one dollar (\$1.00) as set forth above.

Councilor Barry N. Connell

JUN 08 2015

CITY OF NEWBURYPORT

Order #13  
Conveyance to Clarridge



\_\_\_\_\_  
IN CITY COUNCIL

ORDERED:

June 29, 2015

**Transfer of Custody of Property and/or Grant of Easement**

**THAT** the City Council of the City of Newburyport hereby:

Transfers, from the Mayor, the care, custody, management and control of parcels of land shown as Lot 3 and Lot 4 on a plan entitled "Plan of Land in Newburyport, Massachusetts, Essex County", dated November 17, 2013, prepared by DGT Survey Group – North Shore, recorded with Essex South District Registry of Deeds in Plan Book 441, Page 39, containing a total of 969 square feet (Lot 3 = 948 +/- square feet; Lot 4 contains 21 +/- square feet), more or less, according to said plan being a portion of land further described in deed recorded with said Deeds in Book 25956, Page 191 which parcels are held for general municipal purposes;

to the Mayor for the same purposes, and for the purposes of granting, , including for nominal consideration, the fee in said property or any portion thereof to David R. Clarridge of 15 Bromfield Court, Newburyport, Essex County, Massachusetts.

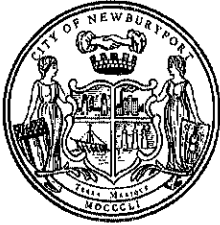
And further, to authorize the Mayor to execute any and all documents and to take all related actions necessary or appropriate to effectuate the foregoing easement confirmation or conveyance.

\_\_\_\_\_  
Councillor Barry N. Connell

JUN 08 2015

Order #14  
Joppa Park

## CITY OF NEWBURYPORT



COMMONWEALTH OF MASSACHUSETTS

ESSEX, SS.

IN CITY COUNCIL

### ORDER OF TAKING

#### ORDERED:

At a regularly convened meeting of the City Council of the City of Newburyport held the \_\_\_\_ day of June, 2015, it was voted and ordered:

The City Council of the City of Newburyport duly elected, qualified, and acting as such, on behalf of the City and by virtue of and in accordance with the authority of the provisions of Chapter 82, Sections 21 and 35A and Chapter 79 of the Massachusetts General Laws, as amended, the City of Newburyport General Ordinance Chapter 222, the City Council Resolve adopted August 19, 2014, a certified copy of which is attached hereto as Exhibit A and recorded herewith, and of any and every other power and authority which is hereunto in any way enabling, does hereby take, on behalf of the City, for general municipal purposes and for rail trail corridor purposes, including bicycle, pedestrian and other non-motorized public transportation, recreation and associated purposes, which may include motorized handicapped access, together with the attendant customary uses, including but not limited to the construction, operation, maintenance, repair, and replacement of footways and bicycle paths, drainage and other utilities, and for all uses and appurtenances related thereto, the fee ownership interests in, over, under, through, across, upon and along a certain parcel of land specified in Schedule A and shown as Parcel 44-AT-1 on page 9 of 17 on a plan in 17 sheets entitled "Newburyport/Newbury Clipper City Rail Trail- Phase 2, Preliminary Right of Way Property Plans" dated June 8, 2015, showing what is commonly known as "Joppa Park", and to be shown on a plan to be entitled "Plan of Land in the City of Newburyport, County of Essex, Massachusetts" prepared by Chappell Engineering Associates, LLC, R.K. Executive Centre, 201 Boston Post Road West, Suite 101, Marlborough, MA 01752 and to be recorded herewith (hereinafter "the Plan"), as set forth more fully herein.

Said land is owned or supposed to be owned and/or formerly owned by the persons listed in Schedule A, hereinafter collectively referred to as the Owners. If in any instance the name of the Owner is not correctly stated, the name of the supposed Owners being given as of this Order of Taking, it is understood that in such instance the land referred to is owned by an Owner or Owners unknown to us.

No damages are awarded to the Owner or Owners of said property and to any other person or corporation having an interest therein.

No betterments are to be assessed under this taking.

Any and all trees and structures located within the boundaries of the above-described areas are included in this taking excepting those structures which encroach upon said parcels from land retained by the Owner or Owners; structures and facilities so located that are owned by private utility companies are not taken; nor is any easement, lease or other interest held by any public utility company taken hereby.

All easements presently held by the City of Newburyport within the boundaries of the above-described areas are not merged in or superseded by the fee ownership or easement hereby taken, but shall continue in effect for the purposes for which they were originally acquired.

By this Order, the City takes no interest in existing easements, if any, affecting the easement premises unless such existing easements are inconsistent with the purposes for which the easement premises are hereby taken.

IN WITNESS WHEREOF, we, the duly elected and qualified City Councilors of the City of Newburyport have hereunto set our hands and seals as of this \_\_\_\_ day of June, 2015.

\_\_\_\_\_  
Councillor Barry N. Connell

CITY OF NEWBURYPORT,  
By its City Council

\_\_\_\_\_  
Thomas F. O'Brien, President

APPROVED:

APPROVED AS TO FORM:

\_\_\_\_\_  
Donna D. Holaday,  
Mayor

\_\_\_\_\_  
Jason A. Panos, Kopelman and Paige. PC.  
City Solicitor

522929/NBPT/0068

THE COMMONWEALTH OF MASSACHUSETTS

ESSEX, ss

On this \_\_\_\_ day June, 2015, then personally appeared the above-named member of the City Council for the City of Newburyport, as aforesaid, and proved to me through satisfactory evidence of identification, which were \_\_\_\_\_, to be the person whose name is signed on the foregoing instrument in my presence, and further acknowledged the foregoing instrument as his/her free act and deed, and the free act and deed of the City of Newburyport, before me.

\_\_\_\_\_  
Notary Public  
My Commission Expires:

THE COMMONWEALTH OF MASSACHUSETTS

ESSEX, ss

On this \_\_\_\_ day June, 2015, then personally appeared the above-named Donna D. Holaday, Mayor of the City of Newburyport, as aforesaid, and proved to me through satisfactory evidence of identification, which were \_\_\_\_\_, to be the person whose name he signed on the foregoing instrument in my presence, and further acknowledged the foregoing instrument as his free act and deed as Mayor, before me.

\_\_\_\_\_  
Notary Public  
My Commission Expires:

SCHEDULE A

Owners

UNKNOWN

JUN 08 2015

**CITY OF NEWBURYPORT**  
COMMONWEALTH OF MASSACHUSETTS



ESSEX, SS.

ORDER OF TAKING

IN CITY COUNCIL

**ORDERED:**

At a regularly convened meeting of the CITY COUNCIL of the CITY OF NEWBURYPORT held this \_\_\_\_\_ day of June, 2015, it was voted and ordered as follows:

The City Council of the CITY OF NEWBURYPORT, duly elected, qualified, and acting on behalf of the City, in accordance with the provisions of Massachusetts General Laws, Chapter 79, and the City's Charter, as amended, and of any and every other power and authority which is hereunto in any way enabling, does hereby take, on behalf of the City, the fee ownership interest in, and/or temporary and permanent easements over, in, through, under and upon land or portions thereof abutting and adjacent to Parker Street, High Street, Purchase Street, and Water Street, , all public ways in the City, in all locations depicted on a plan on a plan in 17 sheets entitled "Newburyport/Newbury Clipper City Rail Trail- Phase 2, Preliminary Right of Way Property Plans" dated June 8, 2015 as revised on June 22, 2015 a copy of which is attached hereto as Exhibit A and which fee ownership interest in land is also shown as Lot 2 on a plan entitled "Plan of Land in Newburyport, Massachusetts, Essex County", dated November 17, 2013, prepared by DGT Survey Group – North Shore, recorded with Essex South District Registry of Deeds in Plan Book 441, Page 39 and containing 1,432 square feet, more or less, according to said plan and which permanent and temporary and permanent easements are further to be depicted on a plan entitled: "Permanent and Temporary Easement Plan for the Clipper City Rail Trail – Phase 2 in the City of Newburyport, Essex County, Massachusetts to be prepared by and prepared by Chappell Engineering Associates, LLC, R.K. Executive Centre, 201 Boston Post Road West, Suite 101, Marlborough, MA 01752 which shall also be recorded herewith (hereinafter, collectively, "the Plan"), as set forth more fully herein.

1. Fee Interest is taken in the premises depicted on the Plan as Parcel No. 33-SR-2 for rail trail corridor purposes, including bicycle, pedestrian and other non-motorized public transportation, recreation and associated purposes, which may include motorized handicapped access, together with the attendant customary uses, including but not limited to the construction, operation, maintenance, repair, and replacement of footways and bicycle paths, drainage and other utilities, and for all uses and appurtenances related thereto, the fee ownership and easement interests, as specified in Schedule A, in, over, under, through, across, upon and along that certain parcel of land further specified in Schedule A.

2. Temporary easements are taken in those easement premises depicted as such on the Plan for all purposes incidental to the construction of improvements on a rail trail known as the Clipper City Rail Trail – Phase 2 as shown on the Plan and access thereto, such purposes to include, without limitation, surveying, constructing, inspecting, and installing improvements upon said rail trail land and upon the permanent easement areas described below, including entry by foot, vehicle, and heavy equipment for all purposes stated herein and uses incidental thereto, changing the grade of the temporary easement areas to accommodate permanent improvements within said rail trail land and upon said permanent easements, and all other acts incidental thereto. The temporary easements shall expire in three (3) years or five (5) years from the date this Order is recorded, as set forth in the attached Schedule A, recorded herewith. Upon completion of its use of said easements the City shall restore the surface of the easement premises to as close to its original condition or better.

3. Permanent easements are taken in the easement premises depicted on the Plan for rail trail corridor purposes, including bicycle, pedestrian and other non-motorized public transportation, recreation and associated purposes, which may include motorized handicapped access, together with the attendant customary uses, including but not limited to the construction, operation, maintenance, repair, and replacement of footways and bicycle paths, drainage and other utilities, and for all uses and appurtenances related thereto, the fee ownership and easement interests, as specified in Schedule A, in, over, under, through, across, upon and along certain parcels of land specified in Schedule A.

