CITY COUNCIL MEETING AGENDA - VERSION 1
CITY COUNCIL CHAMBERS

May 31, 2016

7:10 PM
Pole Hearing
Low Street and Storey Avenue

7:15 PM
Hearing on FY 17 Budget

7:30PM

(Sound Check)

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

CONSENT AGENDA

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

7. **APPROVAL OF MINUTES**
   May 9, 2016 (Approve)

8. **TRANSFERS**
   - **TRAN014_05_31_16** General Fund $10,000.00 to CCN Ordinance Recodification $2,500.00, CCN Legal Ads $1,500.00, and BDR Elections $6,000.00 (B&F)
   - **TRAN015_05_31_16** Fire Fuel/Oil $10,000.00 to Fire Maintenance $10,000.00 (B&F)
   - **TRAN016_05_31_16** General Fund $63,000.00 to Fire/Fuel Oil $10,000.00, Fire Educational Materials $2,000.00, and Fire Overtime $75,000 (B&F)

9. **COMMUNICATIONS**
   - **COMM055_05_31_16** Exchange Club Request to Advertise Field of Honor Program (L&P)
   - **COMM056_05_31_16** Oregano Application for Outdoor Seating (L&P)
   - **COMM058_05_31_16** Bed Race Event Application (PS)
   - **COMM060_05_31_16** Mobilitie, LLC Highway Access Permit (PU)

10. **APPOINTMENTS**

First Reading

APPOINTMENTS

- **APPT036_05_31_16** Sarah T. Spalding 280 High Street, Nbpt Library Board

CONFIRMATORY APPOINTMENTS

- **APPT037_05_31_16** Joseph Brown 6 Cutting Drive, Nbpt Waterfront Trust
- **APPT038_05_31_16** Wilbur Shenk 1 Beck Street, Nbpt Waterfront Trust
- **APPT039_05_31_16** George H. Ellison, Jr. 2A Noble Street, Nbpt Waterfront Trust
- **APPT040_05_31_16** Steven D. Hines 54 Ferry Road, Nbpt Waterfront Trust
- **APPT041_05_31_16** Scott W. Sutherland 3 Savory Street, Nbpt Waterfront Trust

RE-APPOINTMENTS

- **APPT042_05_31_16** Paul Healy 8 N Street, Nbpt Comm Preservation
- **APPT043_05_31_16** Paul Healy 8 N Street, Nbpt Conservation Comm
- **APPT044_05_31_16** Paul Hogg 4 Coltin Drive, Nbpt Harbormaster
- **APPT045_05_31_16** Donald F. Little 6 Cottage Court, Nbpt Comm Preservation
- **APPT046_05_31_16** Daniel R. May 5 Lucey Drive, Nbpt Harbor Comm
- **APPT047_05_31_16** Maurice Southworth 12 Fruit Street Fruit St Local
- **APPT048_05_31_16** David B. Vine 47 Marlboro Street, Nbpt Conservation Comm
- **APPT049_05_31_16** Daniel P. Warchol 47 Plummer Avenue, Nbpt Conservation Comm
- **APPT050_05_31_16** Sarah M. White 349 High Street, Nbpt Historical Comm

END OF CONSENT AGENDA
REGULAR AGENDA

11. MAYOR'S UPDATE

12. COMMUNICATIONS

- **COMM057EP_05_31_16** Emergency Preamble for Anchor Stone Deck Pizza Outdoor Seating
- **COMM057_05_31_16** Anchor Stone Deck Pizza Application for Outdoor Seating

13. APPOINTMENTS

Second Reading
APPOINTMENTS

- **APPT034_05_09_16** Peter Binette 255 Main Street, Ames, MA Building Comm
- **APPT035_05_09_16** Byron M. Getchell 14 Milk Street, Nbpt, MA Tree Comm

14. ORDERS

- **ORDR037_05_31_16** Military Plate Space in Green St lot
- **ORDR038_05_31_16** Intermunicipal Agreement for Shared Animal Control Services
- **ORDR039_05_31_16** Increase Hourly Parking Rate to $1.50
- **ORDR040_05_31_16** Whittier Regional Stabilization Fund
- **ORDR041_05_31_16** Taking on 1 Pasture Road – Sewer Lift Station

- **ORDR042_05_31_16** F&S Construction – New Licensed Contractor
- **ORDR043_05_31_16** Free Parking During Christmas Season

15. ORDINANCES

- **ODNC010_05_31_16** Amend Outdoor Seating
- **ODNC011_05_31_16** Amend Transient Vendors for Cashman
- **ODNC012_05_31_16** Amend Sign Ordinance Chapter 12.3 et al

15. COMMITTEE ITEMS

Budget & Finance

In Committee:

- **ORDR009_02_08_16** Increase fees for Fire Dept.
- **ORDR010_02_08_16** Increase fines Parking Violations
- **COMM034_03_29_16** CIP Submission FY 2016
- **ORDR002_01_25_16** Accept gift of $25,000 repairing Brown's Wharf Culvert (COTW)
- **TRAN011_05_09_16** Solid Waste Fee $8,700.00 to Chipper $8,700
- **TRAN012_05_09_16** Free Cash $6,400.00 to HWY Maint Bldg $6,400
- **TRAN013_05_09_16** Multiple Accounts $482,349.00 to Fuller Field & Track Project $482,349.00 (COTW)
- **COMM052_05_09_16** FY2017 Proposed Budget (COTW)

General Government

In Committee:

Joint Education

License & Permits

In Committee:

- **COMM010_01_25_16 -** Licensing Commission Acoustic & Amplified Entertainment
- **ODNC004_01_25_16** – Chapter 3 Animals Dogs Nuisance
- **COMM049_05_09_16** Atomic Coffee Co. Application for Outdoor Seating

Neighborhoods and City Services

In Committee:

- **ODNC001_01_11_16** Amend Ch11 Parks and Recreation (COTW)
- **COMM032_03_29_16** Councillor Cronin - Garage Impact Abutters Group Recs
- **COMM033_03_29_16** Councillor Zeid - Garage Impact Abutters Group Recs
- **ORDR031_04_25_16** Tree Order on Replanting
- **ORDR032_04_25_16** Veterans at Brown Square
- **ODNC009_04_25_16** CDT renamed to Human Rights Committee
- **ORDR035_05_09_16** Rename Portion of Atwood Park to Garrison Gardens

Planning & Development

In Committee:

- **COMM005_01_11_16** Letter to Council RE: Economic Development Concept for Business Park
- **COMM020_02_08_16** Memo re: hiring process for Building Commissioner
- **ORDR025_04_11_16** Gloria Braunhardt Little River Bike Trail
- **ODNC007_04_11_16** Zoning – To Improve Record Keeping and Coordination (COTW)
- **ODNC008_04_11_16** Zoning – Repair City-Owned Sidewalks (COTW)
- **ORDR033_04_25_16** Multi-Hazard Mitigation Plan

Public Safety

In Committee:

- **ORDR011_02_29_16** - Parking – Section 13-168, Winter Hours Restrictions, Certain Streets
- **ORDR023_04_11_16** Parking Restrictions, Simmons Drive
- **ORDR024_04_11_16** Parking Restrictions, Golden Drive
- **COMM046_04_25_16** Dates for Yankee Homecoming
- **COMM048_04_25_16** Yankee Homecoming Race Application
- **COMM050_05_09_16** Coast to the Cure Bike Ride Sept 10, 2016
- **COMM051_05_09_16** Pan-Merrimack Challenge Jun 18, 2016

Public Utilities

In Committee

- **ORDR027_04_11_16** Licensed Contractor Robell, Inc.

Rules Committee

16. GOOD OF THE ORDER

17. ADJOURNMENT

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 5, 2016

Dear Property Owner:

Notice is hereby given that a public hearing will be held on the petition of National Grid and Verizon New England Inc., to install 1 JO pole and relocate 2 poles on Low Street and Storey Avenue. Location approximately as shown on the plan attached.

Said hearing will be held on Tuesday, May 31, 2016 at 7:15 pm, in the City Council Chamber, City Hall, Newburyport, MA. At that time, all interested parties will have an opportunity to be heard.

Sincerely,

Tricia E. Barker
Assistant City Clerk

CITY OF NEWBURYPORT

OFFICE OF THE
ASSESSOR

DANIEL RAYCROFT
CITY ASSESSOR

NEWBURYPORT CITY HALL
60 PLEASANT STREET
NEWBURYPORT, MA 01950

TEL: 978-465-4403
FAX: 978-462-8495

WWW.CITYOFNEWBURYPORT.COM

May 5, 2016

TO: Richard Jones, City Clerk

FROM: Board of Assessors

RE: Low Street & Storey Avenue – Relocate 2 poles and install 1 JO pole.

The attached are the abutters to the above described location:

Daniel Raycroft

City

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA
2016 MAY -11 P 12

Questions contact – John Butler 978 725 1415

ORDER FOR JOINT OR IDENTICAL POLE 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 VERIZON NEW ENGLAND INC. (formerly known as NEW ENGLAND TELEPHONE AND TELEGRAPH COMPANY) be and they are hereby granted joint or identical locations for and permission to erect and maintain poles and wires to be placed thereon, together with such sustaining and protecting fixtures as said Companies may deem necessary, in the public way or ways hereinafter referred to, as requested in petition of said Companies dated the 2nd day of May 2016.

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 – Low St & Storey Ave-Newburyport Massachusetts. **19645750** Dated May 2, 2016. Filed with this order

There may be attached to said poles by NATIONAL GRID and Verizon New England Inc. 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:

Low St- National Grid to install 1 JO pole and relocate 2 poles on Low St and Storey Ave.

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.

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

City/Town Clerk.

Massachusetts 20 .

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

Attest:
City/Town Clerk

I hereby certify that on 20 , at o'clock, M
at a public hearing was held on the petition of
NATIONAL GRID and VERIZON NEW ENGLAND, INC.

for permission to erect the poles, wires, and fixtures described in the order herewith recorded, and that we mailed at least seven days before said hearing a written notice of the time and place of said hearing to each of the owners of real estate (as determined by the last preceding assessment for taxation) along the ways or parts of ways upon which the Company is permitted to erect poles, wires, and fixtures under said order. And that thereupon said order was duly adopted.

City/Town Clerk.

.....
.....
.....
.....
Board or Council of Town or City, Massachusetts

CERTIFICATE

I hereby certify that the foregoing is a true copy of the location order and certificate of hearing with notice adopted by the of the City of Massachusetts, on the day of 20 , and recorded with the records of location orders of the said City, Book , Page . This certified copy is made under the provisions of Chapter 166 of General Laws and any additions thereto or amendments thereof.

Attest:

Questions contact John Butler 978 725 1415

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA
2016 MAY -4 P 12:0

PETITION FOR JOINT OR IDENTICAL POLE LOCATIONS

North Andover, Massachusetts

To the City Council of Newburyport Massachusetts

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

Low St- National Grid to install 1 JO pole and relocate 2 poles on Low St and Storey Ave. 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 – Low St & Storey Ave-Newburyport Massachusetts

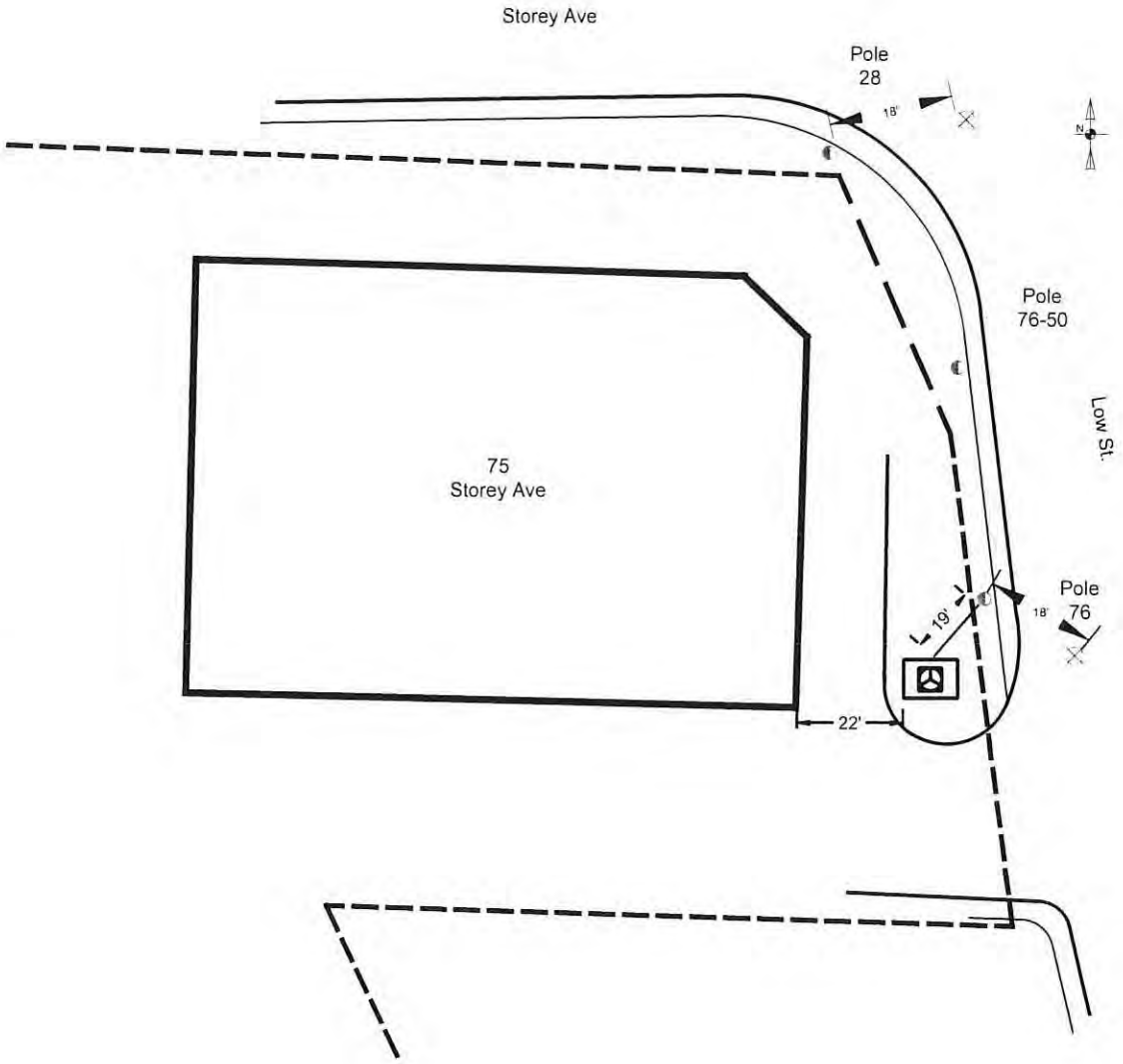
19645750 May 2, 2016

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 Tony DASA
Engineering Department

VERIZON NEW ENGLAND, INC.
BY _____
Manager / Right of Way



JOINT OWNED POLE PETITION

- **Proposed NGRID Pole Locations**
- **Existing NGRID Pole Locations**
- **Proposed J.O. Pole Locations**
- **Existing J.O. Pole Locations**
- **Existing Telephone Co. Pole Locations**
- **Existing NGRID Pole Location To Be Made J.O.**
- **Existing Pole Locations To Be Removed**

DISTANCES ARE APPROXIMATE

nationalgrid

And

Verizon New England, Inc.

Date: Oct. 1,15

Work Request Number: 19645760

To Accompany Petition Dated:

To The: City Of Newburyport

For Proposed: Pole relocations and Installations

43/ 12/ / /
LINEAR RETAIL WH #1 LLC
C/O 7-ELEVEN INC
ATTN: TAX DEPT #34428
PO BOX 711
DALLAS, TX 75221-0711

43/ 13/ / /
REPUCCI J C JR & B CHRISTOPHER TRS
LOW STREET REALTY TRUST
253 LOW ST STE 2
NEWBURYPORT, MA 01950

109/ 3/ / /
GIENA OF NEWBURYPORT LLC
321 LAFAYETTE RD
HAMPTON, NH 03842

CONSENT AGENDA

CITY COUNCIL MEETING MINUTES
CITY COUNCIL CHAMBERS

May 9, 2016

7:15 PM

Hearing on Capital Improvement Program

Opened at 7:20pm. No one in favor, no one opposed. Motion to adjourn hearing by Councillor Tontar, seconded by Councillor Cameron, so voted. Hearing closed at 7:21pm.

7:30PM

The City Council President, Thomas O'Brien, called the meeting to order at 7:30 pm. A moment of silence was Held for Anthony Raven and Margaret Duffy, followed by the Pledge of Allegiance. The City Council President then instructed the City Clerk to call the roll. The following Councillors answered present: Vogel, Zeid, Cameron, Connell, Cronin, Devlin, Earls, Eigerman, Giunta, Tontar, O'Brien. 11 present, 0 absent

(Sound Check)

1. **MOMENT OF SILENCE**
2. **PLEDGE OF ALLEGIANCE**
3. **CALL TO ORDER**
4. **LATE FILE ITEMS -** Mayor's Update, TRAN013_05_09_2016

Motion to waive the rules, to accept late files, by Councillor Earls, seconded by Councillor Connell. So voted.

5. **PUBLIC COMMENT**
   1. Andrew Port Planning Dept. Smart Growth
6. **MAYOR'S COMMENT**

CONSENT AGENDA

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

7. **APPROVAL OF MINUTES**
   April 25, 2016 (Approve)

8. **TRANSFERS**
   - **TRAN011_05_09_16** Solid Waste Fee $8,700.00 to Chipper $8,700 (B&F)
   - **TRAN012_05_09_16** Free Cash $6,400.00 to HWY Maint Bldg $6,400 (B&F)
   - **LATE FILE TRAN013_05_09_16** Multiple Accounts $482,349.00 to Fuller Field & Track Project $482,349.00 (B&F, COTW)
     Motion to add Committee of the Whole by Councillor Earls, seconded by Councillor Cameron. So voted.

9. **COMMUNICATIONS**
   - **COMM049_05_09_16** Atomic Coffee Co. Application for Outdoor Seating (L&P)

- **COMM050_05_09_16** Coast to the Cure Bike Ride Sept 10, 2016 (PS)
- **COMM051_05_09_16** Pan-Merrimack Challenge Jun 18, 2016 (PS)
- **COMM052_05_09_16** FY2017 Proposed Budget (B&F, COTW)
  Motion to add Committee of the Whole by Councillor Zeid, seconded by Councillor Tontar. So voted.
- **COMM053_05_09_16** Retirement Board Meeting on COLA for Retirees (R&F)

10. APPOINTMENTS

First Reading
APPOINTMENTS

- **APPT034_05_09_16** Peter Binette 255 Main Street, Ames, MA Building Comm
  Councillor Earls recused himself.