This taking does not include structures presently situated on the fee and easement premises, but does include the right of the City to remove such structures whenever their removal shall be required for said fee and easement purposes.

This taking does include such trees and shrubs within the fee and easement premises whose removal is necessary to carry out the purposes of the interests taken herein. By this Order, the City takes no interest in existing easements, if any, affecting the easement premises unless such existing easements are inconsistent with the purposes for which the interests in fee and easements are hereby taken.

Said land is owned or supposed to be owned and/or formerly owned by the persons listed in Schedule A, hereinafter collectively referred to as the Owners. If in any instance the name of the Owner is not correctly stated, the name of the supposed Owners being given as of this Order of Taking, it is understood that in such instance the land referred to is owned by an Owner or Owners unknown to us.

Said owners have waived damages and a right of appraisal of said damages, and we therefore award no damages to those persons for the herein taking and further provided, however, that the City shall pay no monetary consideration other than the nominal amount of one dollar (\$1.00).

No betterments are to be assessed under this taking.

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Councilor Barry N. Connell



IN WITNESS WHEREOF, we, the duly elected and qualified City Council for the City of Newburyport have hereunto set our hands and seal this \_\_\_\_ day of June, 2015.

CITY OF NEWBURYPORT,  
By its City Council

\_\_\_\_\_  
Thomas F. O'Brien, President

APPROVED:

APPROVED AS TO FORM:

\_\_\_\_\_  
Donna D. Holaday,  
Mayor

\_\_\_\_\_  
Jason A. Panos, Kopelman and Paige. PC.  
City Solicitor

522930/NBPT/0068

THE COMMONWEALTH OF MASSACHUSETTS

ESSEX, ss

On this \_\_\_\_ day June, 2015, then personally appeared the above-named member of the City Council for the City of Newburyport, as aforesaid, and proved to me through satisfactory evidence of identification, which were \_\_\_\_\_, to be the person whose name is signed on the foregoing instrument in my presence, and further acknowledged the foregoing instrument as his/her free act and deed, and the free act and deed of the City of Newburyport, before me.

\_\_\_\_\_  
Notary Public  
My Commission Expires:

THE COMMONWEALTH OF MASSACHUSETTS

ESSEX, ss

On this \_\_\_\_ day June, 2015, then personally appeared the above-named Donna D. Holaday, Mayor of the City of Newburyport, as aforesaid, and proved to me through satisfactory evidence of identification, which were \_\_\_\_\_, to be the person whose name he signed on the foregoing instrument in my presence, and further acknowledged the foregoing instrument as his free act and deed as Mayor, before me.

\_\_\_\_\_  
Notary Public  
My Commission Expires:

## SCHEDULE A

| <b>Parcel No. / Term</b> | <b>Area</b> | <b>Easement Type</b> | <b>Property Owner</b>                         | <b>Mailing Address</b>                         | <b>Registry Book/Page</b> |
|--------------------------|-------------|----------------------|-----------------------------------------------|------------------------------------------------|---------------------------|
| 7-TE-1 / 5 years         | 6,223 SF    | Temp.                | Salem Five Mortgage Company, LLC              | 210 Essex St., Salem, MA 01970                 | 33029/16                  |
| 7-U-2                    | 464 SF      | Perm.                | Salem Five Mortgage Company, LLC              | 210 Essex St., Salem, MA 01970                 | 33029/16                  |
| 7-W-1                    | 315 SF      | Perm.                | Salem Five Mortgage Company, LLC              | 210 Essex St., Salem, MA 01970                 | 33029/16                  |
| 7-W-2                    | 1,500 SF    | Perm.                | Salem Five Mortgage Company, LLC              | 210 Essex St., Salem, MA 01970                 | 33029/16                  |
| 7-SW-S-1                 | 2,837 SF    | Perm.                | Salem Five Mortgage Company, LLC              | 210 Essex St., Salem, MA 01970                 | 33029/16                  |
| 8-TE-2A / 5 years        | 370 SF      | Temp.                | Douglas H. Crossman and Melinda Grey Crossman | 38 High St., Newburyport, MA 01950             | 17510/320                 |
| 27A-TE-3 / 5 years       | 537 SF      | Temp.                | Christopher D. Davis and Lori B. Davis        | 58 Purchase St., Newburyport, MA 01950         | 28856/245                 |
| 27A-W-1                  | 299 SF      | Perm.                | Christopher D. Davis and Lori B. Davis        | 58 Purchase St., Newburyport, MA 01950         | 28856/245                 |
| 27B-TE-3 / 5 years       | 537 SF      | Temp.                | Christopher P. Zybert and Julie A. Chakrin    | 60 Purchase St., Newburyport, MA 01950         | 33683/282                 |
| 27B-W-1                  | 299 SF      | Perm.                | Christopher P. Zybert and Julie A. Chakrin    | 60 Purchase St., Newburyport, MA 01950         | 33683/282                 |
| 30A-TE-11A / 5 years     | 30 SF       | Temp.                | Mary Laselva                                  | 45 Purchase St., Unit 1, Newburyport, MA 01950 | 34008/46                  |
| 30A-TE-11B / 5 years     | 298 SF      | Temp.                | Mary Laselva                                  | 45 Purchase St., Unit 1, Newburyport, MA 01950 | 34008/46                  |
| 30B-TE-11A / 5 years     | 30 SF       | Temp.                | Richard M. Salus                              | 45 Purchase St., Unit 2, Newburyport, MA 01950 | 12637/28                  |

|                      |          |       |                                                                              |                                                   |           |
|----------------------|----------|-------|------------------------------------------------------------------------------|---------------------------------------------------|-----------|
| 30B-TE-11B / 5 years | 298 SF   | Temp. | Richard M. Salus                                                             | 45 Purchase St., Unit 2,<br>Newburyport, MA 01950 | 12637/28  |
| 33-TE-4A / 5 years   | 3,800 SF | Temp. | David R. Clarridge                                                           | 15 Bromfield St.,<br>Newburyport, MA 01950        | 12318/330 |
| 33-SR-2              | 1,432 SF | Fee   | David R. Clarridge                                                           | 15 Bromfield St.,<br>Newburyport, MA 01950        | 12318/330 |
| 33X-TE-4B / 5 years  | 1,600 SF | Temp. | Edwin Bernau, III and<br>Eileen M. Bernau                                    | 15 Bromfield St.,<br>Newburyport, MA 01950        | 33058/1   |
| 34-TE-3A / 3 years   | 700 SF   | Temp. | Michael J. Holohan and<br>Nadine E. Holohan                                  | 12 Harrison St.,<br>Newburyport, MA 01950         | 15062/203 |
| 35-TE-3B / 5 years   | 108 SF   | Temp. | Donna S. Glick and Jane<br>Maki                                              | 10 Harrison St.,<br>Newburyport, MA 01950         | 27388/555 |
| 36-TE-4C / 5 years   | 200 SF   | Temp. | David Moore and<br>Beverly Monchun,<br>Trustees of 182 Water<br>Street Trust | 182 Water St.,<br>Newburyport, MA 01950           | 15885/74  |
| 37-TE-4D / 5 years   | 170 SF   | Temp. | David Moore and<br>Beverly Monchun,<br>Trustees of 182 Water<br>Street Trust | 182 Water St.,<br>Newburyport, MA 01950           | 15885/74  |
| 38-TE-4E / 5 years   | 426 SF   | Temp. | Philip L. Schwartz and<br>Tamara A. Schwartz                                 | 178 Water St.,<br>Newburyport, MA 01950           | 33020/545 |
| 41-TE-5 / 5 years    | 1,149 SF | Temp. | Lloyd N. Daniels,<br>Trustee of 174-176<br>Water Street Realty Trust         | 174 Water St.,<br>Newburyport, MA 01950           | 32347/19  |
| 41-D-1               | 40 SF    | Perm. | Lloyd N. Daniels,<br>Trustee of 174-176<br>Water Street Realty Trust         | 174 Water St.,<br>Newburyport, MA 01950           | 32347/19  |
| 42-TE-6/ 5 Years     | 248 SF   | Temp. | Jennifer B. Badger and<br>Vincent M. Badger                                  | 172 Water St.,<br>Newburyport, MA 01950           | 30343/340 |
| 47-TE-1 / 5 years    | 295 SF   | Temp. | Charles R. Grigg                                                             | 92 Lakeshore Rd.,<br>Boxford, MA 01921            | 12332/19  |

|                        |           |       |                                                                        |                                                                        |                                                   |
|------------------------|-----------|-------|------------------------------------------------------------------------|------------------------------------------------------------------------|---------------------------------------------------|
| 48-AT-1                | 1,336 SF  | Perm. | Charles R. Grigg                                                       | 92 Lakeshore Rd.,<br>Boxford, MA 01921                                 | 12331/600                                         |
| 48-TE-1 /<br>5 years   | 408 SF    | Temp. | Charles R. Grigg                                                       | 92 Lakeshore Rd.,<br>Boxford, MA 01921                                 | 12331/600                                         |
| 55-TE-7/<br>3 Years    | 2,098 SF  | Temp. | American Yacht Club                                                    | P.O. Box 1360<br>Newburyport, MA 01950                                 | Certificate<br>No. 20626<br>Document<br>No. 61727 |
| 64-TE-7F               | 10,600 SF | Temp. | Range Light Limited<br>Partnership                                     | 75 Water St., No. 503<br>Newburyport, MA 01950                         | 24852/303                                         |
| 65-TE-7H-1/<br>5 Years | 3,254 SF  | Temp. | Newburyport Manager<br>LLC, Tr., Rear 51 Water<br>Street Nominee Trust | c/o New England<br>Development<br>One Wells Avenue<br>Newton, MA 02459 | 23921/421                                         |
| 65-TE-7H2/<br>5 Years  | 200 SF    | Temp. | Newburyport Manager<br>LLC, Tr., Rear 51 Water<br>Street Nominee Trust | c/o New England<br>Development<br>One Wells Avenue<br>Newton, MA 02459 | 23921/421                                         |
| 65-SW-S-1              | 23 SF     | Perm. | Newburyport Manager<br>LLC, Tr., Rear 51 Water<br>Street Nominee Trust | c/o New England<br>Development<br>One Wells Avenue<br>Newton, MA 02459 | 23921/421                                         |
| 65-SW-S-3              | 585 SF    | Perm. | Newburyport Manager<br>LLC, Tr., Rear 51 Water<br>Street Nominee Trust | c/o New England<br>Development<br>One Wells Avenue<br>Newton, MA 02459 | 23921/421                                         |
| 65-D-1                 | 256 SF    | Perm. | Newburyport Manager<br>LLC, Tr., Rear 51 Water<br>Street Nominee Trust | c/o New England<br>Development<br>One Wells Avenue<br>Newton, MA 02459 | 23921/421                                         |
| 66-TE-71/<br>5 Years   | 2,088 SF  | Temp. | Newburyport Manager<br>LLC, Tr., Rear 51 Water<br>Street Nominee Trust | c/o New England<br>Development<br>One Wells Avenue<br>Newton, MA 02459 | 23921/421                                         |

|                       |          |       |                                                                        |                                                                        |           |
|-----------------------|----------|-------|------------------------------------------------------------------------|------------------------------------------------------------------------|-----------|
| 67-TE-7J/<br>5 Years  | 1,323 SF | Temp. | Newburyport Manager<br>LLC, Tr., Rear 51 Water<br>Street Nominee Trust | c/o New England<br>Development<br>One Wells Avenue<br>Newton, MA 02459 | 23921/421 |
| 67-SW-S-1             | 31 SF    | Perm. | Newburyport Manager<br>LLC, Tr., Rear 51 Water<br>Street Nominee Trust | c/o New England<br>Development<br>One Wells Avenue<br>Newton, MA 02459 | 23921/421 |
| 69-SW-S-4             | 861 SF   | Perm. | Newburyport Manager<br>LLC, Tr., Rear 51 Water<br>Street Nominee Trust | c/o New England<br>Development<br>One Wells Avenue<br>Newton, MA 02459 | 23921/421 |
| 69-TE-7K1/<br>5 Years | 2,918 SF | Temp. | Newburyport Manager<br>LLC, Tr., Rear 51 Water<br>Street Nominee Trust | c/o New England<br>Development<br>One Wells Avenue<br>Newton, MA 02459 | 23921/421 |
| 69-D-1                | 118 SF   | Perm. | Newburyport Manager<br>LLC, Tr., Rear 51 Water<br>Street Nominee Trust | c/o New England<br>Development<br>One Wells Avenue<br>Newton, MA 02459 | 23921/421 |
| 70-TE-7L1/<br>5 Years | 3,928 SF | Temp. | Newburyport Manager<br>LLC, Tr., Rear 51 Water<br>Street Nominee Trust | c/o New England<br>Development<br>One Wells Avenue<br>Newton, MA 02459 | 23921/421 |
| 70-TE-7L2/<br>5 Years | 1,669 SF | Temp. | Newburyport Manager<br>LLC, Tr., Rear 51 Water<br>Street Nominee Trust | c/o New England<br>Development<br>One Wells Avenue<br>Newton, MA 02459 | 23921/421 |
| 70-SW-S-1             | 135 SF   | Perm. | Newburyport Manager<br>LLC, Tr., Rear 51 Water<br>Street Nominee Trust | c/o New England<br>Development<br>One Wells Avenue<br>Newton, MA 02459 | 23921/421 |
| 70-D-1                | 60 SF    | Perm. | Newburyport Manager<br>LLC, Tr., Rear 51 Water<br>Street Nominee Trust | c/o New England<br>Development<br>One Wells Avenue<br>Newton, MA 02459 | 23921/421 |

|                       |          |       |                                                                  |                                                                     |           |
|-----------------------|----------|-------|------------------------------------------------------------------|---------------------------------------------------------------------|-----------|
| 70-D-2                | 60 SF    | Perm. | Newburyport Manager LLC, Tr., Rear 51 Water Street Nominee Trust | c/o New England Development<br>One Wells Avenue<br>Newton, MA 02459 | 23921/421 |
| 73-TE-7M1/<br>5 Years | 583 SF   | Temp. | Newburyport Manager LLC, Tr., 35-51 Water Street Nominee Trust   | c/o New England Development<br>One Wells Avenue<br>Newton, MA 02459 | 23919/170 |
| 73-TE-7M2/<br>5 Years | 558 SF   | Temp. | Newburyport Manager LLC, Tr., 35-51 Water Street Nominee Trust   | c/o New England Development<br>One Wells Avenue<br>Newton, MA 02459 | 23919/170 |
| 73-SW-S-1             | 533 SF   | Perm. | Newburyport Manager LLC, Tr., 35-51 Water Street Nominee Trust   | c/o New England Development<br>One Wells Avenue<br>Newton, MA 02459 | 23919/170 |
| 73-D-1                | 106 SF   | Perm. | Newburyport Manager LLC, Tr., 35-51 Water Street Nominee Trust   | c/o New England Development<br>One Wells Avenue<br>Newton, MA 02459 | 23919/170 |
| 74-TE-7N1/<br>5 Years | 1,916 SF | Temp. | Newburyport Manager LLC, Tr., 35-51 Water Street Nominee Trust   | c/o New England Development<br>One Wells Avenue<br>Newton, MA 02459 | 23919/170 |
| 74-TE-7N2/<br>5 Years | 3,881 sf | Temp  | Newburyport Manager LLC, Tr., 35-51 Water Street Nominee Trust   | c/o New England Development<br>One Wells Avenue<br>Newton, MA 02459 | 23919/170 |
| 74-SW-S-1             | 1,373 SF | Perm. | Newburyport Manager LLC, Tr., 35-51 Water Street Nominee Trust   | c/o New England Development<br>One Wells Avenue<br>Newton, MA 02459 | 23919/170 |
| 74-D-1                | 274 SF   | Perm. | Newburyport Manager LLC, Tr., 35-51 Water Street Nominee Trust   | c/o New England Development<br>One Wells Avenue<br>Newton, MA 02459 | 23919/170 |

|                       |          |       |                                                                      |                                                                        |                                                                                 |
|-----------------------|----------|-------|----------------------------------------------------------------------|------------------------------------------------------------------------|---------------------------------------------------------------------------------|
| 75-TE-8/<br>5 Years   | 2,772 SF | Temp. | Newburyport Manager<br>LLC, Tr., 35-51 Water<br>Street Nominee Trust | c/o New England<br>Development<br>One Wells Avenue<br>Newton, MA 02459 | 23919/170                                                                       |
| 75-S-1                | 2,731 SF | Perm. | Newburyport Manager<br>LLC, Tr., 35-51 Water<br>Street Nominee Trust | c/o New England<br>Development<br>One Wells Avenue<br>Newton, MA 02459 | 23919/170                                                                       |
| 77-SW-S-9A            | 757 SF   | Perm. | Newburyport<br>Redevelopment<br>Authority                            | 60 Pleasant St.,<br>Newburyport, MA 01950                              | Certificate<br>No.s<br>37533;<br>37567; and.<br>42289<br>Document<br>No. 142652 |
| 77-TE-9A /<br>3 years | 665 SF   | Temp. | Newburyport<br>Redevelopment<br>Authority                            | 60 Pleasant St.,<br>Newburyport, MA 01950                              | Certificate<br>No.s<br>37533;<br>37567; and.<br>42289<br>Document<br>No. 142652 |
| 77-TE-9B /<br>3 years | 51 SF    | Temp. | Newburyport<br>Redevelopment<br>Authority                            | 60 Pleasant St.,<br>Newburyport, MA 01950                              | Certificate<br>No.s<br>37533;<br>37567; and.<br>42289<br>Document<br>No. 142652 |
| 78-SW-S-9B            | 44 SF    | Perm. | Newburyport<br>Redevelopment<br>Authority                            | 60 Pleasant St.,<br>Newburyport, MA 01950                              | Certificate<br>No.s<br>37533;<br>37567; and.<br>42289<br>Document<br>No. 142652 |

|                       |           |       |                                           |                                           |                                                                                |
|-----------------------|-----------|-------|-------------------------------------------|-------------------------------------------|--------------------------------------------------------------------------------|
| 78-TE-9C /<br>3 years | 2,016 SF  | Temp. | Newburyport<br>Redevelopment<br>Authority | 60 Pleasant St.,<br>Newburyport, MA 01950 | Certificate<br>No.s<br>37533;<br>37567; and<br>42289<br>Document<br>No. 142652 |
| 80-SW-S-10            | 186 SF    | Perm. | Newburyport<br>Redevelopment<br>Authority | 60 Pleasant St.,<br>Newburyport, MA 01950 | 9658/504                                                                       |
| 80-TE-10 /<br>3 years | 188 SF    | Temp. | Newburyport<br>Redevelopment<br>Authority | 60 Pleasant St.,<br>Newburyport, MA 01950 | 9658/504                                                                       |
| 80-TE-11 /<br>3 years | 523 SF    | Temp, | Newburyport<br>Redevelopment<br>Authority | 60 Pleasant St.,<br>Newburyport, MA 01950 | 9658/504                                                                       |
| 80-TE-13 /<br>3 years | 4,605 SF  | Temp. | Newburyport<br>Redevelopment<br>Authority | 60 Pleasant St.,<br>Newburyport, MA 01950 | 9658/504                                                                       |
| 81-SW-11              | 653 SF    | Perm. | Newburyport<br>Redevelopment<br>Authority | 60 Pleasant St.,<br>Newburyport, MA 01950 | 9658/504                                                                       |
| 81-TE-12 /<br>3 years | 10,411 SF | Temp. | Newburyport<br>Redevelopment<br>Authority | 60 Pleasant St.,<br>Newburyport, MA 01950 | 9658/504                                                                       |