RE-APPOINTMENTS

- **APPT035_05_09_16** Byron M. Getchell 14 Milk Street, Nbpt, MA Tree Comm

END OF CONSENT AGENDA
REGULAR AGENDA

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

11. MAYOR'S PRESENTATION ON THE BUDGET

12. MAYOR'S UPDATE

- **LATE FILE COMM054_05_09_16** Mayor's Update
  Motion to receive and file by Councillor Cameron, seconded by Councillor Tontar. So voted.

13. APPOINTMENTS **Second Reading**
APPOINTMENTS

- **APPT032_04_25_16** Brian Greenberg 29 Lafayette Street, Nbpt, MA Disability Comm
- **APPT033_04_25_16** Dr. Sam A. Merabi 7 Brown Square, Nbpt, MA Board of Health
  Motion to approve collectively by Councillor Cameron, seconded by Councillor Vogel. Roll call vote, 11 yes.

14. ORDERS

- **ORDR034EP_05_09_16 Emergency Preamble** National Grid Checks for School Projects
  Motion to approve by Councillor Tontar, seconded by Councillor Cameron. Roll call vote, 11 yes.
- **ORDR034_05_09_16** Acceptance of National Grid Checks for School Building Projects
  Motion to approve by Councillor Tontar, seconded by Councillor Cameron. Roll call vote, 11 yes.
- **ORDR035_05_09_16** Rename Portion of Atwood Park to Garrison Gardens

Motion to table by Councillor Cameron, seconded by Councillor Zeid. Withdrawn. Motion to refer to Neighborhood & City Services by Councillor Connell, seconded by Councillor Vogel. So voted.

- **ORDR036EP_05_09_16 Emergency Preamble** Bradley Fuller Athletic Field Facility
  Motion to approve by Councillor Vogel, seconded by Councillor Connell. Roll call vote, 11 yes.
- **ORDR036_05_09_16** Acceptance of Gifts for the Bradley Fuller Athletic Field Facility
  Motion to approve by Councillor Vogel, seconded by Councillor Connell. Roll call vote, 11 yes.

15. ORDINANCES

-

15. COMMITTEE ITEMS

Budget & Finance
In Committee:

- **ORDR009_02_08_16** Increase fees for Fire Dept.
- **ORDR010_02_08_16** Increase fines Parking Violations
- **ORDR014_03_14_16** Electricity Access Fee
  Motion to remove from Budget & Finance by Councillor Tontar, seconded by Councillor Cameron. So voted. Motion to approve as amended by Councillor Tontar, seconded by Councillor Cameron. So voted.
- **COMM034_03_29_16** CIP Submission FY 2016
- **ORDR029_04_11_16** Parking Rates Order (COTW)
  Motion to remove from Budget & Finance by Councillor Tontar, seconded by Councillor Cameron. So voted. Motion to approve as amended (Resident Permit fee $10, no fee for Seniors) by Councillor Tontar. Motion to increase hourly fee for paid parking lots to $1.50 per hour by Councillor Cronin, seconded by Councillor O'Brien. Roll call vote, 4Y 7N. Motion to approve as amended by Councillor Tontar, seconded by Councillor Cameron. Roll call vote, 11 yes.
- **ORDR002_01_25_16** Accept gift of $25,000 repairing Brown's Wharf Culvert (COTW)
- **TRAN010_04_25_16** Health Insurance 251,801.09 to Salary Accts 251,801.09
  Motion to remove by Councillor Tontar, seconded by Councillor Vogel. So voted. Motion to approve by Councillor Tontar, seconded by Councillor Vogel. Roll call vote, 10Y, 1N.

General Government
In Committee:

Joint Education

License & Permits
In Committee:

- **COMM010_01_25_16 -** Licensing Commission Acoustic & Amplified Entertainment
- **ODNC004_01_25_16** – Chapter 3 Animals Dogs Nuisance
- **COMM047_04_25_16** - Middle St. Foods App for Outdoor Seating

Motion to remove from License & Permit by Councillor Vogel, seconded by Councillor Connell. Motion to approve by Councillor Vogel, seconded by Councillor Connell. So voted.

Neighborhoods and City Services

Councillor Connell announced a meeting of the Neighborhood & City Services Committee to be held on Tuesday, May 17 at 7pm.

In Committee:

- **ODNC001_01_11_16** Amend Ch11 Parks and Recreation (COTW)
- **COMM032_03_29_16** Councillor Cronin - Garage Impact Abutters Group Recs
- **COMM033_03_29_16** Councillor Zeid - Garage Impact Abutters Group Recs
- **ORDR031_04_25_16** Tree Order on Replanting
- **ORDR032_04_25_16** Veterans at Brown Square
- **ODNC009_04_25_16** CDT renamed to Human Rights Committee

Planning & Development

In Committee:

- **COMM005_01_11_16** Letter to Council regarding Economic Development Concept for Business Park
- **ODNC001_01_25_16** Zoning Amend Smart Growth District (COTW)
  Motion to remove by Councillor Cameron, seconded by Councillor Eigerman. Amendment to Section 4 was read into the record. Motion to approve as amended by Councillor Eigerman, seconded by Councillor Connell. Roll call vote, 11 yes.
- **COMM020_02_08_16** Memo re: hiring process for Building Commissioner
- **ODNC005_02_08_16** Zoning Amend App. A, Sec. III-C Zoning Map, dated Feb. 8, 2016
  Motion to remove by Councillor Cameron, seconded by Councillor Vogel. Motion to approve by Councillor Vogel. Motion to remove Parcel 35-40 from map by Councillor Zeid, seconded by Councillor Devlin, so voted. Roll call vote, 11 yes.
- **ORDR025_04_11_16** Gloria Braunhardt Little River Bike Trail
- **ODNC007_04_11_16** Zoning – To Improve Record Keeping and Coordination (COTW)
- **ODNC008_04_11_16** Zoning – Repair City-Owned Sidewalks (COTW)
- **ORDR033_04_25_16** Multi-Hazard Mitigation Plan

Public Safety

In Committee:

- **ORDR011_02_29_16** - Parking – Section 13-168, Winter Hours Restrictions, Certain Streets
- **ORDR023_04_11_16** Parking Restrictions, Simmons Drive
- **ORDR024_04_11_16** Parking Restrictions, Golden Drive
- **COMM046_04_25_16** Dates for Yankee Homecoming
- **COMM048_04_25_16** Yankee Homecoming Race Application

Public Utilities

In Committee

- **ORDR027_04_11_16** Licensed Contractor Robell, Inc.

Rules Committee

16. GOOD OF THE ORDER

17. EXECUTIVE SESSION

Motion to commence executive session on Chapter 39, Section 23B (purchases, taking, lease, or value of real property). Councillor O'Brien stated the City Council would not come back in session after the executive session.

18. ADJOURNMENT

Motion to end the executive session by Councillor Cronin, seconded by Councillor Cameron. So voted. 9:56pm.

TRANSFERS

City of Newburyport
FY 2016
BUDGET TRANSFER REQUEST

RECEIVED
CLERK'S OFFICE
NEWBURYPORT, MA
2016 MAY 24 P 2:17

Department: Mayor's Office
Submitted by: Mayor Donna D. Holaday **Date Submitted:** 5/31/2016

Transfer From:

Account Name	General Fund - Free Cash	YTD Bal:	$ 896,412.78
Account Number:	01-35910	Category:	$ -
Amount:	$10,000.00	Trans I/O:	$ (1,922,023.22)
Why are Funds Available:	*The Massachusetts Department of Revenue certified Free Cash for FY2016 at $2,818,436. These funds are available for any legal expenditure with the approval of the Mayor and a majority vote of the City Council. YTD balance does not reflect $164,293.12 in pending transfer requests.*		

Transfer To:

Account Name	CCN Ordinance Recodification	YTD Bal:	$ -
Account Number:	01111002-53002	Category:	$ -
Amount:	$2,500.00	Trans I/O:	$ -
Why are Funds Required:	*Due to costs of codifying ordinances both online and hard copy.*		

Transfer To:

Account Name	CCN Legal Ads	YTD Bal:	$ 1,218.71
Account Number:	01111002-53001	Category:	$ -
Amount:	$1,500.00	Trans I/O:	$ -
Why are Funds Required:	*Due to the volume of legal advertisements as required by City Ordinance or Statute.*		

Transfer To:

Account Name	BDR Elections & Registrations	YTD Bal:	$ -
Account Number:	01163007-57808	Category:	$ -
Amount:	$6,000.00	Trans I/O:	$ -
Why are Funds Required:	*To cover final expenses incurred as a result of additional election work during this year's elections.*		

Donna D. Holaday, Mayor — Donna D Holaday — Date: 5/24/16
Ethan R. Manning, Auditor — Date: 5/24/16
City Council Approval: (Stamp)

City of Newburyport
FY 2016
BUDGET TRANSFER REQUEST

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA
2016 MAY 24 P

Department: Newburyport Fire Department

Submitted by: Chief Christopher LeClaire **Date Submitted:** 5/31/2016

Transfer From:

Account Name	Fire Fuel/Oil	YTD Bal:	$ 24,745.44
Account Number:	01220004-54801	Category:	$ -
Amount:	$10,000.00	Trans I/O:	$ -
Why are Funds Available:	*A surplus is anticipated in this account at year-end due to lower than anticipated fuel costs.*		

Transfer To:

Account Name	Fire Maintenance - Equipment	YTD Bal:	$ 2,274.23
Account Number:	01220002-52402	Category:	$ -
Amount:	$10,000.00	Trans I/O:	$ -
Why are Funds Required:	*Funds are low due to extra equipment needed for the new fire truck, as well as, the Fire Department's new rescue boat.*		

Donna D. Holaday, Mayor — Donna D Holaday — Date: 5/24/16

Ethan R. Manning, Auditor — Ethan R Manning — Date: 5/24/16

City Council Approval: (Stamp)

City of Newburyport
FY 2016
BUDGET TRANSFER REQUEST

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA
2016 MAY 24 P

Department: Newburyport Fire Department
Submitted by: Chief Christopher LeClaire **Date Submitted:** 5/31/2016

Transfer From:

Account Name	General Fund - Free Cash	YTD Bal:	$ 896,412.78
Account Number:	01-35910	Category:	$ -
Amount:	$63,000.00	Trans I/O:	$ (1,922,023.22)
Why are Funds Available:	*The Massachusetts Department of Revenue certified Free Cash for FY2016 at $2,818,436. These funds are available for any legal expenditure with the approval of the Mayor and a majority vote of the City Council. YTD balance does not reflect $164,293.12 in pending transfer requests.*		

Transfer From:

Account Name	Fire Fuel/Oil	YTD Bal:	$ 24,745.44
Account Number:	01220004-54801	Category:	$ -
Amount:	$10,000.00	Trans I/O:	$ -
Why are Funds Available:	*A surplus is anticipated in this account at year-end due to lower than anticipated fuel costs.*		

Transfer From:

Account Name	Fire Educational Materials	YTD Bal:	$ 3,615.17
Account Number:	01220004-55101	Category:	$ -
Amount:	$2,000.00	Trans I/O:	$ -
Why are Funds Available:	*A surplus is anticipated in this account at year-end.*		

Transfer To:

Account Name	Fire Overtime	YTD Bal:	$ -
Account Number:	01220001-51301	Category:	$ -
Amount:	$75,000.00	Trans I/O:	$ -
Why are Funds Required:	*The FY 2016 appropriation for Fire Overtime was $253,750. The Fire Department anticipates total overtime costs to exceed $390,000 by year-end.*		

Donna D. Holaday, Mayor — Donna D. Holaday — Date: 5/24/16
Ethan R. Manning, Auditor — Date: 5/24/16
City Council Approval: (Stamp)

COMMUNICATIONS

The Exchange Club of Greater Newburyport
P.O. Box 31, Newburyport, MA 01950

RECEIVED
CLERK'S OFFICE
NEWBURYPORT, MA
2016 MAY 17 P 3:27

President-Claudette Beerman, Secretary-Stuart Deane, Treasurer-Mary Sortal, President Elect-Joe Murphy

May 16, 2016

Richard B. Jones
City Clerk
Newburyport City Hall

Dear Mr. Jones,

On behalf of the Exchange Club of Greater Newburyport I would like to request permission to set up a 10x10 foot tent in Market Square. The purpose of the tent will be to advertize the upcoming 7th Annual Field of Honor Program taking place at the Bartlett Mall on September 7-13th 2016. In addition visitors will have the opportunity to purchase a flag to be dedicated at a ceremony on Sunday September 11th.

This year we are remembering the 15th anniversary of the 9/11 attack and honoring all VietNam veterans.

The requested dates are as follows:

Saturday August 13th
Saturday August 20th

We expect to man the tent from 10 am – 3pm.

Respectfully,

Ben Iacono

Ben Iacono
Chairman, Field of Honor Flag Sales

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA
2016 MAY 16 P 2:

NEW FILING ____
RENEW X

City of Newburyport

Application

Food Establishment Outdoor Seating on Public Property

Date: 5/16/16

Name of Business Owner: Claude Elias

Name of Property Owner: Newburyport Development

Business Name: Elias Foods DBA Oregano Pizzeria & Listorante

Business Address: 16 Pleasant Street Business Phone: 978-462-5013

Number of Tables Requested: 10 Dimensions: 2 x 2 Material: metal

Number of Chairs Requested: 20 Dimensions: standard Material: metal

☐ 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 ½ 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
- no change from last year

3) Obstacles such as streetlights, signs, trees, benches, and garbage barrels.
-none

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 ½ x 11 sketch of outdoor seating cited above must also include a depiction and information on the placement, dimensions, and materials used to create a demarcated area for the service of alcohol.
- same drawing as last year

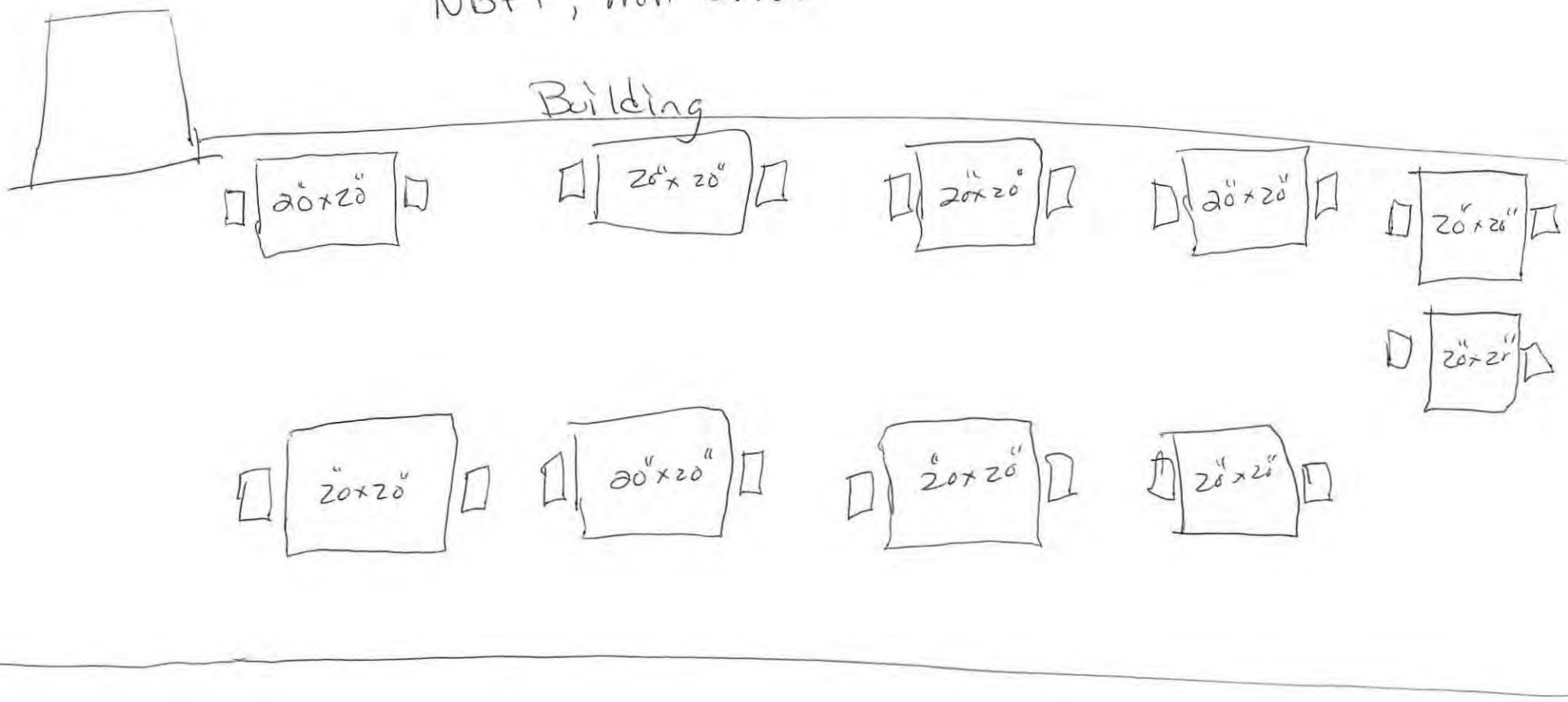
RELEASE AND INDEMNITY AGREEMENT TO ENCUMBER A PUBLIC WAY
I, the undersigned Applicant or Duly Authorized Agent, hereby agree to RELEASE, DISCHARGE, and HOLD HARMLESS, the City of Newburyport, a municipal corporation of the Commonwealth of Massachusetts, and its officers, employees, agents, and servants 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.