**EXHIBIT A**  
**PLANS**

JUN 08 2015

Order #16  
AYC Lease Amendment

## CITY OF NEWBURYPORT



IN CITY COUNCIL

June 29, 2015

### AUTHORIZING THE MAYOR TO GRANT A LEASEHOLD INTEREST IN LAND ON WATER STREET IN THE CITY OF NEWBURYPORT

#### ORDERED:

**WHEREAS**, pursuant to an Order of Taking filed with the Essex South Registry District of the Land Court as Document # 503345 as noted on Certificate # 83855 and referenced in instrument recorded with the Essex South District Registry of deeds in Book 31586, Page 329., shown as Lot B1 on a Plan filed with said Registry District of the Land Court as Plan 15621-A drawn by C.B. Humphrey, Engineer, dated June 20, 1934 as approved by said Land Court and filed with original Certificate No. 10421 the City is the owner of a parcel of land approximately 82,998 s/f and further identified on Assessors' Map 20, Parcel 8 (the "Property"); and

**WHEREAS**, the Property is held in the care, custody, and control of the Newburyport Water and Sewer Commission; and

**WHEREAS**, the, the American Yacht Club, being the owner of adjacent land identified on Assessors' Map 20, Parcel 12 seeks to Lease approximately 6,400 s/f portion of the Property (the "Lease Property") for access and boat storage purposes as depicted on a sketch plan attached hereto as Exhibit A; and

**WHEREAS**, in accordance with Massachusetts General Laws Chapter 40, Section 3, the City may convey an interest in its land upon proper authorization; and

**WHEREAS**, in accordance with Massachusetts General Laws Chapter 40, Section 15A, upon determination by a board or officer having charge of land that such land is no longer needed for such purpose, the City Council may, by a two-thirds vote, transfer the care, custody, management and control of all or a part of the such land to the same or another board or officer of the City for another specific municipal purpose; and

**WHEREAS**, in accordance with Massachusetts General Laws Chapter 40, Section 15A the Water and Sewer Commission has determined, and has provided written notice to the Council of its determination, that the Property is not needed exclusively for water and/or sewer purposes, and that the City Council may transfer such care, custody and control of the Property as is necessary to allow for the transfer of a leasehold interest in said Lease Property, provided that the Water and Sewer Commission shall continue to hold the Property in its entirety, as it may be subject to such easement, in its care, custody and control for water and/or sewer purposes, and the easement granted shall not conflict with such purposes.

**NOW, THEREFORE, BE IT RESOLVED** by the Newburyport City Council as follows:

Joint care, custody and control of the Property is hereby transferred to the Water and Sewer Commission for water and/or sewer purposes and to the Mayor for the sole purpose of granting a leasehold interest to said American Yacht Club in said Lease Property to serve land identified on Assessors' Map 20, Parcel 12;

And further, that the Mayor is hereby authorized to convey such leasehold interest upon such terms and conditions and for such consideration, even if nominal, as the Mayor deems appropriate, provided that such easement shall not conflict with the use of the Property for water and/or sewer purposes.

Councilor Barry N. Connell

# **PUBLIC SAFETY**

# NEWBURYPORT SPECIAL EVENT APPLICATION

## SPECIAL EVENTS

Tel. (978)-465-4407 Fax. (978)-462-7936

(For Parades, Road Races and Walkathons Only - Please complete reverse side of this application)

### SEASIDE SANTA DASH

#### NAME OF EVENT:

1. Date: DECEMBER 5, 2015 Time: from 8:30AM to 11:30 AM  
Rain Date: DECEMBER 6, 2015 Time: from 8:30AM to 11:30AM
2. Location: START AND FINISH AT MICHAEL'S HARBORSIDE RESTAURANT
3. Description of Property: 1 Tournament Wharf, Newburyport, MA 01950 Public ☐ Private ☒
4. Name of Organizer: JACKALOPE SPORTS, LLC City Sponsored Event: Yes ☐ No ☒  
Contact JACK FLEMING Person:  
Address: 10 TALL PINES ROAD, STRATHAM, NH 03885 207.467.3014 Telephone:  
E-Mail: jack@jackalopesports.com Cell Phone: 207.251.9370  
Day of Event Contact & Phone: 207.251.9370
5. Number of Attendees Expected: 500
6. MA Tax Number: \_\_\_\_\_
7. Is the Event Being Advertised? YES Where? Running websites, face book, flyers
8. What Age Group Is the Event Targeted to? 10-80
9. Have You Notified Neighborhood Groups or Abutters? Yes ☐ No ☒ Who? \_\_\_\_\_  
Will notify prior to race

#### ACTIVITIES: (Please check where applicable.) Subject to Licenses & Permits from Relevant City Departments

- A. Vending: Food ☐ Beverages ☐ Alcohol ☐ Goods ☐ Total # of Vendors \_\_\_\_\_
- B. Entertainment: (Subject to City's Noise Ordinance.) Live Music ☐ DJ ☐ Radio/CD ☐  
Performers ☐ Dancing ☐ Amplified Sound ☐ Stage ☐
- C. Games /Rides: Adult Rides ☐ Kiddie Rides ☐ Games ☐ Raffle ☐  
Other ☐ Total # \_\_\_\_\_  
Name of Carnival Operator: \_\_\_\_\_  
Address: \_\_\_\_\_  
Telephone: \_\_\_\_\_
- D. Clean Up: # of additional trash receptacles required \_\_\_\_\_ # of additional recycling receptacles required \_\_\_\_\_
- E. Portable Toilets: (Each cluster of portable toilets must include at least one ADA accessible toilet)  
# 10-15 Standard # 2-3 ADA accessible

**FOR PARADE, ROAD RACE AND WALKATHON EVENTS ONLY**

PARADE \_\_\_\_\_ ROAD RACE X WALKATHON \_\_\_\_\_

1. Name of the Group or Person Sponsoring the Road Race, Parade, Walkathon: Jackalope Sports, LLC - Toys collected for TOYS FOR TOTS and portion of proceeds to TOYS FOR TOTS
2. Name, Address & Daytime Phone Number of Organizer: Jackalope Sports, LLC  
10 Tall Pines Road, Stratham, NH 03885  
207.467.3014
3. Name, Address & 24/7 Telephone Number of Person Responsible for Clean Up \_\_\_\_\_  
Jack Fleming - cell = 207.251.9370
4. Date of Event: December 5, 2015 Expected Number of Participants: 500
5. Start Time: 9AM - Race Expected End Time: 10:30AM - Race
6. Road Race, Parade or Walkathon Route: (List street names & **attach map of route**): \_\_\_\_\_  
Course Map Attached
7. Locations of Water Stops (if any): \_\_\_\_\_
8. Will Detours for Motor Vehicles Be Required? NO If so, where? \_\_\_\_\_
9. Formation Location & Time for Participants: 8AM AT MICHAEL'S HARBORSIDE PARKING LOT
10. Dismissal Location & Time for Participants: 11:30AM FROM MICHAEL'S HARBORSIDE
11. Additional Parade Information:
  - Number of Floats: N/A
  - Locations of Viewing Stations: N/A
  - Are Weapons Being Carried: Yes \_\_\_\_\_ No X
  - Are Marshalls Being Assigned to Keep Parade Moving: Yes X No \_\_\_\_\_

**VOLUNTEERS ON COURSE**

## DEPARTMENT APPROVAL (For Committee members use only):

It will be necessary for you to obtain permits or certificates from the following Departments: Please note that costs for some City support services during an event are an estimate only. Some Departments may forward an invoice for services rendered at the completion of the event, & others may request cash in advance payment.

Approval  
Required

Date: \_\_\_\_\_ Signature: \_\_\_\_\_

1. Special Events: \_\_\_\_\_
2. Police: [Signature]  
Is Police Detail Required: yes # of Details Assigned: TBA
3. Traffic, Parking & Transportation: \_\_\_\_\_
4. ISD/Health: \_\_\_\_\_
5. ISD/Building: \_\_\_\_\_
6. Electrical: \_\_\_\_\_
7. Fire: [Signature]  
Is Fire Detail Required: [Signature] # of Details Assigned: \_\_\_\_\_
8. Public Works: [Signature]
9. Recreation Department: N/A
10. License Commission: N/A

The Departments listed above have their own application process. Applicants are responsible for applying for and obtaining all required permits & certificates from the various individual Departments.

### Limitations

- (a) "Procedure" All road racing, walkathon, bicycle, or swimming events shall, through that event's organizer, board of directors, charity foundation or designee apply for authorization to hold the event through the Office of the City Clerk. The City Clerk upon review of the completed form will place the application on the regular City Council agenda. Upon following the procedures of the Council, as deemed appropriated in the sole judgment of the Council, the application will be considered approved if the Council votes favorably by majority. The event will name one person responsible on the application and shall provide contact information to include name, address and telephone number.
- (b) "Exemptions" Each event organizer or organization shall comply with this ordinance and no exemptions will be permitted.
- (c) "Course map", All applications shall be accompanied by a course map showing the event route, water stops, refreshment stops, and so-called "porta-potties". The course map shall also include any road closures, detours and parking areas. The course map shall be approved by Police, Fire, Department of Public Services, Parks Commission and Harbormasters Departments prior to submission to the City Clerk.
- (d) "Electronic Amplifier" Electronic amplifiers, loudspeakers and bullhorn use shall be requested at time of application. Under no circumstances will they be used for public address announcements or music before 8:00 A.M. except for Sundays when electronic amplifiers, loud speakers or bullhorns will be used for public address announcements or music before 9:00 AM. This shall be deemed a requirement for all permitted events regardless of type or location.
- (e) "Road Closure" No ways, public or private, boat ramps or parking lots controlled or patrolled by the city shall be closed without authorization. Authorization shall be considered granted only if said closure(s) are contained in the approved permit. It is the sole responsibility of the race organizers to notify residents ten (10) days in advance that neighborhood roads will be closed if no alternate route is available to those residents.