X _____ 5/16/16
Signature of Business Owner DATE

_____ _____
Signature of ADA Coordinator DATE
(Building Department)

Oregano Seating Chart (outside)

16 Pleasant St.
NBPT, MA 01950



OREGA-1 OP ID: CA

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 05/19/2016

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

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

PRODUCER Chase & Lunt LLC 65 Parker Street Newburyport, MA 01950 Michael C. Howlett	CONTACT NAME: Michael C. Howlett PHONE (A/C, No, Ext): 978-462-4434 FAX (A/C, No): 978-465-6204 E-MAIL ADDRESS:
INSURED Oregano's Pizzeria & Ristorant 264 North Broadway Suite 204B Salem, NH 03079	INSURER(S) AFFORDING COVERAGE — NAIC # INSURER A : Merchants Insurance Group INSURER B : Massachusetts Retail Merchants INSURER C : INSURER D : INSURER E : INSURER F :

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

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

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	X COMMERCIAL GENERAL LIABILITY						EACH OCCURRENCE	$ 1,000,000
	CLAIMS-MADE X OCCUR	X		CMP9154135	04/01/2016	04/01/2017	DAMAGE TO RENTED PREMISES (Ea occurrence)	$ 100,000
							MED EXP (Any one person)	$ 5,000
	X Liq Liab $1M/$1M			CMP9154135	04/01/2016	04/01/2017	PERSONAL & ADV INJURY	$ 1,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER:						GENERAL AGGREGATE	$ 2,000,000
	X POLICY PRO-JECT LOC						PRODUCTS - COMP/OP AGG	$ 2,000,000
	OTHER:							$
	AUTOMOBILE LIABILITY						COMBINED SINGLE LIMIT (Ea accident)	$
	ANY AUTO						BODILY INJURY (Per person)	$
	ALL OWNED AUTOS / SCHEDULED AUTOS						BODILY INJURY (Per accident)	$
	HIRED AUTOS / NON-OWNED AUTOS						PROPERTY DAMAGE (Per accident)	$
								$
A	X UMBRELLA LIAB OCCUR						EACH OCCURRENCE	$ 1,000,000
	EXCESS LIAB CLAIMS-MADE			CUP9146664	04/01/2016	04/01/2017	AGGREGATE	$ 1,000,000
	DED X RETENTION $ 10000							$
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY Y/N						X PER STATUTE OTH-ER	
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) N/A	N/A		014005031855116	01/01/2016	01/01/2017	E.L. EACH ACCIDENT	$ 100,000
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - EA EMPLOYEE	$ 100,000
							E.L. DISEASE - POLICY LIMIT	$ 500,000

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

Coverage applies to outdoor seating. The City of Newburyport is additional insured for General Liability as required by written contract.
FAX: 978-462-7936

CERTIFICATE HOLDER

City of Newburyport
Board of Health
60 Pleasant Street
Newburyport, MA 01950

CANCELLATION

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

AUTHORIZED REPRESENTATIVE

James J Howlett III

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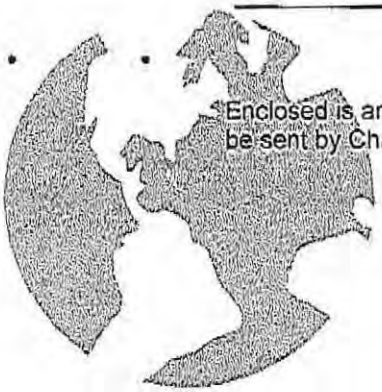
Medical Laser Technologies, Inc.
264 North Broadway, Suite 204
Salem, NH 03079
603-890-4947
800-905-5273

facsimile transmittal

To:	City of Newburyport Clerk's Office	**Fax:**	978-462-~~5013~~ 7936
From:	Pam McGravey	**Date:**	5/16/2016
Re:	Application	**Pages:**	3

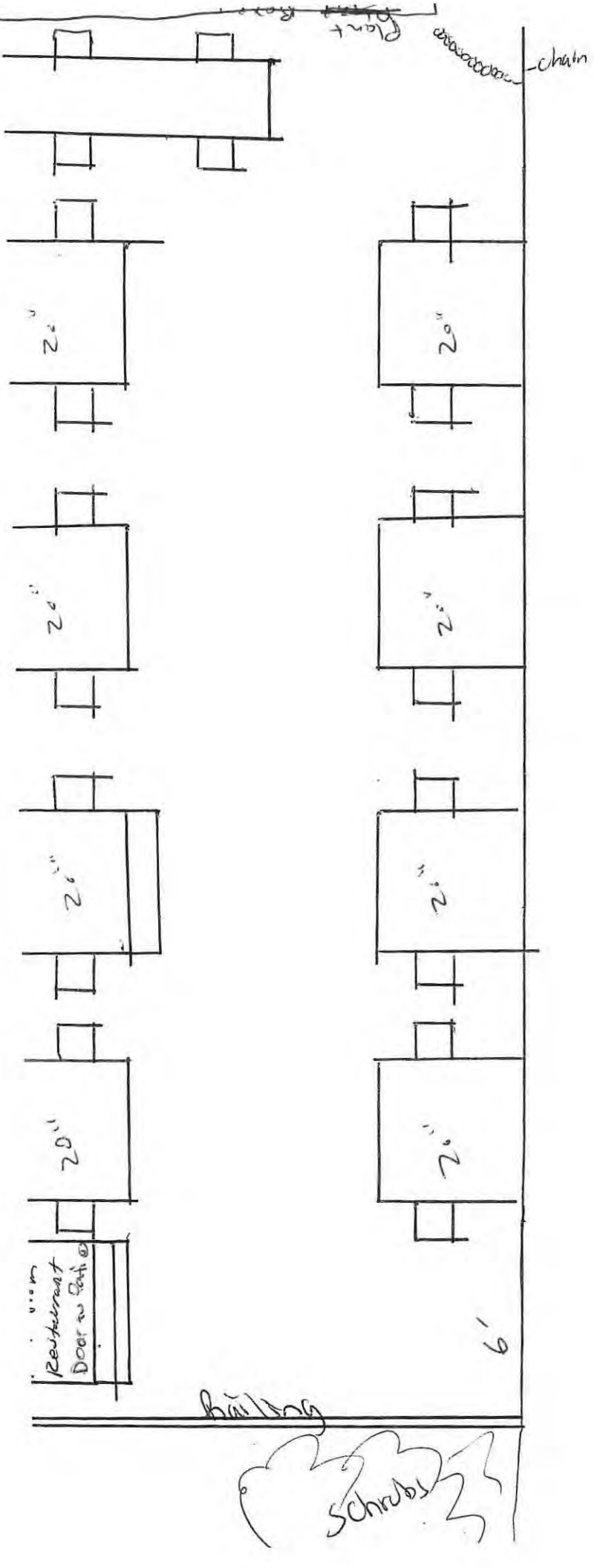
☐ Urgent ☑ For Review ☐ Please Comment ☐ Please Reply ☐ Please Recycle



Enclosed is an Application for Outdoor Seating for Oregano's. Insurance information will be sent by Chase & Lunt.

OREGANO

OUTSIDE SEATING



LICENSE
ALCOHOLIC BEVERAGES

THE LICENSING BOARD OF

The ...City... of ...Newburyport...

MASSACHUSETTS

HEREBY GRANTS A

COMMON VICTUALER

License to Expose, Keep for Sale, and to Sell

All Kinds of Alcoholic Beverages

To Be Drunk On the Premises

To ...Elias Foods, Inc. dba Oregano...

...16 Pleasant Street... Claude Elias

on the following described premises

...on street single story brick structure with service on outside patio...

This license is granted and accepted upon the express condition that the licensee shall, in all respects, conform to all the provisions of the Liquor Control Act, Chapter 138 of the General Laws, as amended, and any rules or regulations made thereunder by the licensing authorities. This license expires December 31st, 20....., unless earlier suspended, cancelled or revoked.

IN TESTIMONY WHEREOF, the undersigned have hereunto affixed their official signatures this ...First... day of ...January... 20...16....

The Hours during which Alcoholic Beverages may be sold are

From ...Sun-Wed 11:30am to 10:30pm...

...Thurs-Sat 11:30am - 11:30pm...

CLERK

LICENSING BOARD

THIS LICENSE SHALL BE DISPLAYED ON THE PREMISES

NEWBURYPORT SPECIAL EVENT APPLICATION

RECEIVED
CLERK'S OFFICE
NEWBURYPORT MA
2016 MAY 23 P 3:27

Tel. Fax.

(For Parades, Road Races and Walkathons Only - Please complete page 3 of this application)

NAME OF EVENT: BED RACE

Date: August 4 2016 Time: from 6pm to 7:15pm

Rain Date: August 5 2016 Time: from 6pm to 7:15pm

2. Location: Federal Street

3. Description of Property: Federal Street Public X Private ____

4. Name of Organizer: Newburyport Lions Club City Sponsored Event: Yes ____ No X

Contact Person Chad McDonald

Address: 33 Low St Newburyport Telephone: 978-462-2020

E-Mail: chadmcdonald@verizon.net Cell Phone: 978-314-9000

Day of Event Contact & Phone: 978-314-9000

5. Number of Attendees Expected: ≈100 participants ≈1000+ spectators

6. MA Tax Number: 51-0230184

7. Is the Event Being Advertised? Yes Where? Yankee Homecoming Website/Programbook

8. What Age Group is the Event Targeted to? 18+ participants / All age groups spectators

9. Have You Notified Neighborhood Groups or Abutters? Yes ____ No X, Who? ____

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

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

B. Entertainment: (Subject to City's Noise Ordinance.) Live Music ____ DJ ____ Radio/CD ____

Performers X Dancing ____ Amplified Sound ____ Stage ____

C. Games /Rides: Adult Rides ____ Kiddie Rides ____ Games ____ Raffle ____

Other N/A Total # ____

Name of Carnival Operator: ____

Address: N/A

Telephone: ____

D. Organizer is responsible for clean-up during and after event. All trash must be collected and removed from event location immediately at the end of the event unless prior written agreement had been made with the Department of Public Services (DPS).

Will you be conducting the clean-up for this event? Yes X No ____

FOR PARADE, ROAD RACE AND WALKATHON EVENTS ONLY

PARADE_____ ROAD RACE _____ WALKATHON _____

BED RACE X

1. Name of the Group or Person Sponsoring the Road Race, Parade, Walkathon:
Newburyport Lions Club

2. Name, Address & Daytime Phone Number of Organizer: Chad McDonald
Watts Eye Associates
33 Low Street Newburyport
(W) 978-462-2020 (c) 978-314-9000

3. Name, Address & 24/7 Telephone Number of Person Responsible for Clean Up _____
Same as # 2 above

4. Date of Event: Thur Aug 4 2016 Expected Number of Participants: ≈100

5. Start Time: 6:00 pm Expected End Time: 7:15 pm

6. Road Race, Parade or Walkathon Route: (List street names & **attach map of route**): _____
Federal Street only

7. Locations of Water Stops (if any): N/A

8. Will Detours for Motor Vehicles Be Required? Yes If so, where? Federal Street

9. Formation Location & Time for Participants: Federal Street

10. Dismissal Location & Time for Participants: Federal Street

11. Additional ~~Parade~~ Information:
- Number of ~~Floats~~ BEDS: ≈20
- Locations of Viewing Stations: Federal Street Sidewalks
- Are Weapons Being Carried: Yes____ No X
- Are Marshalls Being Assigned to Keep Parade Moving: Yes X No____ Lions Club Members

APPROVAL SIGNATURES REQUIRED FOR STREET CLOSURE OR ANY USE OF A PUBLIC WAY.

CITY MARSHAL _____ *4 Green St.* FIRE CHIEF _____ *0 Greenleaf St.*

DEPUTY DIRECTOR _____ *16A Perry Way* CITY CLERK _____ *60 Pleasant St.*

Rev. 12/15

(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 bin 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:*** 5/13/16

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY): 05/16/2016

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	CONTACT NAME: John Adams
DSP Insurance 1900 E. Golf Road, Suite 650 Schaumburg, IL 60173	PHONE (A/C, No, Ext): 1-800-316-6705 FAX (A/C, No): 1-888-467-237[illegible] E-MAIL ADDRESS: lionsclubs@dspins.com
	INSURER(S) AFFORDING COVERAGE / NAIC #
	INSURER A: ACE American Insurance Company 22667
INSURED Newburyport Lions Club Newburyport Massachusetts	INSURER B:
	INSURER C:
	INSURER D:
	INSURER E:
	INSURER F:

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

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

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	GENERAL LIABILITY							
	[X] COMMERCIAL GENERAL LIABILITY			HDOG27396392	09/01/2015	09/01/2016	EACH OCCURRENCE	$ 1,000,000
	[ ] CLAIMS-MADE [X] OCCUR						DAMAGE TO RENTED PREMISES (Ea occurrence)	$ 1,000,000
	[X] Agg. Per Named Insured is $2,000,000						MED EXP (Any one person)	$ 5,000
							PERSONAL & ADV INJURY	$ 1,000,000
							GENERAL AGGREGATE	$ 10,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER:						PRODUCTS - COMP/OP AGG	$ 2,000,000
	[X] POLICY [ ] PRO-JECT [ ] LOC							$
A	AUTOMOBILE LIABILITY						COMBINED SINGLE LIMIT (Ea accident)	$ 1,000,000
	[ ] ANY AUTO			ISAH08858354	09/01/2015	09/01/2016	BODILY INJURY (Per person)	$
	[ ] ALL OWNED AUTOS [ ] SCHEDULED AUTOS						BODILY INJURY (Per accident)	$
	[X] HIRED AUTOS [X] NON-OWNED AUTOS						PROPERTY DAMAGE (Per accident)	$
								$
	[ ] UMBRELLA LIAB [ ] OCCUR						EACH OCCURRENCE	$
	[ ] EXCESS LIAB [ ] CLAIMS-MADE						AGGREGATE	$
	[ ] DED [ ] RETENTION $							$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY Y/N						[ ] WC STATU-TORY LIMITS [ ] OTH-ER	
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? [ ] (Mandatory in NH)	N/A					E.L. EACH ACCIDENT	$
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - EA EMPLOYEE	$
							E.L. DISEASE - POLICY LIMIT	$

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

Provisions of the policy apply to the named insureds participation in the following activity during the policy period shown above: August 4, 2016, Bed Race - Fundraiser

City of Newburyport, 60 Pleasant Street, Newburyport, MA is included as an Additional Insured(s), but only with respect to General Liability arising out of the use of premises by 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

City of Newburyport
60 Pleasant Street
Newburyport Massachusetts 01950

CANCELLATION

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

John C. Adams

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The ACORD name and logo are registered marks of ACORD

Mobilitie, LLC
925B Peachtree St. NE
Suite 710
Atlanta, GA 30309
Tel: 770-910-5360

May 20, 2016

VIA EMAIL

Wayne Amaral
City of Newburyport
DPS Facility
16A Perry Way
Newburyport, MA 01950
Phone: 978-465-4464
WAmaral@CityofNewburyport.com

RE: Mobilitie, LLC Permit Application Submission – 9MAB001238

Dear Mr. Amaral:

Please find the enclosed Mobilitie, LLC ("Mobilitie") application for a highway access permit for the proposed new utility infrastructure facility in your jurisdiction. Along with the attached permit application, you will also find construction drawings and photo simulations for each facility.

Mobilitie is a public utility company regulated by the Massachusetts Department of Public Utilities to provide telephone related services, such as facilities based competitive local exchange and interexchange services. To meet the growing demand for connectivity, Mobilitie is deploying a hybrid transport network that provides high-speed, high-capacity bandwidth in order to facilitate the next generation of devices and data-driven services. This network can support a variety of technologies and services that require connectivity to the internet, including, but not limited to, driverless and connected vehicles (commercial, personal and agricultural), remote weather stations and mobile service providers. These transport utility poles and facilities are not dedicated to any particular customer, and, to the extent capacity on the structures is available, are available to be used by other entities, including the City of Newburyport and Essex County.

Based on our communications with you, Mobilitie is submitting the application in accordance with your instructions. Mobilitie plans to construct the applied for utility infrastructure within the next 18 months and formally requests that the City identify a single point of contact to streamline the communications process, regarding the application, for the benefit of both parties.

Mobilitie's hybrid transport network is an industry changing approach that seeks to improve backhaul connectivity for the City's residents. We are excited to work with the City of Newburyport and are available to answer questions. Please do not hesitate to contact me at (770) 910-5360 or Joel.VanderVeur@itbutility.com.

Thank you for your attention to this matter.

Respectfully submitted,

Joel VanderVeur
Network Real Estate Manager

*Enclosures

Mobilitie, LLC	RIGHT OF WAY UTILIZATION APPLICATION

Date Submitted	5/20/2016	**Submitted By**	Joel VanderVeur

JURISDICTION INFORMATION							
Jurisdiction Name	Newburyport						
Address	DPS Facility	**City**	Newburyport	**State**	MA	**Zip Code**	1950
Jurisdiction Contact	Wayne Amaral	**Phone Number**	978-465-4464				

APPLICANT INFORMATION							
Applicant Name	Mobilitie, LLC						
Address	925B Peachtree St. NE, Suite 710						
City	Atlanta	**State**	GA	**Zip Code**	30309		
Applicant Contact	Joel VanderVeur	**Phone Number**	(770) 910-5360	**Email**	Joel.VanderVeur@itbutility.com		

EMERGENCY CONTACT			
Name	NOC	**Phone Number**	888-597-1175

SITE INFORMATION							
ITB ID	9MAB001238						
Latitude	42.819495	**Longitude**	-70.908923				
Address	256 Low Street	**City**	Newburyport	**State**	MA	**Zip Code**	1950

PROJECT DESCRIPTION
Install a transport utility pole in the public right of way.

Est. Cost of Work	$15,000.00

PERMIT ISSUANCE			
Permit Number		**Permit Number**	
Permit Fee		**Permit Fee**	

SITE ID: 9MAB001238
BS90XSD32A
LOW ST &
STOREY AVE
NEWBURYPORT, MA 01950

GENERAL NOTES

THE FACILITY IS UNMANNED AND NOT FOR HUMAN HABITATION. A TECHNICIAN WILL VISIT THE SITE AS REQUIRED FOR ROUTINE MAINTENANCE. THE PROJECT WILL NOT RESULT IN ANY SIGNIFICANT DISTURBANCE OF EFFECT ON DRAINAGE; NO SANITARY SEWER SERVICE, POTABLE WATER OR TRASH DISPOSAL IS REQUIRED AND NO COMMERCIAL SIGNAGE IS PROPOSED.

SITE INFORMATION

PROPERTY OWNER:	PUBLIC RIGHT-OF-WAY
ADDRESS/CROSS ST:	LOW ST & STOREY AVE
APPLICANT:	MA COMMUNICATION NETWORK STRUCTURES, LLC
APPLICANT ADDRESS:	925B PEACHTREE ST. NE, SUITE 710 ATLANTA, GA 30309 PHONE: (312) 638-5400
LATITUDE:	42° 49' 10.20" N (42.819495)
LONGITUDE:	70° 54' 32.10" W (-70.908923)
LAT/LONG TYPE:	NAD 83
GROUND ELEVATION:	± 83' AMSL
COUNTY:	ESSEX COUNTY
JURISDICTION:	CITY OF NEWBURYPORT

BEFORE SCALING:

CONTRACTORS SHALL VERIFY ALL PLANS, EXISTING DIMENSIONS & FIELD CONDITIONS ON THE JOB SITE & SHALL IMMEDIATELY NOTIFY THE ARCHITECT/ENGINEER IN WRITING OF ANY DISCREPANCIES BEFORE PROCEEDING WITH THE WORK OR BE RESPONSIBLE FOR SAME.

LOCATION MAPS

VICINITY MAP

REGIONAL MAP

DIG ALERT

811 Know what's below. Call before you dig.

TWO WORKING DAYS BEFORE YOU DIG

PROJECT DESCRIPTION

END USER PROPOSES TO INSTALL EQUIPMENT ON A PROPOSED WOOD UTILITY POLE WITHIN AN EXISTING RIGHT-OF-WAY. THE SCOPE WILL CONSIST OF THE FOLLOWING:

- INSTALL PROPOSED BACKHAUL TRANSPORT EQUIPMENT ON A PROPOSED WOOD UTILITY POLE

CODES

2015 INTERNATIONAL BUILDING CODE
2014 NATIONAL ELECTRICAL CODE

DRAWING INDEX

SHEET NO:	SHEET TITLE
0.0	TITLE SHEET
1.0	SITE PLAN & EXHIBIT PHOTO
2.0	POLE ELEVATIONS
2.1	POLE ELEVATIONS
3.0	ANTENNA & EQUIPMENT MOUNTING DETAILS
4.0	ELECTRICAL DETAILS
5.0	GROUNDING DETAILS
GN-1	GENERAL NOTES
GN-2	GENERAL NOTES
6.0	TRAFFIC CONTROL PLAN

ARCHITECT/ENGINEER

JACOBS ENGINEERING GROUP, INC.
5449 BELLS FERRY ROAD
ACWORTH, GA 30102
CONTACT: KARL KRATINA
PROJECT MANAGER
TEL: (678) 460-1416
FAX: (770) 701-2501

MA COMMUNICATION NETWORK STRUCTURES, LLC

PROJECT NO:	ER600201
DRAWN BY:	R. PANINGBATAN
CHECKED BY:	R SHOLTIS

B	04.28.16	REVISION
A	11/17/15	FOR CLIENT REVIEW

PRELIMINARY

IT IS A VIOLATION OF THE LAW FOR ANY PERSON, UNLESS THEY ARE ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER, TO ALTER THIS DOCUMENT

BS90XSD32A
9MAB001238
LOW ST & STOREY AVE
NEWBURYPORT, MA 01950

UTILITY POLE

SHEET TITLE

TITLE SHEET

SHEET NUMBER

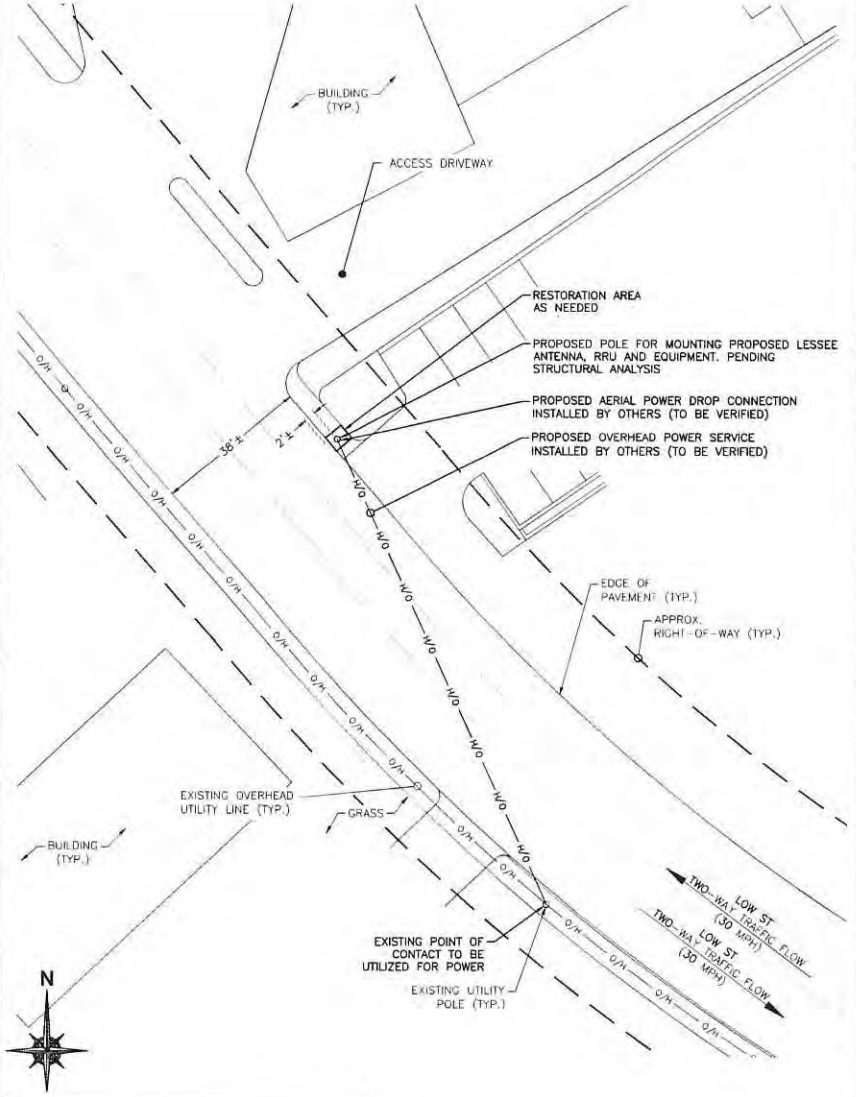
0.0

EXHIBIT PHOTO | 1

SCALE: NOT TO SCALE

AERIAL SITE LOCATION | 2

SCALE: NOT TO SCALE



NOTE:
THIS SITE PLAN WAS GENERATED WITHOUT THE USE OF A SURVEY. PROPERTY LINES, POWER & TELCO UTILITY POINT CONNECTIONS/ROUTES AND EASEMENTS SHOWN ON THESE PLANS ARE ESTIMATED. ALL ITEMS AND DIMENSIONS SHOULD BE VERIFIED IN THE FIELD.

ENLARGED SITE PLAN | 3

SCALE: 1" = 30'-0" (1" = 15'-0" ON 22"x34" SHEET)

MA COMMUNICATION
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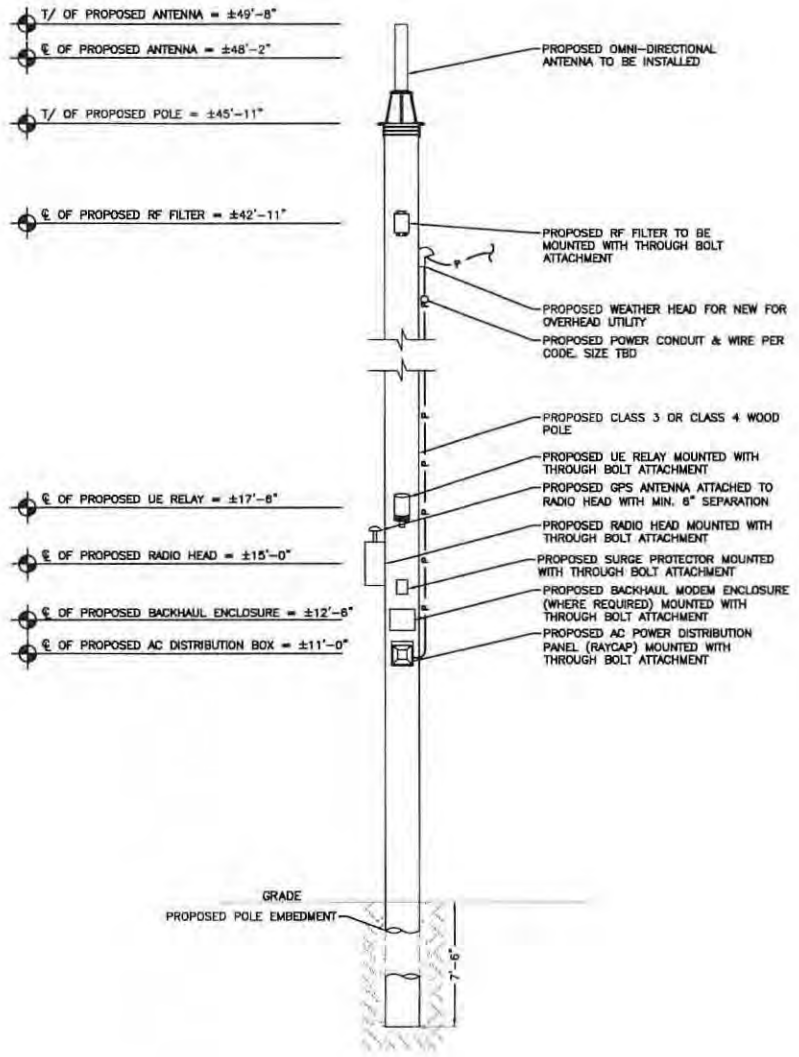
UTILITY POLE

SHEET TITLE

SITE PLAN & EXHIBIT PHOTO

SHEET NUMBER

1.0



NOTE:
PROJECT SCOPE OF WORK DOES NOT INCLUDE A STRUCTURAL EVALUATION OF THIS POLE OR STRUCTURE. NEW EQUIPMENT SHOWN ON THIS PLAN HAVE NOT BEEN EVALUATED TO VERIFY THE POLE OR STRUCTURE HAS THE CAPACITY TO ADEQUATELY SUPPORT THE EQUIPMENT. PRIOR TO ANY INSTALLATION, A STRUCTURAL EVALUATION OF THE POLE OR STRUCTURE SHOULD BE PERFORMED.

NOTES:

1. ALL HARDWARE SHALL BE STAINLESS STEEL.
2. ALL CABLES SHALL BE SECURED TO POLE EVERY 36" OR LESS.
3. LIGHTNING RODS SHALL BE INCLUDED AS REQUIRED.
4. STRUCTURAL BACKFILL TO BE COMPACTED IN 8" MAXIMUM LAYERS TO 95% OF CONTENT IN ACCORDANCE WITH ASTM D698. ADDITIONALLY, STRUCTURAL BACKFILL MUST HAVE A MINIMUM COMPACTED UNIT WEIGHT OF 100 POUNDS PER CUBIC FOOT (16kN/m3)

BAND 41 (2500MHz) EQUIPMENT CHART			
QUANTITY	DESCRIPTION	DIMENSIONS (HxWxD)	WEIGHT
1	MOUNTED ANTENNA	35.4" X 4.7" DIAMETER	11 LBS
1	MOUNTED RADIO	20.1" X 9.1" X 8.9"	55.1 LBS
1	GPS ANTENNA	0.8" X 2.6" DIAMETER	0.3 LBS
1	AC DIST (RAYCAP)	13.1" X 11.4" X 4.4"	TBD
1	REJECT FILTER	13.6" X 8.1" X 2.4"	7.7 LBS
1	MOUNTED RELAY	13.0" X 7.9" DIAMETER	9.9 LBS
1	SURGE PROTECTOR	6.1" X 4.5" X 2.5"	TBD

PROPOSED FRONT POLE ELEVATIONS

1

MA COMMUNICATION
NETWORK STRUCTURES, LLC

PROJECT NO:	ER600201
DRAWN BY:	R PANINGBATAN
CHECKED BY:	R SHOLTIS

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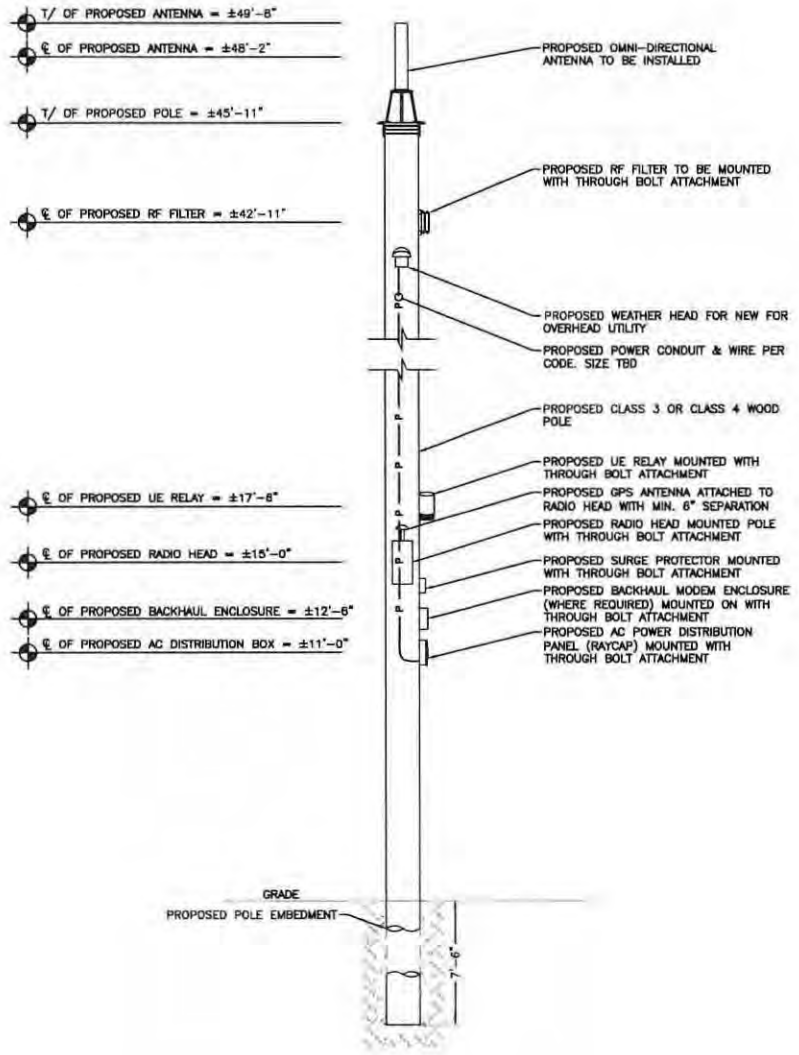
UTILITY POLE

SHEET TITLE
POLE ELEVATIONS

SHEET NUMBER
2.0



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NOTES:

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1	MOUNTED RELAY	13.0" X 7.9" DIAMETER	9.9 LBS
1	SURGE PROTECTOR	6.1" X 4.5" X 2.5"	TBD

PROPOSED SIDE POLE ELEVATION

SCALE: 1" = 5'

1

MA COMMUNICATION
NETWORK STRUCTURES, LLC

PROJECT NO:	ER600201
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UTILITY POLE

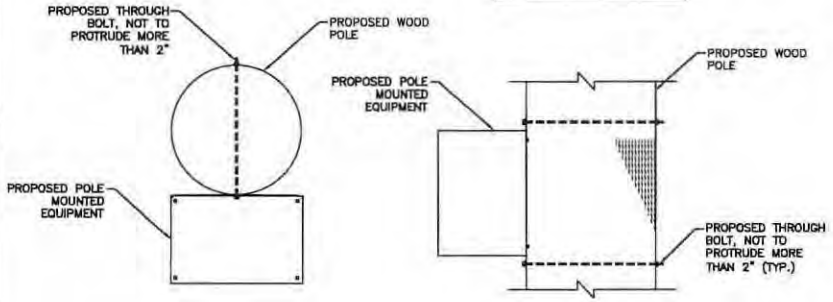
SHEET TITLE

POLE ELEVATIONS

SHEET NUMBER

2.1

NOTE:
INSTALL BRACKETS WITH STAINLESS STEEL BANDING.



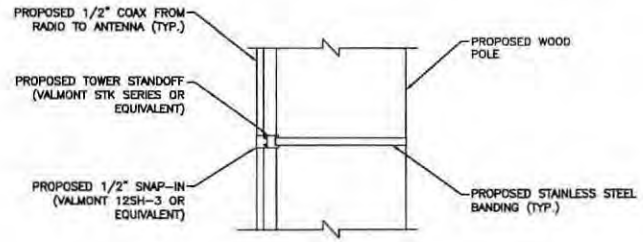
TOP VIEW

SIDE VIEW

EQUIPMENT THROUGH BOLT CONNECTION

SCALE: NOT TO SCALE

1

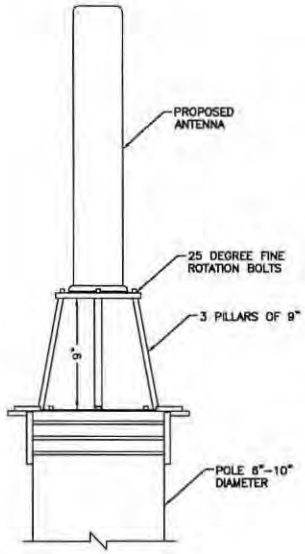


NOTE:
SPACE SNAP-INS PER CABLE MANUFACTURER'S SPECIFICATIONS

CABLE MOUNTING DETAIL

SCALE: NOT TO SCALE

2



SIDE VIEW

NOTE:

1. MOUNTING BRACKET ACCOMMODATES POLE SIZES FROM 6" TO 10" DIAMETER.
2. MOUNTING BRACKET MAY BE USED FOR WOOD & STEEL POLES.
3. JACOBS HAS NOT PERFORMED A STRUCTURAL EVALUATION FOR THE MOUNTING BRACKET. REFER TO THE MANUFACTURER FOR ADDITIONAL INFORMATION.