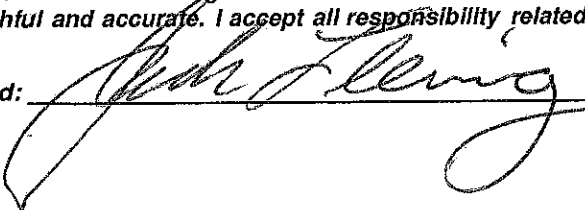
- (f) *"Insurance"* All events shall have an insurance policy or rider in effect for the event naming the "City of Newburyport" as an insured. The policy shall be no less than two million dollars (\$2,000,000.00).
- (g) *"Event termination"* If in the judgment of the City Marshal, Fire Chief or Department of Public Services (DPS) Director or designees thereof determine that an event is unsafe due to existing conditions, that event may be stopped, terminated or suspended. In the case of a multidiscipline event such as a triathlon, the Harbormaster or his/her designee may likewise stop, terminate or suspend the swimming portion for cause.
- (h) *"Event and traffic Security"* The City Marshal, Fire Chief, DPS Director or in the case of a triathlon, the Harbormaster can require special duty personnel to oversee the safety and security of the event. All special duty assignments will be paid by the event organizers.
- (i) *"Clean-up"* The event organizers shall be responsible for post event trash collection, removal of signage, directional arrows, advertisements or other promotional material associated with the event.

### 13-101 Enforcement

- (a) *"Regulations"* Consistent with this ordinance, the city shall promulgate regulations to enforce and otherwise implement the provisions of this ordinance upon passage by the City Council. Any event previously approved by City Council shall be deemed permitted.
- (b) *"Warning"* In the circumstance that this ordinance is violated, the enforcement may consist of a warning. Any warnings issued for violation(s) will be reported to the City Clerk and City Council and may be used as a factor in future application approvals and denials.
- (c) *"Noncriminal Disposition"* If the city determines that a violation has occurred in which a noncriminal violation is issued, the named event organizer shall be penalized by a non-criminal disposition as provided in Massachusetts General Law as adopted by the City of Newburyport as a general ordinance in Subsection 1-17 of Chapter 1 of the Code or Ordinances of the City of Newburyport in the amounts set herein in 13-101(d)
- (d) *"Violation"* The non-criminal violation shall be \$100.00 for the first offense and \$250.00 for second and subsequent offenses. Any non-criminal citations issued for violation(s) will be reported to the City Clerk and City Council and shall be used as a factor in future application approvals and denials.

**I fully understand and agree to all the terms set forth in this application. The information that I have provided is truthful and accurate. I accept all responsibility related to this event.**

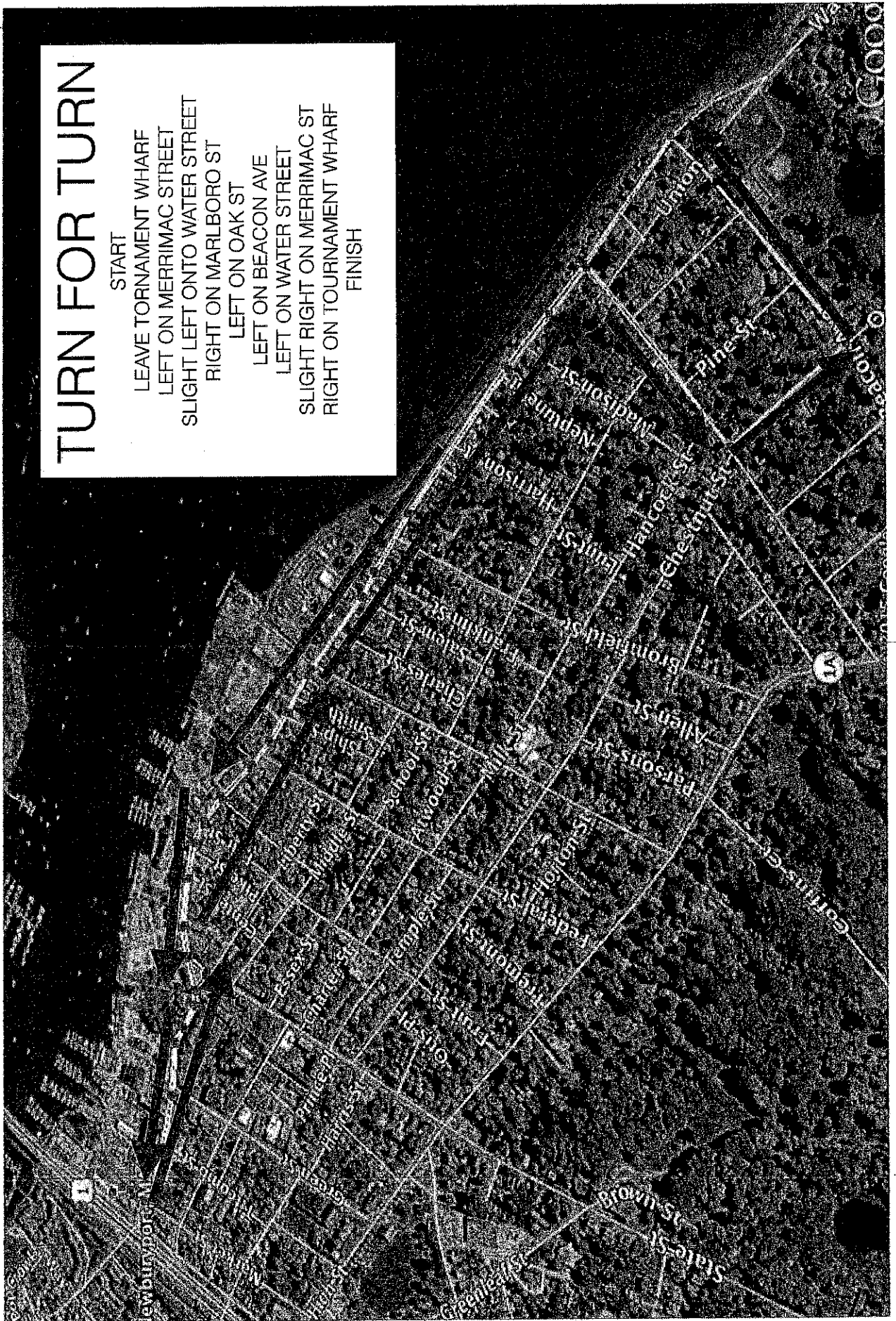
Signed: \_\_\_\_\_



Date: \_\_\_\_\_

5/19/15

# 5K COURSE OPTION #1



## TURN FOR TURN

### START

- LEAVE TOURNAMENT WHARF
- LEFT ON MERRIMAC STREET
- SLIGHT LEFT ONTO WATER STREET
- RIGHT ON MARLBORO ST
- LEFT ON OAK ST
- LEFT ON BEACON AVE
- LEFT ON WATER STREET
- SLIGHT RIGHT ON MERRIMAC ST
- RIGHT ON TOURNAMENT WHARF

### FINISH



# Seaside Santa Dash - December 5, 2015

## Special Event Application

To whom it may concern,

Attached is the Special Event permit for a 5K Road race called the Seaside Santa Dash. This race would start and finish in the parking lot of Michael's harbored restaurant and start at 9AM finishing by 11AM on the road and there would be awards and gathering Michael's harbored from 10:30AM-1PM.

I spoke with Lieutenant Rick Siemasko and he was supportive of the race course proposed. The map of the proposed course is attached.

I have also attached a copy of our typical Insurance Certificate that would name the City of Newburyport as Additionally Insured for the event. We can not obtain the Certificate for the Seaside Santa Dash in Newburyport on December 5, 2015 until the permit is approved by the City of Newburyport. Once the application is approved we can obtain the Certificate of Additionally Insured within 3-5 days. Well in advance of the December event and I would forward that tho the appropriate parties.

The Seaside Santa Dash gives free Santa Suits to the first 200 registrants and the racers bring inwrapped toys to donate to Toys for Tots. We would collect the Toys for Tots toys at the Start/Finish area to donate to Toys for Tots.

Jackalope Sports, LLC is hopeful the City of Newburyport will approve this application for a great Christmas tie event.

Best Regards,



Jack Fleming  
Jackalope Sports  
10 Tall Pines Road  
Stratham, NH 03885



NEWBURYPORT, MA

DECEMBER 5, 2015



# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

6/18/2015

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<br>Cornerstone Risk Management, LLC<br>PO Box 2285<br><br>Brattleboro VT 05303 | CONTACT NAME: Susan Cagen<br>PHONE (A/C, No, Ext): (802) 275-5335 FAX (A/C, No): (802) 275-5334<br>E-MAIL: susan.cagen@cornerstone-na.com<br>ADDRESS:<br><br>INSURER(S) AFFORDING COVERAGE<br>INSURER A: United States Fire Insurance<br>INSURER B:<br>INSURER C:<br>INSURER D:<br>INSURER E:<br>INSURER F: |
| INSURED<br>Jackalope Sports LLC<br>10 Tall Pines Road<br><br>Stratham NH 03885          | NAIC #                                                                                                                                                                                                                                                                                                      |