ANTENNA MOUNTING DETAIL

SCALE: NOT TO SCALE

3

MA COMMUNICATION NETWORK STRUCTURES, LLC

INTERSTATE ENGINEERING AND SURVEYING

PROJECT NO:	ER600201
DRAWN BY:	R. PANINGBATAN
CHECKED BY:	R SHOLTIS

B	04.25.18	REVISION
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NEWBURYPORT, MA 01950

UTILITY POLE

SHEET TITLE

ANTENNA & EQUIPMENT MOUNTING DETAILS

SHEET NUMBER

3.0

UTILITY NOTES:

WORK INCLUDES:
THESE NOTES AND ACCOMPANYING DRAWINGS COMPLEMENT THE PROVISIONS AND INSTALLATIONS BY THE ELECTRICAL CONTRACTOR, OF ALL LABOR, MATERIALS AND EQUIPMENT REQUIRED TO INSTALL THE ELECTRICAL WORK COMPLETE IN CONNECTION WITH THIS UTILITY SITE AND SHALL INCLUDE, BUT NOT BE LIMITED TO THE FOLLOWING:

1. THE PROVISIONS, INSTALLATION AND CONNECTION OF A GROUNDING ELECTRODE SYSTEM COMPLETE WITH SECONDARY GROUNDING, AND CONNECTIONS TO THE INCOMING ELECTRICAL DISTRIBUTION EQUIPMENT.
2. THE PROVISION AND INSTALLATION OF AN OVERHEAD ELECTRICAL SERVICE OR UNDERGROUND ELECTRICAL SERVICE AND ALL ASSOCIATED WIRE AND CONDUIT AS REQUIRED AND/OR INDICATED ON PLANS.
3. THE PROVISION AND INSTALLATION OF CONDUIT AND CONNECTIONS FOR LOCAL FIBER SERVICE.
4. THE FURNISHING AND INSTALLATION OF THE ELECTRICAL SERVICE ENTRANCE CONDUCTORS, CONDUITS, METER SOCKET, AND CONNECTIONS TO THE SERVICE EQUIPMENT.
5. ALL CONDUITS SHOULD BE LEFT WITH NYLON PULL CORD FOR FUTURE USE.
6. EXCAVATION, TRENCHING, AND BACKFILLING FOR CONDUIT(S), CABLE(S) AND EXTERNAL GROUNDING SYSTEM.

CODES, PERMITS AND FEES:

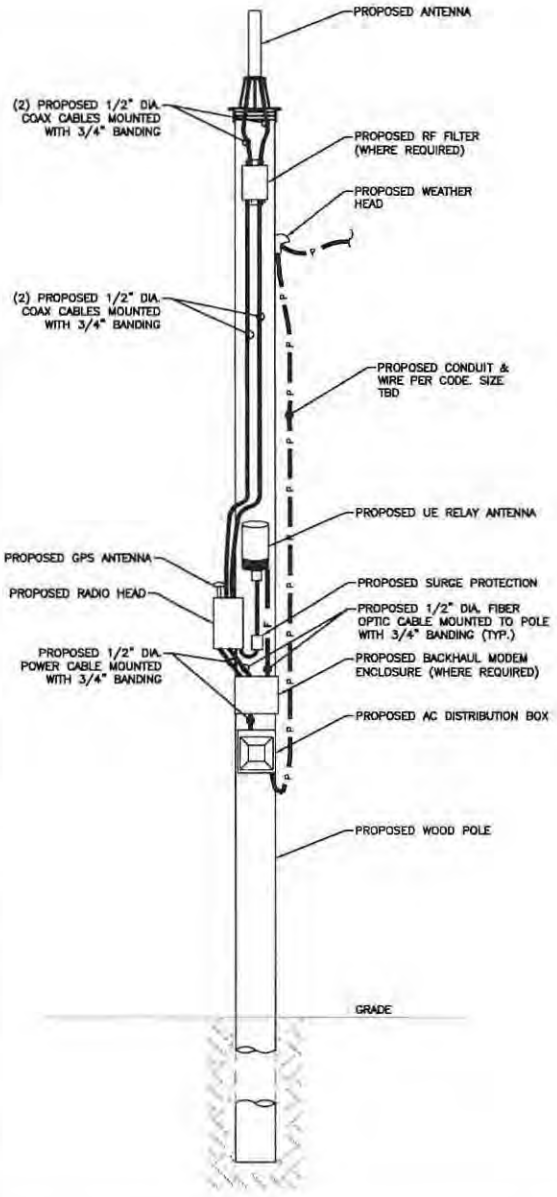
1. ALL REQUIRED PERMITS, LICENSES, INSPECTIONS AND APPROVALS SHALL BE SECURED AND ALL FEES FOR SAME PAID BY CONTRACTOR.
2. THE INSTALLATION SHALL COMPLY WITH ALL APPLICABLE CODES: STATE, LOCAL AND NATIONAL AND THE DESIGN, PERFORMANCE CHARACTERISTICS AND METHODS OF CONSTRUCTION OF ALL ITEMS AND EQUIPMENT SHALL BE IN ACCORDANCE WITH THE LATEST ISSUE OF THE VARIOUS APPLICABLE STANDARD SPECIFICATIONS OF THE FOLLOWING AUTHORITIES:
   - N.E.C. NATIONAL ELECTRICAL CODE
   - A.N.S.I. AMERICAN NATIONAL STANDARDS INSTITUTE
   - I.E.E.E. INSTITUTE OF ELECTRICAL AND ELECTRONICS ENGINEERS
   - A.S.T.M. AMERICAN SOCIETY FOR TESTING MATERIALS
   - N.E.M.A. NATIONAL ELECTRICAL MANUFACTURERS ASSOCIATION
   - U.L. UNDERWRITERS LABORATORIES, INC.
   - N.F.P.A. NATIONAL FIRE PROTECTION ASSOCIATION

RACEWAYS AND WIRING:

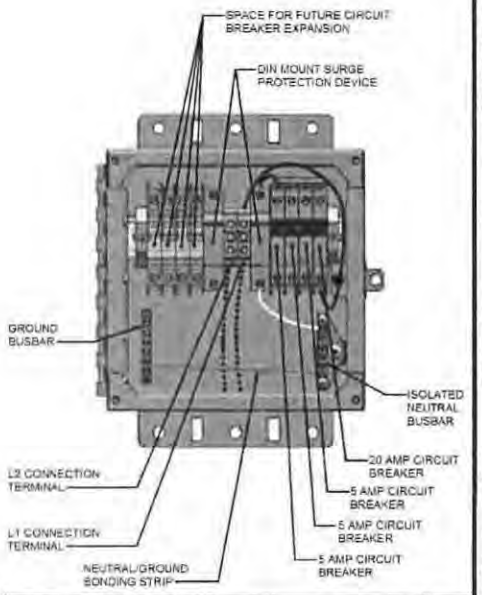
1. WIRING OF EVERY KIND MUST BY INSTALLED IN CONDUIT, UNLESS NOTED OTHERWISE, OR AS APPROVED BY THE ARCHITECT/ENGINEER.
2. UNLESS OTHERWISE SPECIFIED, ALL WIRING SHALL BE COPPER (CU) TYPE THWN, SIZED IN ACCORDANCE WITH THE NATIONAL ELECTRICAL CODE AND LOCAL CODES.
3. RACEWAYS SHALL BE GALVANIZED STEEL, SIZED IN ACCORDANCE WITH THE NATIONAL ELECTRICAL CODE AND LOCAL CODES UNLESS OTHERWISE NOTED. ALL RACEWAYS SHALL BE APPROVED FOR THE INSTALLATION.
4. PULL OR JUNCTION BOXES SHALL BE PROVIDED AS REQUIRED TO FACILITATE INSTALLATION OF RACEWAYS AND WIRING. PROVIDE JUNCTION AND PULLBOXES FOR CONDUIT RUNS WITH MORE THAN (360) DEGREES OF BENDS.
5. PROVIDE A COMPLETE RACEWAY AND WIRING INSTALLATION, PERMANENTLY AND EFFECTIVELY GROUNDED IN ACCORDANCE WITH ARTICLE 250 OF THE NATIONAL ELECTRICAL CODE AND LOCAL CODES.
6. ALL STEEL CONDUIT SHALL BE BONDED AT BOTH ENDS WITH GROUNDING BUSHING.

GENERAL NOTES:
SEE DETAILS, SCHEDULES AND SPECIFICATIONS FOR ADDITIONAL REQUIREMENTS AND INFORMATION. CHECK ARCHITECTURAL, STRUCTURAL, AND OTHER MECHANICAL AND ELECTRICAL DRAWINGS FOR SCALE, SPACE LIMITATIONS, COORDINATION, AND ADDITIONAL INFORMATION, ETC. REPORT ANY DISCREPANCIES, CONFLICTS, ETC. TO ARCHITECT/ENGINEER BEFORE SUBMITTING BID. ALL EQUIPMENT FURNISHED BY OTHERS (FBO) SHALL BE PROVIDED WITH PROPER MOTOR STARTERS, DISCONNECTS, CONTROLS, ETC. BY THE ELECTRICAL CONTRACTOR UNLESS SPECIFICALLY NOTED OTHERWISE. THE ELECTRICAL CONTRACTOR SHALL INSTALL AND COMPLETELY WIRE ALL ASSOCIATED EQUIPMENT IN ACCORDANCE WITH MANUFACTURER'S WIRE DIAGRAMS AND AS REQUIRED FOR A COMPLETE OPERATING INSTALLATION. ELECTRICAL CONTRACTOR SHALL VERIFY AND COORDINATE ELECTRICAL CHARACTERISTICS AND REQUIREMENTS OF (FBO) EQUIPMENT PRIOR TO ROUGH-IN OF CONDUIT AND WIRING TO AVOID CONFLICTS.

COORDINATION WITH UTILITY COMPANY:
THE ELECTRICAL CONTRACTOR SHALL COORDINATE COMPLETE ELECTRICAL SERVICE WITH LOCAL UTILITY COMPANY FOR A COMPLETE OPERATIONS SYSTEM, INCLUDING TRANSFORMER CONNECTIONS, CONCRETE TRANSFORMER PADS, IF REQUIRED, METER SOCKETS, PRIMARY CABLE RACEWAY REQUIREMENTS, SECONDARY SERVICE, ETC. PRIOR TO SUBMITTING BID TO INCLUDE ALL LABOR AND MATERIALS. THE ELECTRICAL CONTRACTOR SHALL INCLUDE IN THE BID ANY OPTIONAL OR EXCESS FACILITY CHARGES ASSOCIATED WITH PROVIDING ELECTRICAL SERVICE FROM LOCAL UTILITY COMPANY. VERIFY BEFORE BIDDING TO INCLUDE ALL COSTS. THE ELECTRICAL CONTRACTOR SHALL VERIFY THE AVAILABLE FAULT CURRENT WITH THE LOCAL UTILITY COMPANY PRIOR TO SUBMITTING BID. ADJUST A.I.C. RATINGS OF ALL OVER CURRENT PROTECTION DEVICES IN DISTRIBUTION EQUIPMENT AS REQUIRED TO COORDINATE WITH AVAILABLE FAULT CURRENT FROM LOCAL UTILITY COMPANY.



NOTE:
CABLING DIAGRAM IS FOR CLARITY OF CABLE ROUTE AND TERMINATION ONLY. CONTRACTOR SHALL INSTALL CABLES WITH MINIMAL VISUAL IMPACT ON PROPOSED WOOD POLE. SEE ELEVATION DRAWING FOR EQUIPMENT AND ANTENNA LOCATIONS.



CABLING DIAGRAM

SCALE: NOT TO SCALE

1

MA COMMUNICATION NETWORK STRUCTURES, LLC

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CHECKED BY:	R SHOLTIS

B	04.26.16	REVISION
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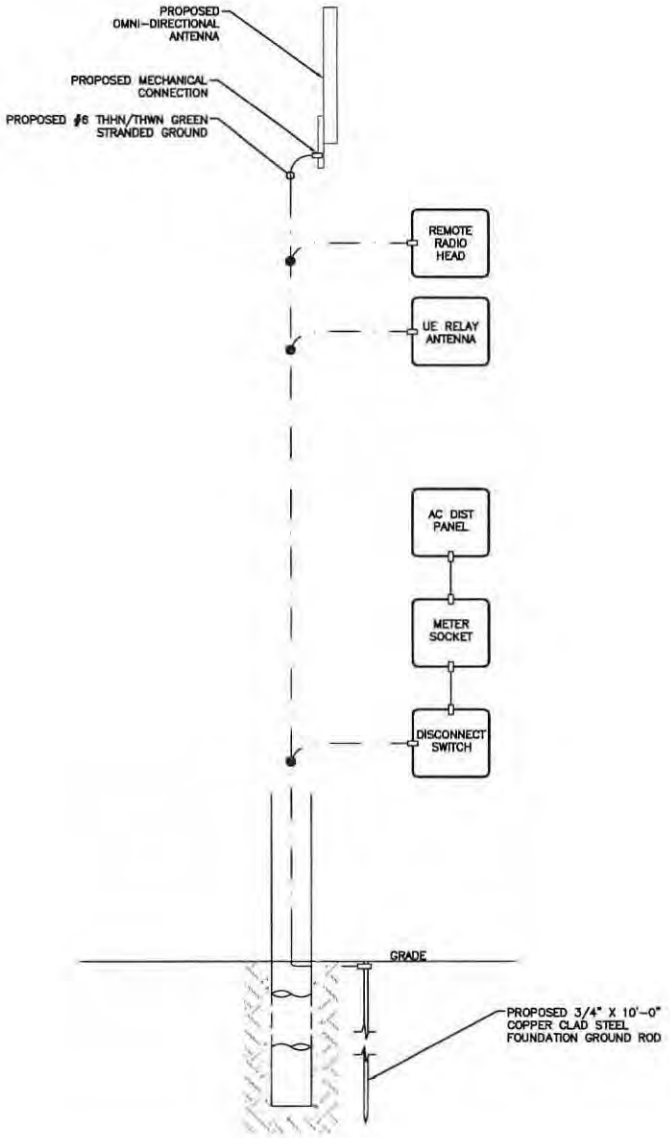
UTILITY POLE

SHEET TITLE

ELECTRICAL DETAILS

SHEET NUMBER

4.0



LEGEND
- CADWELD CONNECTION
- MECHANICAL CONNECTION
- COMPRESSION CONNECTION

NOTE:
GROUNDING RISER FOR DIAGRAMMATIC PURPOSES ONLY. SEE ELEVATION DRAWING FOR EQUIPMENT AND ANTENNA LOCATIONS.

GROUNDING RISER DIAGRAM

SCALE: NOT TO SCALE

1

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UTILITY POLE

SHEET TITLE

GROUNDING DETAILS

SHEET NUMBER

5.0

GENERAL

THE CONSTRUCTION DOCUMENT DRAWINGS ARE INTERRELATED. WHEN PERFORMING THE WORK, EACH CONTRACTOR MUST REFER TO ALL DRAWINGS. COORDINATION IS THE RESPONSIBILITY OF THE GENERAL CONTRACTOR.

GENERAL REQUIREMENTS

PART 1 – GENERAL

1. OBTAIN AND SUBMIT RELEASES ENABLING THE OWNER UNRESTRICTED USE OF THE WORK AND ACCESS TO SERVICES AND UTILITIES; INCLUDE OCCUPANCY PERMITS, OPERATING CERTIFICATES AND SIMILAR RELEASES.
2. SUBMIT RECORD DRAWINGS, DAMAGE OR SETTLEMENT SURVEY, PROPERTY SURVEY, AND SIMILAR FINAL RECORD INFORMATION.
3. COMPLETE FINAL CLEAN UP REQUIREMENT, INCLUDING TOUCH-UP PAINTING. TOUCH UP AND OTHERWISE REPAIR AND RESTORE MARRED EXPOSED FINISHES.

PART 2 – FINAL CLEANING

1. COMPLETE THE FOLLOWING CLEANING OPERATIONS BEFORE REQUESTING INSPECTION FOR CERTIFICATION ON COMPLETION.
   - A. CLEAN THE PROJECT SITE, YARD AND GROUNDS IN AREAS DISTURBED BY CONSTRUCTION ACTIVITIES, INCLUDING LANDSCAPE DEVELOPMENT AREA, OF RUBBISH, WASTE MATERIALS, LITTER AND FOREIGN SUBSTANCES. SWEEP PAVED AREAS BROOM CLEAN. REMOVE PETRO-CHEMICAL SPILLS, STAINS AND OTHER FOREIGN DEPOSITS. RAKE GROUNDS THAT ARE NEITHER PLANTED NOR PAVED, TO A SMOOTH EVEN-TEXTURED SURFACE.
   - B. REMOVE TOOLS, CONSTRUCTION EQUIPMENT, MACHINERY AND SURPLUS MATERIAL FROM THE SITE.
   - C. REMOVE SNOW AND ICE TO PROVIDE SAFE ACCESS TO THE SITE AND EQUIPMENT ENCLOSURE.
   - D. CLEAN EXPOSED EXTERIOR HARD SURFACED FINISHES TO A DIRT-FREE CONDITION, FREE OF STAINS, FILMS AND SIMILAR FOREIGN SUBSTANCES. AVOID DISTURBING NATURAL WEATHERING OF EXTERIOR SURFACES.
   - E. REMOVE DEBRIS FROM LIMITED ACCESS SPACES, INCLUDING HANDHOLES, MANHOLES, AND SIMILAR SPACES.
   - F. REMOVE LABELS THAT ARE NOT PERMANENT LABELS.
   - G. TOUCH UP AND OTHERWISE REPAIR AND RESTORE MARRED EXPOSED FINISHES AND SURFACES. REPLACE FINISHES AND SURFACES THAT CANNOT BE SATISFACTORILY REPAIRED OR RESTORED, OR THAT SHOW EVIDENCE OF REPAIR OR RESTORATION. DO NOT PAINT OVER "UL" AND SIMILAR LABELS, INCLUDING ELECTRICAL NAME PLATES.
   - H. LEAVE THE PROJECT CLEAN AND READY FOR OCCUPANCY.
   - I. DUST OFF ALL EQUIPMENT AND ITEMS WITHIN EQUIPMENT ENCLOSURE.
2. REMOVAL OF PROTECTION: REMOVE TEMPORARY PROTECTION AND FACILITIES INSTALLED DURING CONSTRUCTION TO PROTECT PREVIOUSLY COMPLETED INSTALLATIONS DURING THE REMAINDER OF THE CONSTRUCTION PERIOD.