## COVERAGES

CERTIFICATE NUMBER: CL1561800917

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 WVD                                                     | POLICY NUMBER     | POLICY EFF (MM/DD/YYYY) | POLICY EXP (MM/DD/YYYY) | LIMITS                                                                                                                                                                                  |
|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------|-------------------|-------------------------|-------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| A        | COMMERCIAL GENERAL LIABILITY<br><input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> OCCUR<br><br>GEN'L AGGREGATE LIMIT APPLIES PER:<br><input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC<br>OTHER: | X                                                                      | FLD GL 062715     | 6/27/2015               | 6/27/2016               | EACH OCCURRENCE \$<br>DAMAGE TO RENTED PREMISES (Ea occurrence) \$<br>MED EXP (Any one person) \$<br>PERSONAL & ADV INJURY \$<br>GENERAL AGGREGATE \$<br>PRODUCTS - COM/OP AGG \$<br>\$ |
|          | AUTOMOBILE LIABILITY<br><input type="checkbox"/> ANY AUTO<br><input type="checkbox"/> ALL OWNED AUTOS<br><input type="checkbox"/> HIRED AUTOS<br><input type="checkbox"/> SCHEDULED AUTOS<br><input type="checkbox"/> NON-OWNED AUTOS                     |                                                                        |                   |                         |                         | COMBINED SINGLE LIMIT (Ea accident) \$<br>BODILY INJURY (Per person) \$<br>BODILY INJURY (Per accident) \$<br>PROPERTY DAMAGE (Per accident) \$<br>\$                                   |
|          | UMBRELLA LIAB<br>EXCESS LIAB<br>DED. RETENTION \$                                                                                                                                                                                                         | <input type="checkbox"/> OCCUR<br><input type="checkbox"/> CLAIMS-MADE |                   |                         |                         | EACH OCCURRENCE \$<br>AGGREGATE \$<br>\$                                                                                                                                                |
|          | WORKERS COMPENSATION AND EMPLOYERS' LIABILITY<br>ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)<br>If yes, describe under DESCRIPTION OF OPERATIONS below                                                                    | Y/N<br><input type="checkbox"/> N/A                                    |                   |                         |                         | PER STATUTE<br>OTHER<br>E.L. EACH ACCIDENT \$<br>E.L. DISEASE - EA EMPLOYEE \$<br>E.L. DISEASE - POLICY LIMIT \$                                                                        |
| A        | Medical/Accident                                                                                                                                                                                                                                          | X                                                                      | FLD ACCMED 062715 | 6/27/2015               | 6/27/2016               | Max Medical 25,000<br>Acc Death/Dismemberment 5,000                                                                                                                                     |

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

The certificate holder is named as Additional Insured only with respect to acts of the Named Insured and only with respect to the Operations of the Insured during the coverage period.

## 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

C Wocell/CHRIS

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ACORD 25 (2014/01)

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INS025 (201401)

Communication #2  
May 26, 2015  
JUN 08 2015

RECEIVED  
CITY CLERK'S OFFICE  
NEWBURYPORT, MA

MAY 28 P 1:17

## SPECIAL EVENT APPLICATION

### SPECIAL EVENTS

Tel. Fax.

(For Parades, Road Races and Walkathons Only - Please complete reverse side of this application)

NAME OF EVENT: YANKEE HOMECOMING RACE

1. Date: JULY 28 2015 Time: from 6 PM to 8:45 PM  
Rain Date: \_\_\_\_\_ Time: from \_\_\_\_\_ to \_\_\_\_\_
2. Location: NEWBURYPORT HIGH SCHOOL
3. Description of Property: HIGH SCHOOL Public \_\_\_\_\_ Private \_\_\_\_\_
4. Name of Organizer: NEWBURYPORT LIONS CLUB City Sponsored Event: Yes \_\_\_\_\_ No NO  
Contact JONATHAN K PEARSON 43 MOULTON ST, NEWBURYPORT Person: \_\_\_\_\_  
Address: \_\_\_\_\_ Telephone: \_\_\_\_\_  
E-Mail: YANKEESEACOAST@COMCAST.NET Cell Phone: 978 376 5328/462 2203  
Day of Event Contact & Phone: Jonathan Pearson 978 376 5328
5. Number of Attendees Expected: 3000
6. MA Tax Number: 51 0230124
7. Is the Event Being Advertised? \_\_\_\_\_ Where? Internet
8. What Age Group is the Event Targeted to? Family
9. Have You Notified Neighborhood Groups or Abutters? Yes \_\_\_\_\_ No \_\_\_\_\_ Who? ✓

ACTIVITIES: (Please check where applicable.) Subject to Licenses & Permits from Relevant City Departments

- A. Vending: Food NA Beverages NA Alcohol NO Goods \_\_\_\_\_ Total # of Vendors 5
- B. Entertainment: (Subject to City's Noise Ordinance.) Live Music NO DJ NO Radio/CD NO  
Performers NO Dancing N Amplified Sound YES Stage NO
- C. Games / Rides: Adult Rides NA Kiddie Rides NA Games NA Raffle NO  
Other \_\_\_\_\_ Total # \_\_\_\_\_  
Name of Carnival Operator: NA  
Address: \_\_\_\_\_  
Telephone: \_\_\_\_\_
- D. Clean Up: # of additional trash receptacles required \_\_\_\_\_ # of additional recycling receptacles required \_\_\_\_\_
- E. Portable Toilets: (Each cluster of portable toilets must include at least one ADA accessible toilet)  
# 36 Standard # 1 ADA accessible

**FOR PARADE, ROAD RACE AND WALKATHON EVENTS ONLY**

PARADE \_\_\_\_\_ ROAD RACE XX WALKATHON \_\_\_\_\_

1. Name of the Group or Person Sponsoring the Road Race, Parade, Walkathon: \_\_\_\_\_

1 YANKEE HOMECOMING RACE SPONSERED BY INSTITUTION FOR SAVINGS

2. Name, Address & Daytime Phone Number of Organizer: NEWBURYPORT LIONS CLUB

Jonathan Pearson. 43 Moulton Street Newburyport MA 1 978 462 2203

3. Name, Address & 24/7 Telephone Number of Person Responsible for Clean Up \_\_\_\_\_

DON CAREY 1 LISA CIRCLE MERRIMAC MA. 978 384 8538

4. Date of Event: JULY 28, 2015 Expected Number of Participants: 3000

5. Start Time: 6 PM Expected End Time: 8:45 PM

6. Road Race, Parade or Walkathon Route: (List street names & attach map of route): See map on pg. 5

High St to Marlboro to left on to Water St along to Merrimac St Left on to spofford St Right onto Pine Hill, left on to Hallsey. right on to Whitcomb, left onto Storey Ave, right onto High School.

7. Locations of Water Stops (if any): Water stops see map pg 5 FIVE

8. Will Detours for Motor Vehicles Be Required? no If so, where? \_\_\_\_\_

9. Formation Location & Time for Participants: \_\_\_\_\_

10. Dismissal Location & Time for Participants: NA

11. Additional Parade Information:

• Number of Floats: n/a

• Locations of Viewing Stations: n/a

• Are Weapons Being Carried: NA Yes \_\_\_\_\_ No \_\_\_\_\_

• Are Marshalls Being Assigned to Keep Parade Moving: Yes NA No \_\_\_\_\_

**APPROVAL SIGNATURES REQUIRED FOR STREET CLOSURE**

CITY MARSHAL

4 Green Street

FIRE CHIEF

Greenleaf Street

DEPUTY DIRECTOR

1 Perry Way

CITY CLERK

60 Pleasant St.

[Signature] 5/26/15  
[Signature] DPS DIRECTOR

893. m

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## DEPARTMENT APPROVAL (For Committee members use only):

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It will be necessary for you to obtain permits or certificates from the following Departments: Please note that costs for some City support services during an event are an estimate only. Some Departments may forward an invoice for services rendered at the completion of the event, & others may request cash in advance payment.

Approval  
Required

Date: \_\_\_\_\_ Signature: \_\_\_\_\_

- 
1. Special Events: \_\_\_\_\_
  2. Police: \_\_\_\_\_  
Is Police Detail Required: \_\_\_\_\_ # of Details Assigned: \_\_\_\_\_
  3. Traffic, Parking & Transportation: \_\_\_\_\_
  4. ISD/Health: \_\_\_\_\_
  5. ISD/Building: \_\_\_\_\_
  6. Electrical: \_\_\_\_\_
  7. Fire: \_\_\_\_\_  
Is Fire Detail Required: \_\_\_\_\_ # of Details Assigned: \_\_\_\_\_
  8. Public Works: \_\_\_\_\_
  9. Recreation Department: \_\_\_\_\_
  10. License Commission: \_\_\_\_\_

The Departments listed above have their own application process. Applicants are responsible for applying for and obtaining all required permits & certificates from the various individual Departments.

### Limitations

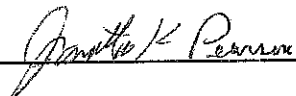
- (a) *"Procedure"* All road racing, walkathon, bicycle, or swimming events shall, through that event's organizer, board of directors, charity foundation or designee apply for authorization to hold the event through the Office of the City Clerk. The City Clerk upon review of the completed form will place the application on the regular City Council agenda. Upon following the procedures of the Council, as deemed appropriated in the sole judgment of the Council, the application will be considered approved if the Council votes favorably by majority. The event will name one person responsible on the application and shall provide contact information to include name, address and telephone number.
- (b) *"Exemptions"* Each event organizer or organization shall comply with this ordinance and no exemptions will be permitted.
- (c) *"Course map"*, All applications shall be accompanied by a course map showing the event route, water stops, refreshment stops, and so-called "porta-potties". The course map shall also include any road closures, detours and parking areas. The course map shall be approved by Police, Fire, Department of Public Services, Parks Commission and Harbormasters Departments prior to submission to the City Clerk.
- (d) *"Electronic Amplifier"* Electronic amplifiers, loudspeakers and bullhorn use shall be requested at time of application. Under no circumstances will they be used for public address announcements or music before 8:00 A.M. except for Sundays when electronic amplifiers, loud speakers or bullhorns will be used for public address announcements or music before 9:00 AM. This shall be deemed a requirement for all permitted events regardless of type or location.
- (e) *"Road Closure"* No ways, public or private, boat ramps or parking lots controlled or patrolled by the city shall be closed without authorization. Authorization shall be considered granted only if said closure(s) are contained in the approved permit. It is the sole responsibility of the race organizers to notify residents ten (10) days in advance that neighborhood roads will be closed if no alternate route is available to those residents.

- pg 4
- (f) *"Insurance"* All events shall have an insurance policy or rider in effect for the event naming the "City of Newburyport" as an insured. The policy shall be no less than two million dollars (\$2,000,000.00).
  - (g) *"Event termination"* If in the judgment of the City Marshal, Fire Chief or Department of Public Services (DPS) Director or designees thereof determine that an event is unsafe due to existing conditions, that event may be stopped, terminated or suspended. In the case of a multidiscipline event such as a triathlon, the Harbormaster or his/her designee may likewise stop, terminate or suspend the swimming portion for cause.
  - (h) *"Event and traffic Security"* The City Marshal, Fire Chief, DPS Director or in the case of a triathlon, the Harbormaster can require special duty personnel to oversee the safety and security of the event. All special duty assignments will be paid by the event organizers.
  - (i) *"Clean-up"* The event organizers shall be responsible for post event trash collection, removal of signage, directional arrows, advertisements or other promotional material associated with the event.