SITE WORK

PART 1 – GENERAL

1. WORK INCLUDED: SEE SITE PLAN.
2. DESCRIPTIONS: IF APPLICABLE, LEASE AREA, AND UNDERGROUND UTILITY EASEMENTS ARE TO BE CONSTRUCTED TO PROVIDE A WELL DRAINED, EASILY MAINTAINED, EVEN SURFACE FOR USE AND ACCESS.
3. QUALITY ASSURANCE
   - A. APPLY SOIL STERILIZER IN ACCORDANCE WITH MANUFACTURER'S RECOMMENDATIONS (AS NEEDED).
   - B. APPLY AND MAINTAIN GRASS SEED AS RECOMMENDED BY THE SEED PRODUCER (IF REQUIRED).
   - C. PLACE AND MAINTAIN VEGETATION LANDSCAPING, IF INCLUDED WITHIN THE CONTRACT, AS RECOMMENDED BY NURSERY INDUSTRY STANDARDS.
4. SEQUENCING
   - A. CONFIRM SURVEY STAKES AND SET ELEVATION STAKES PRIOR TO ANY CONSTRUCTION.
   - B. CONSTRUCT TEMPORARY CONSTRUCTION AREA. DESIGNATED AREA TO BE APPROVED BY CONSTRUCTION MANAGER AND LOCAL AUTHORITIES.
   - C. APPLY SOIL STERILIZER PRIOR TO PLACING BASE MATERIALS.
   - D. GRADE, SEED, FERTILIZE, AND MULCH ALL AREAS DISTURBED BY CONSTRUCTION (INCLUDING UNDERGROUND UTILITY EASEMENTS) IMMEDIATELY AFTER BRINGING LEASE AREA TO BASE COURSE ELEVATION; WATER TO ENSURE GROWTH.
   - E. AFTER APPLICATIONS OF FINAL SURFACES, APPLY SOIL STERILIZER TO STONE SURFACES.
5. SUBMITTALS
   - A. BEFORE CONSTRUCTION: IF LANDSCAPING IS APPLICABLE TO THE CONTRACT, SUBMIT TWO COPIES OF THE LANDSCAPE PLAN ON NURSERY LETTERHEAD. IF A LANDSCAPE ALLOWANCE WAS INCLUDED IN THE CONTRACT, PROVIDE AN ITEMIZED LISTING OF PROPOSED COSTS ON NURSERY LETTERHEAD
   - B. AFTER CONSTRUCTION
     1. MANUFACTURER'S DESCRIPTION OF PRODUCT AND WARRANTY STATEMENT ON SOIL STERILIZER.
     2. MANUFACTURER'S DESCRIPTION OF PRODUCT ON GRASS SEED AND FERTILIZER.
     3. LANDSCAPING WARRANTY STATEMENT
6. WARRANTY
   - A. IN ADDITION TO THE WARRANTY ON ALL CONSTRUCTION COVERED IN THE CONTRACT DOCUMENTS, THE CONTRACTOR SHALL REPAIR ALL DAMAGE AND RESTORE AREA AS CLOSE TO ORIGINAL CONDITION AS POSSIBLE AT SITE AND SURROUNDINGS.
   - B. SOIL STERILIZATION APPLICATION TO GUARANTEE VEGETATION FREE AREAS FOR ONE YEAR FROM DATE OF FINAL INSPECTION.
   - C. DISTURBED AREA WILL REFLECT GROWTH OF NEW GRASS COVER PRIOR TO FINAL INSPECTION.
   - D. LANDSCAPING, IF INCLUDED WITHIN THE SCOPE OF THE CONTRACT, WILL BE GUARANTEED FOR ONE YEAR FROM DATE OF FINAL INSPECTION.

PART 2 – PRODUCTS

1. MATERIALS
   - A. SOIL STERILIZER SHALL BE EPA-REGISTERED, PRE-EMERGENCE LIQUID:

     TOTAL KILL
     PRODUCT 910
     EPA 10292-7
     (313) 563-8000

     PHASAR CORPORATION
     P.O. BOX 5123
     DEARBORN, MI 48128

     AMBUSH HERBICIDE
     EPA REGISTERED

     (800) 528-4924

     FRAMAR INDUSTRIAL PRODUCTS
     1435 MORRIS AVE.
     UNION, NJ 07083

   - B. ROAD AND SITE MATERIALS SHALL CONFORM TO STATE AND LOCAL DOT SPECIFICATIONS FILL MATERIAL (UNLESS OTHERWISE NOTED) – ACCEPTABLE SELECT FILL SHALL BE IN ACCORDANCE WITH STATE DEPARTMENT OF HIGHWAY AND TRANSPORTATION STANDARD SPECIFICATIONS.
   - C. SOIL STABILIZER FABRIC SHALL BE MIRAFI 500X.

PART 3 – EXECUTION

1. INSPECTIONS: LOCAL BUILDING INSPECTORS SHALL BE NOTIFIED NO LESS THAN 48 HOURS IN ADVANCE OF CONCRETE POURS, UNLESS OTHERWISE SPECIFIED BY JURISDICTION
2. PREPARATION
   - A. CLEAR BRUSH AND DEBRIS FROM LEASE AREA AND UNDERGROUND UTILITY EASEMENTS AS REQUIRED FOR CONSTRUCTION.
   - B. UNLESS OTHERWISE INSTRUCTED BY LESSEE, TRANSPORT ALL REMOVED TREES, BRUSH AND DEBRIS FROM THE PROPERTY TO AN AUTHORIZED LANDFILL.
   - C. PRIOR TO PLACEMENT OF FILL OR BASE MATERIALS, ROLL THE SOIL.
   - D. WHERE UNSTABLE SOIL CONDITIONS ARE ENCOUNTERED, LINE THE AREAS WITH STABILIZER MAT PRIOR TO PLACEMENT OF FILL OR BASE MATERIAL.
3. INSTALLATION
   - A. CLEAR EXCESS SPOILS, IF ANY, FROM JOB SITE AND DO NOT SPREAD BEYOND THE LIMITS OF PROJECT AREA UNLESS AUTHORIZED BY PROJECT MANAGER AND AGREED TO BY LANDOWNER.
   - B. PLACE FILL OR STONE IN SIX INCH (6") MAXIMUM LIFTS, AND COMPACT BEFORE PLACING NEXT LIFT.
   - C. APPLY SEED, FERTILIZER, AND STRAW COVER TO ALL OTHER DISTURBED AREAS, DITCHES, AND DRAINAGE SWALES, NOT OTHERWISE RIPRAPPED.
   - D. APPLY SEED AND FERTILIZER TO SURFACE CONDITIONS WHICH WILL ENCOURAGE ROOTING. RAKE AREAS TO BE SEEDED TO EVEN THE SURFACE AND LOOSEN THE SOIL.
   - E. SOW SEED IN TWO DIRECTIONS IN TWICE THE QUANTITY RECOMMENDED BY THE SEED PRODUCER.
   - F. ENSURE GROWTH OF SEEDED AND LANDSCAPED AREA, BY WATERING, UP TO THE POINT OF RELEASE FROM THE CONTRACT. CONTINUE TO REWORK THE BARE AREAS UNTIL COMPLETE COVERAGE IS OBTAINED.
4. FIELD QUALITY CONTROL: COMPACT SOILS TO MAXIMUM DENSITY IN ACCORDANCE WITH ASTM D-1557. AREAS OF SETTLEMENT WILL BE EXCAVATED AND REFILLED AT CONTRACTOR'S EXPENSE. INDICATE PERCENTAGE OF COMPACTION ACHIEVED ON AS-BUILT DRAWINGS.
5. PROTECTION
   - A. PROTECT SEEDED AREAS FROM EROSION BY SPREADING STRAW TO A UNIFORM LOOSE DEPTH OF 1-2 INCHES, STAKE AND TIE DOWN AS REQUIRED. USE OF EROSION CONTROL MESH OR MULCH NET WILL BE AN ACCEPTABLE ALTERNATE.
   - B. PROTECT ALL EXPOSED AREAS AGAINST WASHOUTS AND SOIL EROSION. PLACE STRAW BALES AT THE INLET APPROACH TO ALL NEW OR EXISTING CULVERTS. WHERE THE SITE OR ROAD AREAS HAVE BEEN ELEVATED IMMEDIATELY ADJACENT TO THE RAIL LINE, STAKE EROSION CONTROL FABRIC FULL LENGTH IN THE SWALE TO PREVENT CONTAMINATION OF THE RAIL BALLAST. ALL EROSION CONTROL METHODS SHALL CONFORM TO APPLICABLE BUILDING CODE REQUIREMENTS.

MA COMMUNICATION
NETWORK STRUCTURES, LLC

INTERSTATE
TELECOMMUNICATIONS CONSULTANTS, INC.

PROJECT NO:	ER600201
DRAWN BY:	R. PANINGBATAN
CHECKED BY:	R SHOLTIS

B	04.25.18	REVISION
A	11/27/13	FOR CLIENT REVIEW

PRELIMINARY

IT IS A VIOLATION OF THE LAW FOR ANY PERSON, UNLESS THEY ARE ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER, TO ALTER THIS DOCUMENT

BS90XSD32A
9MAB001238
LOW ST & STOREY AVE
NEWBURYPORT, MA 01950

UTILITY POLE

SHEET TITLE

GENERAL NOTES

SHEET NUMBER

GN-1

ELECTRICAL

1. CONTRACTOR SHALL REVIEW THE CONTRACT DOCUMENTS PRIOR TO ORDERING THE ELECTRICAL EQUIPMENT AND STARTING THE ACTUAL CONSTRUCTION. CONTRACTOR SHALL ISSUE A WRITTEN NOTICE OF ALL FINDINGS TO THE ARCHITECT/ENGINEER LISTING ANY DISCREPANCIES OR CONFLICTING INFORMATION.
2. ELECTRICAL PLANS, DETAILS AND DIAGRAMS ARE DIAGRAMMATIC ONLY. VERIFY EXACT LOCATIONS AND MOUNTING HEIGHTS OR ELECTRICAL EQUIPMENT WITH OWNER PRIOR TO INSTALLATION.
3. EACH CONDUCTOR OF EVERY SYSTEM SHALL BE PERMANENTLY TAGGED IN EACH PANELBOARD, PULLBOX, JUNCTION BOX, SWITCH BOX, ETC. THE TYPE OF TAGGING METHODS SHALL BE IN COMPLIANCE WITH OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION (O.S.H.A.)
4. ALL MATERIALS AND EQUIPMENT SHALL BE NEW AND IN GOOD WORKING CONDITION WHEN INSTALLED AND SHALL BE OF THE BEST GRADE AND OF THE SAME MANUFACTURER THROUGHOUT FOR EACH CLASS OR GROUP OF EQUIPMENT. MATERIALS SHALL BE LISTED "U.L." WHERE APPLICABLE. MATERIALS SHALL MEET WITH APPROVAL OF ALL GOVERNING BODIES HAVING JURISDICTION. MATERIALS SHALL BE MANUFACTURED IN ACCORDANCE WITH APPLICABLE STANDARDS ESTABLISHED BY ANSI, NEMA, NBFU AND "U.L." LISTED.
5. ALL CONDUIT SHALL HAVE A PULL CORD.
6. PROVIDE PROJECT MANAGER WITH ONE SET OF COMPLETE ELECTRICAL "AS INSTALLED" DRAWINGS AT THE COMPLETION OF THE JOB, SHOWING ACTUAL DIMENSIONS, ROUTINGS, AND CIRCUITS.
7. ALL CIRCUIT BREAKERS, FUSES AND ELECTRICAL EQUIPMENT SHALL HAVE AN INTERRUPTING SHORT CIRCUIT CURRENT TO WHICH THEY MAY BE SUBJECTED, AND A MINIMUM OF 10,000 A.I.C.
8. THE ENTIRE ELECTRICAL INSTALLATION SHALL BE GROUNDED AS REQUIRED BY IBC, NEC AND ALL APPLICABLE CODES.
9. PATCH, REPAIR AND PAINT ANY AREA THAT HAS BEEN DAMAGED IN THE COURSE OF THE ELECTRICAL WORK.
10. PLASTIC PLATES FOR ALL SWITCHES, RECEPTACLES, TELEPHONE AND BLANKED OUTLETS SHALL HAVE ENGRAVED LETTERING WHERE INDICATED ON THE DRAWINGS. WEATHERPROOF RECEPTACLES SHALL HAVE SIERRA #WPD-B LIFT COVERPLATES.

SERVICE AND DISTRIBUTION

1. WIRE AND CABLE CONDUCTORS SHALL BE COPPER, 600V, TYPE THHN OR THWN, WITH A MIN. SIZE OF #12 AWG, COLOR CODED.
2. METER SOCKET AMPERES, VOLTAGE, NUMBER OF PHASES SHALL BE NOTED ON THE DRAWINGS. MANUFACTURED BY MILBANK OR APPROVED EQUAL, AND SHALL BE UTILITY COMPANY APPROVED.
3. CONDUIT:
   A. RIGID CONDUIT SHALL BE U.L. LABEL GALVANIZED ZINC COATED WITH GALVANIZED ZINC INTERIOR AND SHALL BE USED WHEN INSTALLED IN OR UNDER CONCRETE SLABS, IN CONTACT WITH THE EARTH, UNDER PUBLIC ROADWAYS, IN MASONRY WALLS OR EXPOSED ON BUILDING EXTERIOR. RIGID CONDUIT IN CONTACT WITH EARTH SHALL BE 1/2 LAPPED WRAPPED WITH HUNTS WRAP PROCESS NO. 3.
   B. FLEXIBLE METALLIC CONDUIT SHALL HAVE U.L. LISTED LABEL AND MAY BE USED WHERE PERMITTED BY CODE. FITTINGS SHALL BE "JAKE" OR "SQUEEZE" TYPE. ALL FLEXIBLE CONDUITS SHALL HAVE FULL LENGTH GROUND WIRE.
   C. IT IS REQUIRED AND WILL BE THE RESPONSIBILITY OF THE ELECTRICAL CONTRACTOR TO NOTIFY 811 OR OTHER SUCH UTILITY LOCATING AGENCY 3 DAYS BEFORE DIGGING.
4. CONTRACTOR TO COORDINATE WITH UTILITY COMPANY FOR CONNECTION OF TEMPORARY AND PERMANENT POWER TO THE SITE. THE TEMPORARY POWER AND ALL HOOKUP COSTS ARE TO BE PAID BY THE CONTRACTOR.
5. ALL ELECTRICAL EQUIPMENT SHALL BE LABELED WITH PERMANENT ENGRAVED PLASTIC LABELS WITH WHITE ON BLUE BACKGROUND LETTERING (MINIMUM LETTER HEIGHT SHALL BE ONE FOURTH INCH (1/4"). NAMEPLATES SHALL BE FASTENED WITH STAINLESS STEEL SCREWS, NOT ADHESIVE.
6. UPON COMPLETION OF WORK, CONTINUITY, SHORT CIRCUIT, AND FALL POTENTIAL GROUNDING TESTS BY AN INDEPENDENT TESTING SERVICE ENGAGED BY THE CONTRACTOR SHALL BE SUBMITTED FOR APPROVAL. SUBMIT TEST REPORTS TO PROJECT MANAGER. CLEAN PREMISES OF ALL DEBRIS RESULTING FROM WORK AND LEAVE WORK IN A COMPLETE AND UNDAMAGED CONDITION.
7. GROUNDING ELECTRODE SYSTEM
   A. PREPARATION
      1. SURFACE PREPARATION: ALL CONNECTIONS SHALL BE MADE TO BARE METAL. ALL PAINTED SURFACES SHALL BE FIELD INSPECTED AND MODIFIED TO ENSURE PROPER CONTACT. NO WASHERS ARE ALLOWED BETWEEN THE ITEMS BEING GROUNDED. ALL CONNECTIONS ARE TO HAVE A NON-OXIDIZING AGENT APPLIED PRIOR TO INSTALLATION.
      2. IF CONDUCTORS MUST RUN THROUGH CONDUIT, BOTH ENDS OF CONDUIT SHALL BE GROUNDED. SEAL BOTH ENDS OF CONDUIT WITH SILICONE CAULK.
   B. EXTERNAL CONNECTIONS
      1. ALL BURIED GROUNDING CONNECTIONS SHALL BE MADE BY THE EXOTHERMIC WELD PROCESS. CONNECTIONS SHALL INCLUDE ALL CABLE TO CABLE, SPLICES, TEE'S, CROSSES, ETC. ALL CABLE TO GROUND RODS, GROUND ROD SPLICES AND LIGHTNING PROTECTION SYSTEMS ARE TO BE AS INDICATED. ALL MATERIALS USED (MOLDS, WELDING METAL, TOOLS, ETC.) SHALL BE BY "ULTRAWELD" AND INSTALLED PER MANUFACTURER'S RECOMMENDED PROCEDURES.
      2. ALL ABOVE GRADE GROUNDING AND BONDING CONDUCTORS SHALL BE CONNECTED BY TWO HOLE CRIMP TYPE (COMPRESSION) CONNECTIONS (EXCEPT FOR THE ACEG AND GROUND ROD). MECHANICAL CONNECTIONS, FITTINGS OR CONNECTIONS THAT DEPEND SOLELY ON SOLDER SHALL NOT BE USED. ALL CABLE TO CABLE CONNECTIONS SHALL BE HIGH PRESSURE DOUBLE CRIMP TYPE CONNECTIONS. CONNECTIONS TO STRUCTURAL STEEL SHALL BE EXOTHERMIC WELDS.
   C. GROUND RODS: ALL GROUND RODS SHALL BE 5/8-INCH DIAMETER X 10'-0" LONG "COPPERWELD" OR APPROVED EQUAL, OF THE NUMBER AND LOCATIONS INDICATED. GROUND RODS SHALL BE DRIVEN FULL LENGTH VERTICAL IN UNDISTURBED EARTH.
   D. GROUND CONDUCTORS: ALL GROUND CONDUCTORS SHALL BE STANDARD TINNED SOLID BARE COPPER ANNEALED, AND OF SIZE INDICATED ON DRAWINGS UNLESS OTHERWISE NOTED.
   E. LUGS
      1. LUGS SHALL BE 2-HOLE, LONG BARREL, STRAND COPPER UNLESS OTHERWISE SPECIFIED IN THE CONTRACT DOCUMENTS. LUGS SHALL BE THOMAS AND BETTS SERIES #54____BE OR EQUIVALENT

A.	535 MCM DLO	54880BE
B.	262 MCM DLO	54872BE
C.	#1/0 DLO	54862BE
D.	#4/0 THWN AND BARE	54866BE
E.	#2/0 THWN	54862BE
F.	#2 THHN	54207BE
G.	#6 DLO	54205BE

      2. WHEN THE DIRECTION OF THE CONDUCTOR MUST CHANGE, IT SHALL BE DONE GRADUALLY. THE CURVATURE OF THE TURN SHALL BE DONE IN ACCORDANCE WITH THE FOLLOWING CHART:

GROUNDING CONDUCTOR SIZE	MINIMUM BENDING RADIUS TO INSIDE EDGE
NO. 6 AWG TO NO. 4 AWG	6 INCHES
NO. 2 AWG TO NO 1/0 AWG	8 INCHES
NO. 2/0 AWG TO 4/0 AWG	12 INCHES
250 MCM TO 750 MCM	24 INCHES

8. GROUNDING RESISTANCE TEST REPORT: UPON COMPLETION OF THE TESTING FOR EACH SITE, A TEST REPORT SHOWING RESISTANCE IN OHMS MUST BE SUBMITTED. TWO (2) SETS OF TEST DOCUMENTS FROM THE INDEPENDENT TESTING SERVICE ARE TO BE BOUND AND SUBMITTED WITHIN ONE (1) WEEK OF WORK COMPLETION.

POLES, POSTS, AND STANDARDS (SINGLE MAST AND SELF SUPPORTING TOWERS)

1. GENERAL
   A. LIGHTNING ROD AND EXTENSION PIPE INCLUDING ALL APPURTENANCES, TO BE FURNISHED BY OWNER, IF REQUIRED.
   B. GROUNDING: GROUND METAL POLES WITH A MINIMUM OF #2 AWG TINNED SOLID BARE COPPER CONDUCTOR CADWELDED TO TOWER BASE PLATE.

TELECOMMUNICATIONS WIRING COMPONENTS (COAXIAL ANTENNA CABLE)

1. GENERAL
   A. ALL MATERIALS, PRODUCTS OR PROCEDURES INCORPORATED INTO WORK SHALL BE NEW AND OF STANDARD COMMERCIAL QUALITY.
   B. ALL MATERIALS AND PRODUCTS SPECIFIED IN THE CONTRACT DOCUMENTS SHALL BE SUPPLIED BY THE CONTRACTOR UNLESS NOTED OTHERWISE.
2. MATERIALS:
   A. COAXIAL CABLE:
      1. INSTALL COAXIAL CABLE AND TERMINATIONS BETWEEN ANTENNAS AND EQUIPMENT PER MANUFACTURER'S RECOMMENDATIONS WITH COAXIAL CABLES SUPPORTED AT NO MORE THAN 3'-0" O.C. WEATHERPROOF ALL CONNECTORS BETWEEN THE ANTENNA AND EQUIPMENT PER MANUFACTURER'S REQUIREMENTS. TERMINATE ALL COAXIAL CABLE THREE FEET (3') IN EXCESS OF EQUIPMENT LOCATION UNLESS OTHERWISE STATED.
      2. LENGTHS LESS THAN OR EQUAL TO 100 FEET SHALL BE 7/8".
3. ANTENNA AND COAXIAL CABLE GROUNDING
   A. ALL COAXIAL CABLE GROUNDING KITS ARE TO BE INSTALLED ON STRAIGHT RUNS OF COAXIAL CABLE (NOT WITHIN BENDS)
4. COAXIAL CABLE IDENTIFICATION
   A. TO PROVIDE EASY IDENTIFICATION AND UNIFORM MARKING OF ANTENNA CABLING, PLASTIC TAGS SHALL BE USED AT THE FOLLOWING LOCATIONS:
      1. FIRST LOCATION IS AT THE END OF THE COAX NEAREST THE ANTENNA (WHERE THE COAXIAL CABLE AND JUMPER ARE CONNECTED).
      2. SECOND LOCATION IS AT END OF THE COAX NEAREST THE EQUIPMENT.
   B. USE ANDREW CABLE TIES (PT.# 27290) TO SECURE IDENTIFICATION TAGS.
      1. TESTING: LESSEE SHALL PROVIDE AN INDEPENDENT TESTING AGENCY TO PERFORM THE COAXIAL SWEEP TEST & REPORT. THE CONTRACTOR IS TO PROVIDE ONE CLIMBER/QUALIFIED PERSONNEL TO ASSIST IN ANY REPAIRS AND WEATHERPROOFING ONCE THE TEST IS COMPLETE. THE CONTRACTOR IS TO PROVIDE LESSEE WITH A MINIMUM OF 48 HOURS NOTICE PRIOR TO THE TIME OF THE SWEEP TEST.

MA COMMUNICATION
NETWORK STRUCTURES, LLC

INTERSTATE

PROJECT NO:	ER600201
DRAWN BY:	R. PANINGBATAN
CHECKED BY:	R.SHOLTIS

B	04.28.16	REVISION
A	11/17/15	FOR CLIENT REVIEW

PRELIMINARY

IT IS A VIOLATION OF THE LAW FOR ANY PERSON, UNLESS THEY ARE ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER, TO ALTER THIS DOCUMENT

BS90XSD32A
9MAB0001238
LOW ST & STOREY AVE
NEWBURYPORT, MA 01950

UTILITY POLE

SHEET TITLE

GENERAL NOTES

SHEET NUMBER

GN-2

PLAN NOTES:

1. PLANS DEPICTED ARE GENERAL GUIDELINES FOR TEMPORARY TRAFFIC CONTROL PLANS (TCP) TO INCLUDE PEDESTRIAN AND WORKER SAFETY. CONTRACTOR IS REQUIRED TO HAVE PREPARED A SITE-SPECIFIC TCP FOR REVIEW AND APPROVAL BY THE HIGHWAY AUTHORITY HAVING JURISDICTION. IF REQUIRED, THE FIRM PREPARING THE TCP SHALL BE AUTHORIZED OR CERTIFIED BY THE AUTHORITY HAVING JURISDICTION.
2. EXTEND CHANNELIZATION DEVICES INTO SHOULDER WHERE APPLICABLE.
3. DISTANCES AS INDICATED IN TABLE 1 SHOULD BE INCREASED FOR CONDITIONS THAT WOULD AFFECT STOPPING DISTANCE SUCH AS DOWNGRADES OR LIMITED SIGHT DISTANCES. DISTANCES CAN BE DECREASED FOR LOW-SPEED (RESIDENTIAL) AREAS WITH APPROVAL BY THE AUTHORITY HAVING JURISDICTION. NIGHT-TIME WORK IS PROHIBITED UNLESS IT IS REQUIRED AS A CONDITION OF APPROVAL BY THE HIGHWAY AND LOCAL AUTHORITY HAVING JURISDICTION.
4. SHOULDER TAPERS SHOULD BE 1/3 OF THE ON-STREET TAPER LENGTH.
5. "A", "B", AND "C" SHOULD BE IN EXCESS OF 500' FOR ROAD SPEEDS 45 MPH OR HIGHER

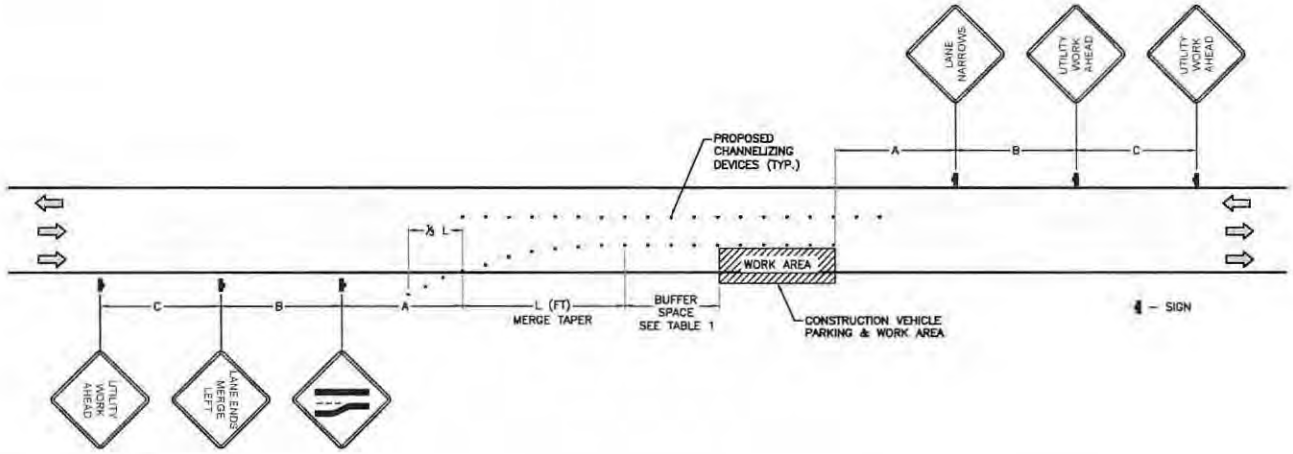


TABLE 1

POSTED SPEED (MPH)	DISTANCE BETWEEN SIGNS			TAPER	BUFFER
	A	B	C	L (SEE NOTE)	
15	100'	100'	100'	45'	100'
20	100'	100'	100'	80'	115'
25	100'	100'	100'	125'	155'
30	200'	200'	200'	180'	200'
35	200'	200'	200'	245'	250'
40	350'	350'	350'	320'	305'
45	350'	350'	350'	540'	360'
50	500'	500'	500'	600'	425'
55	500'	500'	500'	660'	495'
60	500'	500'	500'	720'	570'
65	500'	500'	500'	780'	645'

NOTES:

A) DISTANCES IN FEET UNLESS OTHERWISE NOTED.
B) CONTRACTOR TO VERIFY EXISTING SPEED LIMIT.
C) DISTANCES SHOWN ARE NOT VALID FOR LIMITED ACCESS HIGHWAYS. CONSULT STATE DOT MANUAL FOR DISTANCES.
D) ADJUST DISTANCES TO COMPLY WITH REQUIREMENT OF THE STATE OR LOCAL HIGHWAY AUTHORITY HAVING JURISDICTION. SEE NOTE 1, SHEET X.X.
E) TAPER LENGHTS SHOWN BASED ON 12' LANE WIDTH. SEE NOTE 18, SHEET X.X.

TRAFFIC CONTROL PLAN

SCALE: NOT TO SCALE

1

MA COMMUNICATION NETWORK STRUCTURES, LLC

PROJECT NO:	ER600201
DRAWN BY:	R. PANINGBATAN
CHECKED BY:	R SHOLTIS

B	04.25.16	REVISION
A	11/17/15	FOR CLIENT REVIEW

PRELIMINARY

IT IS A VIOLATION OF THE LAW FOR ANY PERSON, UNLESS THEY ARE ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER, TO ALTER THIS DOCUMENT

BS90XSD32A
9MAB001238
LOW ST & STOREY AVE
NEWBURYPORT, MA 01950

UTILITY POLE

SHEET TITLE

TRAFFIC CONTROL PLAN

SHEET NUMBER

6.0

APPOINTMENTS
FIRST READING

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

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

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA
2016 MAY 17 A

To: President and Members of the City Council

From: Donna D. Holaday, Mayor

Date: May 17, 2016

Re: Appointment

I hereby appoint, subject to your approval, the following named individual as a member of the Library Board of Directors to fulfill the unexpired term of Sarah White. This term will expire on January 1, 2020.

Sarah T. Spalding
280 High Street
Newburyport, MA 01950

Sarah T. Spalding
280 High Street, Newburyport, MA 01950
(978) 270-6140sarahtspalding@yahoo.com

Work Experience:

YMCA Camp Nokomis, Bear Island, Meredith, NH – summers 1984 – 2016
Currently: Associate Camp Director, Waterfront Director
Past Roles: Program Director, Unit Leader, Counselor

YWCA of Newburyport, 1997 - 2015 intermittently
Lifeguard, Lifeguard Instructor, Front Desk

Dare Family Services, Newburyport, MA 2002-2005
Adolescent Counselor

UMass Extension, 1997 - 2001
Extension Educator, 4-H Youth and Family Development Program

UNH Cooperative Extension, 1996 - 1997
State Program Coordinator, 4-H Youth and Family Development Program

Education:

Masters of Science – Human Development and Family Studies – University of NC Greensboro
Bachelor of Arts – Communication – University of NH

Volunteer Work:

First Religious Society UU, Newburyport, MA
Chair - Dinner Anywhere in the World Raffle, Auction Committee, Stewardship Task Force, Young Church Teacher

Newburyport PTO
President 2010-2011, Vice President 2009-2010, and ongoing help with fundraisers and events

American Camping Association, Visitor for Camp Accreditation Program

Merrimack Valley YMCA Camping Services Board of Managers 1997-1998

American Red Cross Instructor: Lifeguarding, CPR/AED, First Aid for the Professional Rescuer

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

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

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA
2016 MAY 23 A 1

To: President and Members of the City Council

From: Donna D. Holaday, Mayor

Date: May 17, 2016

Subject: **CONFIRMATORY APPOINTMENT**

I hereby re-appoint, subject to your approval, the following named individual as a member of the Waterfront Trust. This term will expire on December 31, 2017.

Joseph Brown
6 Cutting Drive
Newburyport, MA 01950

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

60 PLEASANT STREET - P.O. BOX 556
NEWBURYPORT, MA 01950
978-465-4413 PHONE
978-465-4402 FAX

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA
2016 MAY 23

To: President and Members of the City Council

From: Donna D. Holaday, Mayor

Date: May 17, 2016

Subject: **CONFIRMATORY APPOINTMENT**

I hereby appoint, subject to your approval, the following named individual as a member of the Waterfront Trust. This term will expire on December 31, 2018.

Wilbur Shenk
1 Beck Street
Newburyport, MA 01950

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

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

RECEIVED
CLERK'S OFFICE
NEWBURYPORT, MA
2016 MAY 20 P 12:17

To: President and Members of the City Council

From: Donna D. Holaday, Mayor

Date: May 17, 2016

Subject: **CONFIRMATORY APPOINTMENT**

I hereby appoint, subject to your approval, the following named individual as a member of the Waterfront Trust. This term will expire on December 31, 2019.

George H. Ellison, Jr.
2A Noble Street
Newburyport, MA 01950

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

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

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA
2016 MAY 17 A 1

To: President and Members of the City Council

From: Donna D. Holaday, Mayor

Date: May 17, 2016

Subject: **CONFIRMATORY APPOINTMENT**

I hereby appoint, subject to your approval, the following named individual as a member of the Waterfront Trust to fulfill the unexpired term of Josiah Morrill. This term will expire on December 31, 2020.

Steven D. Hines
54 Ferry Road
Newburyport, MA 01950

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

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

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA
2016 MAY 17 A 1

To: President and Members of the City Council

From: Donna D. Holaday, Mayor

Date: May 17, 2016

Subject: **CONFIRMATORY APPOINTMENT**

I hereby appoint, subject to your approval the following named individual as a member of the Waterfront Trust. This term will expire on December 31, 2016.

Scott W. Sutherland
3 Savory Street
Newburyport, MA 01950

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

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

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA
2016 MAY 17 A 11:

To: President and Members of the City Council

From: Donna D. Holaday, Mayor

Date: May 17, 2016

Subject: Re-Appointment

I hereby reappoint, subject to your approval, the following named individual as a member of the Community Preservation Act Committee. This term will expire on October 1, 2019.

Paul Healy
8 N Street
Newburyport, MA 01950

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

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

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA
2016 MAY 17 A

To: President and Members of the City Council

From: Donna D. Holaday, Mayor

Date: May 17, 2016

Subject: Re-Appointment

I hereby reappoint, subject to your approval, the following named individual as a member of the Conservation Commission. This term will expire on May 31, 2019.

Paul Healy
8 N Street
Newburyport, MA 01950

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

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

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA
2016 MAY 17 P

To: President and Members of the City Council

From: Donna D. Holaday, Mayor

Date: May 16, 2016

Subject: Re-Appointment

I hereby re-appoint, subject to your approval, the following named individual as Harbormaster for the City of Newburyport. This term will expire on May 1, 2019.

Paul Hogg
4 Coltin Drive
Newburyport, MA 01950

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

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

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA
2016 MAY 17 A 1

To: President and Members of the City Council

From: Donna D. Holaday, Mayor

Date: May 17, 2016

Subject: Re-Appointment

I hereby re-appoint, subject to your approval, the following named individual as a member of the Community Preservation Act Committee. This term will expire on May 1, 2019.

Donald F. Little
6 Cottage Court
Newburyport, MA 01950

APPT046_05_31_16

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

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

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA
2016 MAY 17 P

To: President and Members of the City Council

From: Donna D. Holaday, Mayor

Date: May 16, 2016

Subject: Re-Appointment

I hereby re-appoint, subject to your approval, the following named individual as a member of the Harbor Commission. This term will expire on June 1, 2019.

Daniel R. May
5 Lucey Drive
Newburyport, MA 01950

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

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

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA
2013 MAY 17 A

To: President and Members of the City Council

From: Donna D. Holaday, Mayor

Date: June 20, 2013

Subject: Re-Appointment

I hereby reappoint, subject to your approval, the following named individual as a member of the Fruit Street Local Historic District Study Committee. This term will expire on May 1, 2019.

Maurice Southworth
12 Fruit Street
Newburyport, MA 01950

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

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

RECEIVED
CLERK'S OFFICE
NEWBURYPORT, MA
2016 MAY 17 A 11

To: President and Members of the City Council

From: Donna D. Holaday, Mayor

Date: May 17, 2016

Subject: Re-Appointment

I hereby re-appoint, subject to your approval, the following named individual as a member of the Conservation Commission. This term will expire on May 31, 2019.

David B. Vine
47 Marlboro Street
Newburyport, MA 01950

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

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

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA
2016 MAY 17 A 11:11

To: President and Members of the City Council

From: Donna D. Holaday, Mayor

Date: May 17, 2016

Subject: Re-Appointment

I hereby re-appoint, subject to your approval, the following named individual as a member of the Conservation Commission. This term will expire on June 1, 2019.

Daniel P. Warchol
47 Plummer Avenue
Newburyport, MA 01950

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

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

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA
2016 MAY 17 A

To: President and Members of the City Council

From: Donna D. Holaday, Mayor

Date: May 17, 2016

Re: Re-Appointment

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

Sarah M. White
349 High Street
Newburyport, MA 01950

END OF CONSENT AGENDA
BEGINNING OF REGULAR AGENDA

COMMUNICATIONS

EMERGENCY PREAMBLE

May 31, 2016

This application for outdoor seating by Anchor Stone Deck Pizza is time-sensitive such that an approval at this meeting on May 31, 2016 will allow the applicant to open out-of-doors during this short summer season. Failing a declaration of urgency, the applicant will not be able to offer outdoor seating if and until the matter comes out of committee at a future meeting. Therefore pursuant to Section 2-9 of the Home Rule Charter of the City of Newburyport two-thirds of the City Council hereby affirmatively declare that an emergency exists such that this measure may be voted upon at its first introduction to this Council.

Outdoor Seating Application for Anchor Stone Deck Pizza

License & Permit Committee,

Please accept my application for outdoor seating with alcohol service at 44 State Street. This is a renewal (or re-application) for the same tables, chairs, & stanchions that we have used for the past several years.

This packet includes:

- Diagram & measurements of the sidewalk & tables, as well as the use & location of plastic stanchions & decorative chain to create a demarcated area for alcohol service
- A copy of our Beer & Wine License, indicating approval by the License Commission for an outdoor seating area that is 14ft by 7ft with seating for 12 and one ingress/egress
- Evidence of Liability Insurance in excess of one million dollars & naming the City of Newburyport as co-insured
- Exact images & measurements of the tables & chairs
- Representative images of the stanchions

Please feel free to contact us with any questions.