### 13-101 Enforcement

- (a) *"Regulations"* Consistent with this ordinance, the city shall promulgate regulations to enforce and otherwise implement the provisions of this ordinance upon passage by the City Council. Any event previously approved by City Council shall be deemed permitted.
- (b) *"Warning"* In the circumstance that this ordinance is violated, the enforcement may consist of a warning. Any warnings issued for violation(s) will be reported to the City Clerk and City Council and may be used as a factor in future application approvals and denials.
- (c) *"Noncriminal Disposition"* If the city determines that a violation has occurred in which a noncriminal violation is issued, the named event organizer shall be penalized by a non-criminal disposition as provided in Massachusetts General Law as adopted by the City of Newburyport as a general ordinance in Subsection 1-17 of Chapter 1 of the Code or Ordinances of the City of Newburyport in the amounts set herein in 13-101(d)
- (d) *"Violation"* The non-criminal violation shall be \$100.00 for the first offense and \$250.00 for second and subsequent offenses. Any non-criminal citations issued for violation(s) will be reported to the City Clerk and City Council and shall be used as a factor in future application approvals and denials.

***I fully understand and agree to all the terms set forth in this application. The information that I have provided is truthful and accurate. I accept all responsibility related to this event.***

Signed:  Date: MAY 25 2015

# 2015 RACE 10 MILE/5K WATER STOPS

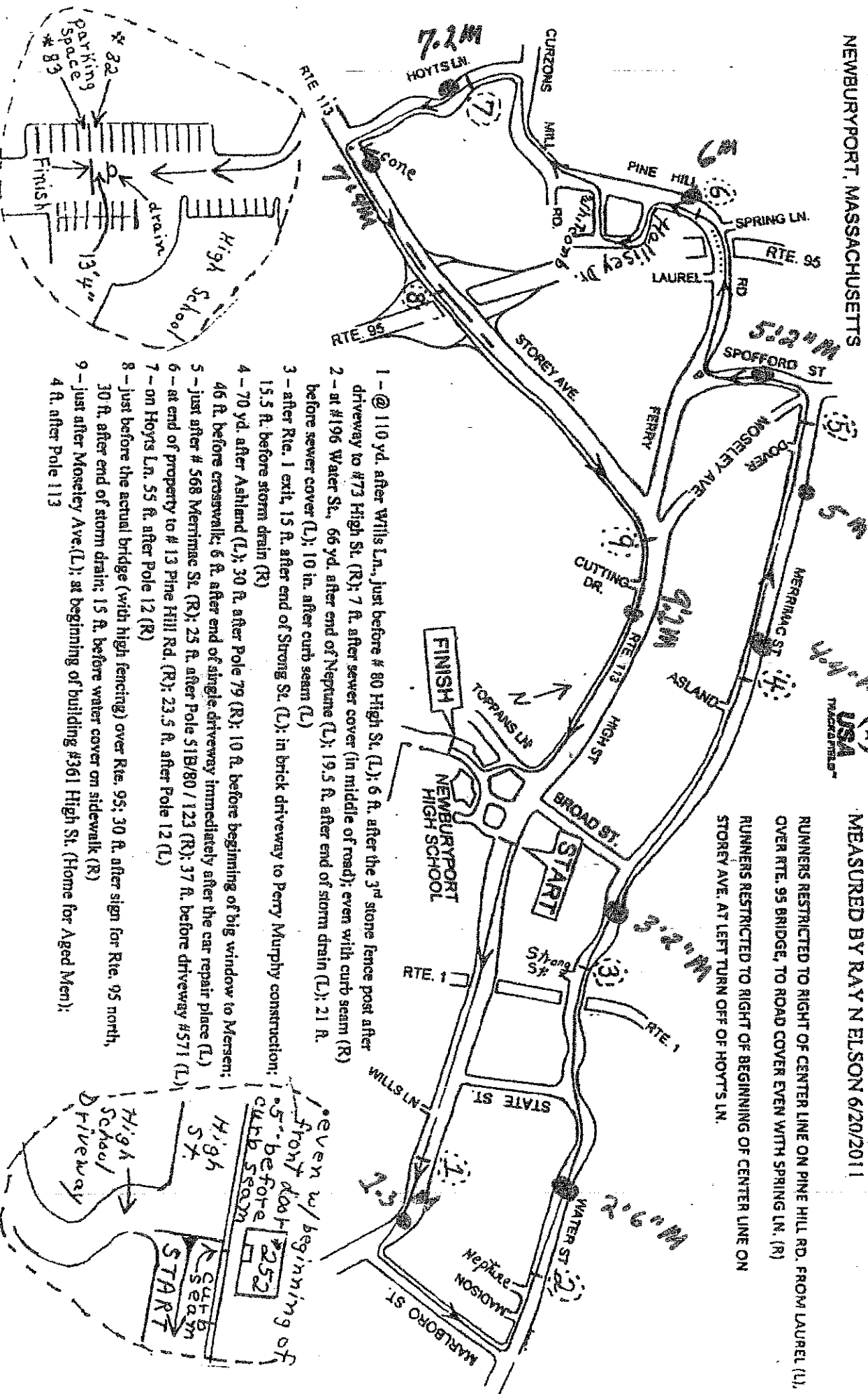
Yankee Homecoming

10 Mile Road Race  
NEWBURYPORT, MASSACHUSETTS



USATF CERTIFIED COURSE - MA11008RN  
EFFECTIVE 8/2/2011 - 12/31/2021  
MEASURED BY RAY NELSON 6/20/2011

RUNNERS RESTRICTED TO RIGHT OF CENTER LINE ON PINE HILL RD. FROM LAUREL (L),  
OVER RTE. 95 BRIDGE, TO ROAD COVER EVEN WITH SPRING LN. (R)  
RUNNERS RESTRICTED TO RIGHT OF BEGINNING OF CENTER LINE ON  
STOREY AVE. AT LEFT TURN OFF OF HOYT'S LN.



- 1 - @ 110 yd. after Willis Ln., just before # 80 High St. (L); 6 ft. after the 3<sup>rd</sup> stone fence post after driveway to #73 High St. (R); 7 ft. after sewer cover (in middle of road); even with curb seam (R)
- 2 - at #196 Water St., 66 yd. after end of Neptune (L); 19.5 ft. after end of storm drain (L); 21 ft. before sewer cover (L); 10 in. after curb seam (L)
- 3 - after Rte. 1 exit, 15 ft. after end of Strong St. (L); in brick driveway to Perry Murphy construction; 15.5 ft. before storm drain (R)
- 4 - 70 yd. after Ashland (L); 30 ft. after Pole 79 (R); 10 ft. before beginning of big window to Mersien; 46 ft. before crosswalk; 6 ft. after end of single driveway immediately after the car repair place (L)
- 5 - just after # 568 Merimac St. (R); 25 ft. after Pole 51B/80 / 123 (R); 37 ft. before driveway #571 (L)
- 6 - at end of property to # 13 Pine Hill Rd. (R); 23.5 ft. after Pole 12 (L)
- 7 - on Hoys Ln. 55 ft. after Pole 12 (R)
- 8 - just before the actual bridge (with high fencing) over Rte. 95; 30 ft. after sign for Rte. 95 north, 30 ft. after end of storm drain; 15 ft. before water cover on sidewalk (R)
- 9 - just after Moseley Ave.(L); at beginning of building #361 High St. (Home for Aged Men); 4 ft. after Pole 113

even w/ beginning of front door 2252 curb seam

High School Driveway

START





# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

05/27/2015

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<br><br>Willis of Illinois, Inc.<br>425 N. Martingale Road, Suite 1100<br>Schaumburg, IL 60173 | CONTACT NAME: John Adams                  |                               |
|                                                                                                        | PHONE (A/C, No, Ext): 1-800-316-6705      | FAX (A/C, No): 1-888-467-2378 |
| INSURED<br><br>Newburyport Lions Club<br>Newburyport Massachusetts                                     | E-MAIL ADDRESS: lionsclubs@willis.com     |                               |
|                                                                                                        | INSURER(S) AFFORDING COVERAGE             |                               |
|                                                                                                        | INSURER A: ACE American Insurance Company |                               |
|                                                                                                        | INSURER B:                                |                               |
|                                                                                                        | INSURER C:                                |                               |
|                                                                                                        | INSURER D:                                |                               |
| INSURER E:                                                                                             |                                           |                               |
| INSURER F:                                                                                             |                                           |                               |
| NAIC #                                                                                                 |                                           |                               |
| 22667                                                                                                  |                                           |                               |

## 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 INSR | SUBR WVO | POLICY NUMBER | POLICY EFF (MM/DD/YYYY) | POLICY EXP (MM/DD/YYYY) | LIMITS                                                                                                                                                                                                                                      |
|----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|----------|---------------|-------------------------|-------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| A        | GENERAL LIABILITY<br><input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY<br><input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR<br><input checked="" type="checkbox"/> Agg. Per Named Insured is \$2,000,000<br>GENL AGGREGATE LIMIT APPLIES PER:<br><input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC |           |          | HDOG27336395  | 09/01/2014              | 09/01/2015              | EACH OCCURRENCE \$ 1,000,000<br>DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 1,000,000<br>MED EXP (Any one person) \$ 5,000<br>PERSONAL & ADV INJURY \$ 1,000,000<br>GENERAL AGGREGATE \$ 10,000,000<br>PRODUCTS - COMPROP AGG \$ 2,000,000 |
| A        | AUTOMOBILE LIABILITY<br><input type="checkbox"/> ANY AUTO<br><input type="checkbox"/> ALL OWNED AUTOS<br><input checked="" type="checkbox"/> HIRED AUTOS<br><input type="checkbox"/> SCHEDULED AUTOS<br><input checked="" type="checkbox"/> NON-OWNED AUTOS                                                                                                                                            |           |          | ISAH08827552  | 09/01/2014              | 09/01/2015              | COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000<br>BODILY INJURY (Per person) \$<br>BODILY INJURY (Per accident) \$<br>PROPERTY DAMAGE (Per accident) \$                                                                                   |
|          | UMBRELLA LIAB<br>EXCESS LIAB<br>DED RETENTIONS                                                                                                                                                                                                                                                                                                                                                         |           |          |               |                         |                         | EACH OCCURRENCE \$<br>AGGREGATE \$                                                                                                                                                                                                          |
|          | WORKERS COMPENSATION AND EMPLOYERS' LIABILITY<br>ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)<br>If yes, describe under DESCRIPTION OF OPERATIONS below                                                                                                                                                                                                                 | Y/N       | N/A      |               |                         |                         | WC STATUTORY LIMITS<br>E.L. EACH ACCIDENT \$<br>E.L. DISEASE - EA EMPLOYEE \$<br>E.L. DISEASE - POLICY LIMIT \$                                                                                                                             |

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

Provisions of the policy apply to the named insureds participation in the following activity during the policy period shown above: Yankee Homecoming Road Race on July 28th, 2015 in Newburyport, MA

City of Newburyport is included as an Additional Insured(s), but only with respect to General Liability arising out of the issuance of permit(s) to the Insured shown above and not out of the sole negligence of said additional insured.

PROVISIONS OF THE POLICY DO NOT APPLY TO THE SALE OR SERVING OF ALCOHOLIC BEVERAGES

## CERTIFICATE HOLDER

## CANCELLATION

City of Newburyport  
60 Pleasant Street  
Newburyport Massachusetts 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

© 1988-2010 ACORD CORPORATION. All rights reserved.

JUN 08 2015

Communication #3  
MAY 28 2015

## SPECIAL EVENT APPLICATION

SPECIAL EVENTS

Tel.

Fax.

RECEIVED  
CITY CLERK'S OFFICE  
NEWBURYPORT, MA

(For Parades, Road Races and Walkathons Only - Please complete reverse side of this application)

MAY 28 P 1:17

NAME OF EVENT: 1 NEWBURYPORT LIONS BED RACE

1. Date: JULY 30 2015 Time: from 6pm to 7:30 pm  
 Rain Date: \_\_\_\_\_ Time: from \_\_\_\_\_ to \_\_\_\_\_
2. Location: FEDERAL STREET
3. Description of Property: \_\_\_\_\_ Public \_\_\_\_\_ Private \_\_\_\_\_
4. Name of Organizer: NEWBURYPORT LIONS CLUB City Sponsored Event: Yes \_\_\_\_\_ No \_\_\_\_\_  
 Contact CHAD MCDONALD Person: \_\_\_\_\_  
 Address: 1 HICKORY LN. W. NEWBURY Telephone: \_\_\_\_\_  
 E-Mail: CHADMCDONALD@VERZION.NET Tell Phone: \_\_\_\_\_  
 Day of Event Contact & Phone: Chad McDonald 978 462 2020
5. Number of Attendees Expected: 500
6. MA Tax Number: 510230184
7. Is the Event Being Advertised? NO Where? \_\_\_\_\_
8. What Age Group is the Event Targeted to? family
9. Have You Notified Neighborhood Groups or Abutters? Yes \_\_\_\_\_ No ✓ Who? \_\_\_\_\_

ACTIVITIES: (Please check where applicable.) Subject to Licenses &amp; Permits from Relevant City Departments

- A. Vending: Food NO Beverages NO Alcohol NO Goods NO Total # of Vendors 0
- B. Entertainment: (Subject to City's Noise Ordinance.) Live Music \_\_\_\_\_ DJ \_\_\_\_\_ Radio/CD \_\_\_\_\_  
 Performers NO Dancing NO Amplified Sound NO Stage NO
- C. Games / Rides: Adult Rides NO Kiddie Rides NO Games NO Raffle NO  
 Other \_\_\_\_\_ Total # \_\_\_\_\_  
 Name of Carnival Operator: NA  
 Address: NA  
 Telephone: NA
- D. Clean Up: # of additional trash receptacles required \_\_\_\_\_ # of additional recycling receptacles required \_\_\_\_\_
- E. Portable Toilets: (Each cluster of portable toilets must include at least one ADA accessible toilet)  
 # \_\_\_\_\_ Standard # \_\_\_\_\_ ADA accessible

6

**FOR PARADE, ROAD RACE AND WALKATHON EVENTS ONLY**

PARADE \_\_\_\_\_ ROAD RACE XX WALKATHON \_\_\_\_\_

1. Name of the Group or Person Sponsoring the Road Race, Parade, Walkathon: \_\_\_\_\_

NEWBURYPORT LIONS CLUB

2. Name, Address & Daytime Phone Number of Organizer: NEWBURYPORT LIONS CLUB

Jonathan Pearson, 43 Moulton Street Newburyport MA 1 978 462 2203

3. Name, Address & 24/7 Telephone Number of Person Responsible for Clean Up: Chad McDonald, 1 Hickory LN W Newbury, MA 978-462-2020

Same

4. Date of Event: July 30, 2015 Expected Number of Participants: 500

5. Start Time: 6 PM Expected End Time: 7:30 PM

6. Road Race, Parade or Walkathon Route: (List street names & attach map of route) See map on pg. \_\_\_\_\_

Federal St starting at High Street down to Tannery entrance

7. Locations of Water Stops (if any): \_\_\_\_\_

8. Will Detours for Motor Vehicles Be Required? Yes If so, where? Federal Street

9. Formation Location & Time for Participants: \_\_\_\_\_

10. Dismissal Location & Time for Participants: NA

11. Additional Parade Information:

• Number of Floats: N/A

• Locations of Viewing Stations: N/A

• Are Weapons Being Carried: NA Yes \_\_\_\_\_ No \_\_\_\_\_

• Are Marshalls Being Assigned to Keep Parade Moving: Yes NA No \_\_\_\_\_

**APPROVAL SIGNATURES REQUIRED FOR STREET CLOSURE**

CITY MARSHAL  
4 Green Street  
FIRE CHIEF  
Greenleaf Street  
DEPUTY DIRECTOR  
1 Perry Way  
CITY CLERK  
60 Pleasant St.

[Signature] 5/26/15  
[Signature] DRS DIRECTOR

193

M

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## DEPARTMENT APPROVAL (For Committee members use only):

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It will be necessary for you to obtain permits or certificates from the following Departments: Please note that costs for some City support services during an event are an estimate only. Some Departments may forward an invoice for services rendered at the completion of the event, & others may request cash in advance payment.

| Approval<br>Required | Date: _____                                 | Signature _____              |
|----------------------|---------------------------------------------|------------------------------|
| _____                | 1. Special Events: _____                    |                              |
| _____                | 2. Police: _____                            |                              |
|                      | Is Police Detail Required: _____            | # of Details Assigned: _____ |
| _____                | 3. Traffic, Parking & Transportation: _____ |                              |
| _____                | 4. ISD/Health: _____                        |                              |
| _____                | 5. ISD/Building: _____                      |                              |
| _____                | 6. Electrical: _____                        |                              |
| _____                | 7. Fire: _____                              |                              |
|                      | Is Fire Detail Required: _____              | # of Details Assigned: _____ |
| _____                | 8. Public Works: _____                      |                              |
| _____                | 9. Recreation Department: _____             |                              |
| _____                | 10. License Commission: _____               |                              |

The Departments listed above have their own application process. Applicants are responsible for applying for and obtaining all required permits & certificates from the various individual Departments.

### Limitations

- 1
- (a) *"Procedure"* All road racing, walkathon, bicycle, or swimming events shall, through that event's organizer, board of directors, charity foundation or designee apply for authorization to hold the event through the Office of the City Clerk. The City Clerk upon review of the completed form will place the application on the regular City Council agenda. Upon following the procedures of the Council, as deemed appropriated in the sole judgment of the Council, the application will be considered approved if the Council votes favorably by majority. The event will name one person responsible on the application and shall provide contact information to include name, address and telephone number.
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  - (e) *"Road Closure"* No ways, public or private, boat ramps or parking lots controlled or patrolled by the city shall be closed without authorization. Authorization shall be considered granted only if said closure(s) are contained in the approved permit. It is the sole responsibility of the race organizers to notify residents ten (10) days in advance that neighborhood roads will be closed if no alternate route is available to those residents.

- 794
- (f) *"Insurance"* All events shall have an insurance policy or rider in effect for the event naming the "City of Newburyport" as an insured. The policy shall be no less than two million dollars (\$2,000,000.00).
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### 13-101 Enforcement

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- (c) *"Noncriminal Disposition"* If the city determines that a violation has occurred in which a noncriminal violation is issued, the named event organizer shall be penalized by a non-criminal disposition as provided in Massachusetts General Law as adopted by the City of Newburyport as a general ordinance in Subsection 1-17 of Chapter 1 of the Code or Ordinances of the City of Newburyport in the amounts set herein in 13-101(d)
- (d) *"Violation"* The non-criminal violation shall be \$100.00 for the first offense and \$250.00 for second and subsequent offenses. Any non-criminal citations issued for violation(s) will be reported to the City Clerk and City Council and shall be used as a factor in future application approvals and denials.

***I fully understand and agree to all the terms set forth in this application. The information that I have provided is truthful and accurate. I accept all responsibility related to this event.***

Signed: \_\_\_\_\_

*Janette K. Pearson*

Date: \_\_\_\_\_

*MAY 25 2015*

# CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

May 26, 2015

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 13-168 | Parking restricted on certain streets. |

No person shall park any vehicle on the following streets or portions of streets as indicated below:

ADD:

|              |                                                                                                                                                             |
|--------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Toppans Lane | No parking 7:00 a.m. to 3:30 p.m. when school is in session on the easterly side from the intersection of Summit Place northerly for a distance of 75 feet. |
|--------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------|

Councillor Robert J. Cronin, Ward 3

ps