Regards,

Jenn & Mark Tramontana
978-499-3727

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA
2016 MAY 12 P 1:15

NEW FILING _____
RENEW X

City of Newburyport

Application

Food Establishment Outdoor Seating on Public Property

Date: 4-26-16

Name of Business Owner: MARK TRAMONTANA

Name of Property Owner: 42-44 STATE ST Nominee Trust

Business Name: ANCHOR STONE DECK PIZZA

Business Address: 44 STATE St Business Phone: 463-3313

Number of Tables Requested: 3 Dimensions: 30" Material: Steel

Number of Chairs Requested: 12 Dimensions: 18"-30" Material: Steel

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

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

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.

2) 8 ½ 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.

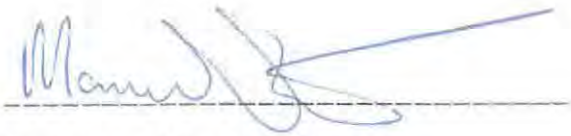
4) Applicants seeking approval of outdoor seating for food and alcohol consumption must also submit:

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 ½ x 11 sketch of outdoor seating cited above must also include a depiction and information on the placement, dimensions, and materials used to create a demarcated area for the service of alcohol.

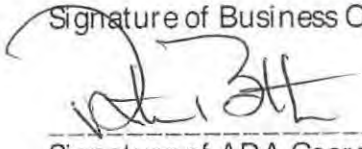
RELEASE AND INDEMNITY AGREEMENT TO ENCUMBER A PUBLIC WAY

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



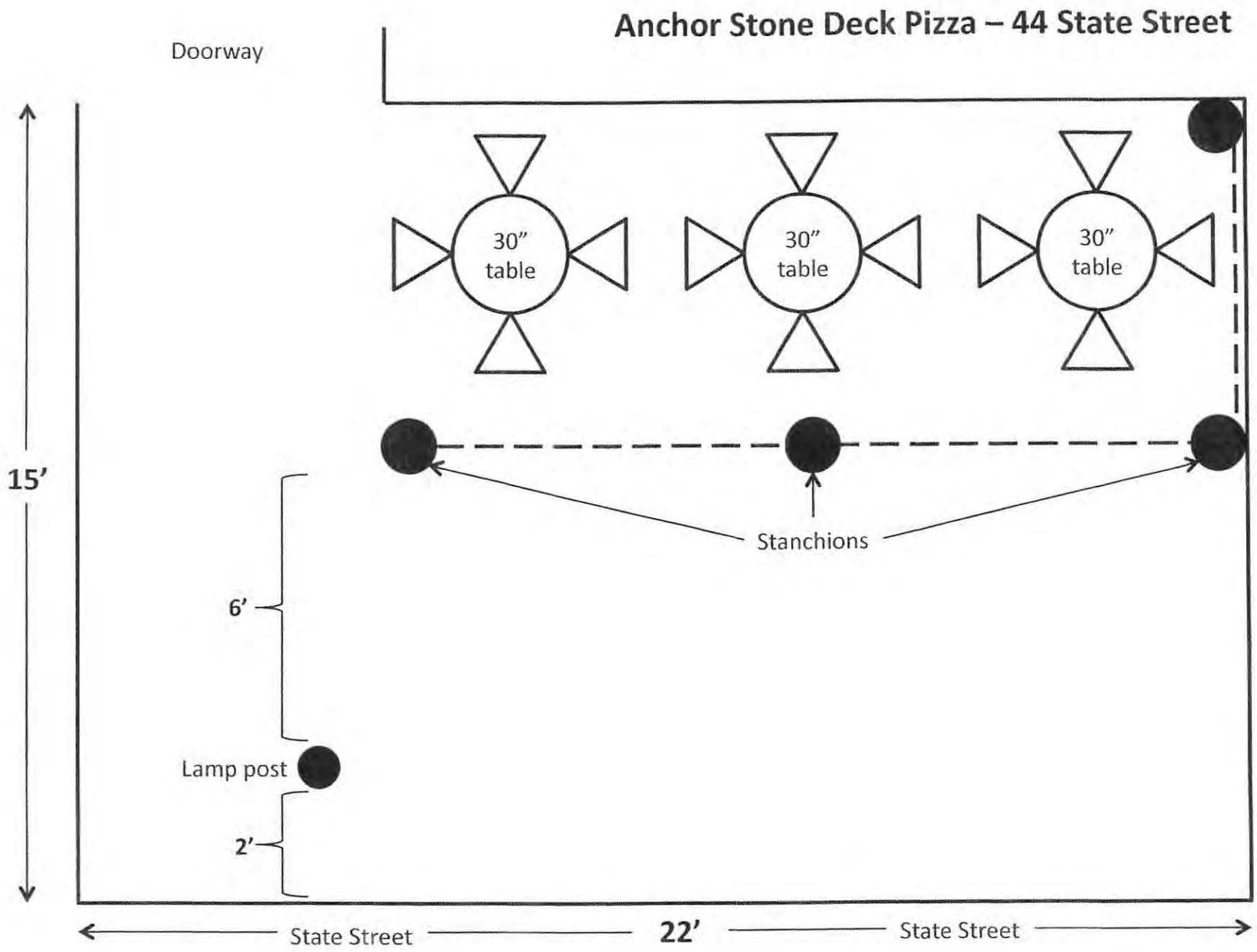
4-26-16

Signature of Business Owner DATE



5/12/16

Signature of ADA Coordinator DATE


Anchor Stone Deck Pizza – 44 State Street
Doorway
30" table
30" table
30" table
15'
Stanchions
6'
Lamp post
2'
State Street
22'
State Street

LICENSE
ALCOHOLIC BEVERAGES

THE LICENSING BOARD OF

The.....of.....

MASSACHUSETTS

HEREBY GRANTS A

COMMON VICTUALER

License to Expose, Keep for Sale, and to Sell

Wines and Malt Beverages

To Be Drunk On the Premises

To Marty & Mark Inc. Anchor Stone Deck Pizza.....

92-94 State Street Mark Tramontana

on the following described premises

Approximately 945 SF in 3 story brick building with 2 means of ingress and egress..... includes an outdoor seating area that is 14 x 7 ft with seating for 12 and one means of ingress egress.

This license is granted and accepted upon the express condition that the licensee shall, in all respects, conform to all the provisions of the Liquor Control Act, Chapter 138 of the General Laws, as amended, and any rules or regulations made thereunder by the licensing authorities. This license expires December 31st, 20....., unless earlier suspended, cancelled or revoked.

IN TESTIMONY WHEREOF, the undersigned have hereunto affixed their official signatures this first day of January 20 26

The Hours during which Alcoholic Beverages may be sold are

From Sunday to Saturday

11:00am to 11:00pm

No alcohol before

noon on Sunday

LICENSING BOARD

THIS LICENSE SHALL BE DISPLAYED ON THE PREMISES IN A CONSPICUOUS POSITION WHERE IT CAN EASILY BE READ

ANCHO-2 OP ID: LK

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 04/25/2016

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

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

PRODUCER Chase & Lunt LLC 65 Parker Street Newburyport, MA 01950 Jim Aitchison	CONTACT NAME: Jim Aitchison PHONE (A/C, No, Ext): 978-462-4434 FAX (A/C, No): 978-465-6204 E-MAIL ADDRESS:
	INSURER(S) AFFORDING COVERAGE — NAIC #
	INSURER A : Harleysville Insurance — 23787H
INSURED Anchor Stone Deck Pizza Marty & Mark Inc, dba PO Box 1228 Newburyport, MA 01950	INSURER B : Commerce Insurance Company
	INSURER C :
	INSURER D :
	INSURER E :
	INSURER F :

COVERAGES CERTIFICATE NUMBER: REVISION NUMBER:

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

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS		
A	COMMERCIAL GENERAL LIABILITY						EACH OCCURRENCE	$	2,000,000
	[ ] CLAIMS-MADE [X] OCCUR	X		BOP00000029208K	03/21/2016	03/21/2017	DAMAGE TO RENTED PREMISES (Ea occurrence)	$	100,000
	[X] Business Owners						MED EXP (Any one person)	$	10,000
	[X] Liquor						PERSONAL & ADV INJURY	$	
	GEN'L AGGREGATE LIMIT APPLIES PER:						GENERAL AGGREGATE	$	4,000,000
	[X] POLICY [ ] PRO-JECT [ ] LOC						PRODUCTS - COMP/OP AGG	$	4,000,000
	[ ] OTHER							$	
B	AUTOMOBILE LIABILITY						COMBINED SINGLE LIMIT (Ea accident)	$	1,000,000
	[ ] ANY AUTO			BCZNVH	09/12/2015	09/12/2016	BODILY INJURY (Per person)	$	
	[ ] ALL OWNED AUTOS [ ] SCHEDULED AUTOS						BODILY INJURY (Per accident)	$	
	[X] HIRED AUTOS [X] NON-OWNED AUTOS						PROPERTY DAMAGE (Per accident)	$	
								$	
	UMBRELLA LIAB [ ] OCCUR						EACH OCCURRENCE	$	
	EXCESS LIAB [ ] CLAIMS-MADE						AGGREGATE	$	
	DED RETENTION $							$	
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY Y / N						PER STATUTE OTH-ER		
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? [ ] N / A						E.L. EACH ACCIDENT	$	
	(Mandatory in NH)						E.L. DISEASE - EA EMPLOYEE	$	
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - POLICY LIMIT	$	
A	Property-Special			BOP00000029208K	03/21/2016	03/21/2017	PROPERTY		404,900

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

Outdoor seating, Sidewalk A-Frame sign, Newburyport Spring & Fall Harvest Festivals: The City of Newburyport is included as Additional Insured as respects general liability, as it relates to the Insured's ongoing operations, if required by written contract.

CERTIFICATE HOLDER NEWBU-2

City of Newburyport
City Hall, Pleasant Street
Newburyport, MA 01950

CANCELLATION

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

AUTHORIZED REPRESENTATIVE

James J Hallett III

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HOMECREST

Espresso

SIDE CHAIR - STACKABLE

Download Collection Sheet

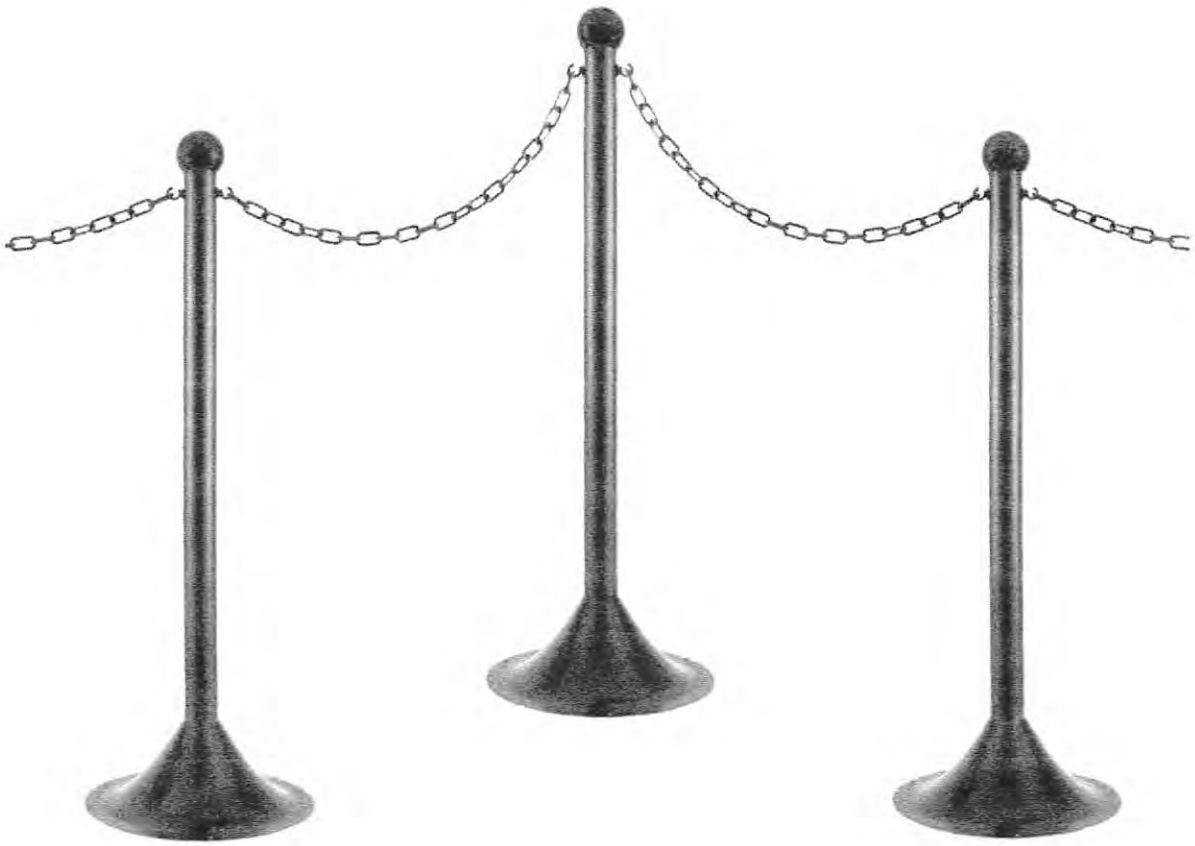
HOMECREST

Mesh

CAFE TABLE

Available in:

Download Collection Sheet



APPOINTMENTS
SECOND READING

Second Reading
APPOINTMENTS

- **APPT034_05_09_16** Peter Binette 255 Main Street, Ames, MA Building Comm
- **APPT035_05_09_16** Byron M. Getchell 14 Milk Street, Nbpt, MA Tree Comm

ORDERS

CITY OF NEWBURYPORT

IN CITY COUNCIL

May 16, 2016

ORDERED:

THAT THE CITY COUNCIL of the City of Newburyport hereby orders, pursuant to Code Section 13-166 et al, as follows:

1. There shall be one prominent parking space in the Green Street lot reserved for vehicles displaying a Military style license plate. There shall be no charge to park in this space.

2. This space shall be clearly marked with a sign stating "Free Parking for Military Plates". A second sign shall state "*Thank you for your service* from the City of Newburyport - a Coast Guard City"

3. The following plates will be acceptable: Bronze Star, Congressional Medal of Honor, Disable Veteran, Distinguished Flying Cross, EX- POW, Gold Star Family, Legion of Valor, National Guard, Pearl Harbor Survivor, Purple Heart, Silver Star and veteran.

4. Military Plates from all States will be allowed. There shall be no overnight parking in this space.

Councillor Larry G. Giunta, Jr.

Councillor Robert Cronin

CITY OF NEWBURYPORT

IN CITY COUNCIL

ORDERED:

May 31, 2016

THAT the City Council of the City of Newburyport approves the attached Intermunicipal Contract by and between the Town of West Newbury and the City of Newburyport for Shared Animal Control Services.

Councillor Cronin
Public Safety Chairperson

TOWN OF WEST NEWBURY
BOARD OF SELECTMEN
1910 TOWN OFFICE BUILDING
381 Main Street, West Newbury, Mass. 01985
Phone: 978-363-1100, Ext. 115 Fax: 978-363-1117
selectmen@wnewbury.org

May 17, 2016

Donna Holaday
Mayor's Office
60 Pleasant Street
P.O. Box 550
Newburyport, MA 01950

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA
2016 MAY 23 A

Dear Mayor Holaday:

Please find enclosed two "Intermunicipal Agreement for the Administration of Shared Animal Control Services" and signed by the West Newbury Selectmen. When your City Council has been signed, please send one of the documents to us at:

Board of Selectmen
381 Main St.
West Newbury, MA 01985

Thank you.

Sincerely,

Kristine A. Pyle
Executive Administrator -
On behalf of the Board of Selectmen

Enclosures

RECEIVED
CLERK'S OFFICE
NEWBURYPORT, MA
2016 MAY 23 A

CITY OF NEWBURYPORT AND

TOWN OF WEST NEWBURY

INTERMUNICIPAL AGREEMENT FOR THE ADMINSTRATION OF SHARED ANIMAL CONTROL SERVICES

Article 1. Purpose

This agreement is entered into, pursuant to Massachusetts General Laws Chapter 40, Section 4A, by and between the City of Newburyport, as authorized by its City Council and approved by its Mayor, and the Town of West Newbury, as authorized by its Board of Selectmen.

WHEREAS, the City of Newburyport and the Town of West Newbury are each obligated to provide animal control services to their residents; and

WHEREAS, the City of Newburyport and the Town of West Newbury have determined that their residents can more efficiently and effectively be served with such services through a joint undertaking between the communities; and,

WHEREAS, the City of Newburyport and the Town of West Newbury have determined to join together to establish and administer a program of shared Animal Control Services.

NOW THEREFORE, in consideration of the mutual covenants and agreements hereinafter contained, the parties agree as follows:

Article 2. Definitions

Participating Governmental Units: the City of Newburyport and the Town of West Newbury.

Animal Control Services: Any and all services as required of an Animal Control Officer under applicable Massachusetts Laws and regulations, including but not limited to MGL Chapter 140, Section 151 *et seq*. and MGL Chapter 129, Section 15 *et seq*.

Article 3. Term

This Agreement shall take effect on the 1st day of July 2016, for a one year term that may be extended by up to two additional one year terms commencing on July 1, 2017 and July 1, 2018. Any such extension term shall be subject to approval by the City of Newburyport, as authorized by its City Council and approved by its Mayor, and the Town of West Newbury, as authorized by its Board of Selectmen. The Participating Governmental Units shall give each other notice of whether or not they wish to extend this initial one year term at least ninety days prior to the annual Town Meeting of the Town of West Newbury but no later than ninety days prior to June 1st of the then-current term, unless another date is mutually agreed upon in writing. Should the

parties fail to extend this Agreement by written addendum hereto, the agreement shall terminate upon the last day of the then-current term.

Article 4. Lead City

The City of Newburyport shall act as the "lead city" for the Participating Governmental Units, by employing the necessary officers and providing the necessary equipment, vehicles and kennel to perform said Animal Control Services. Said officers shall be considered employees of the City of Newburyport and be accorded all applicable benefits enjoyed by other Newburyport municipal employees as they are or shall be established. Each such officer must be a Massachusetts certified Animal Control Officer (excepting that new employees may acquire such certification within two years of the commencement of employment). Said certification must be maintained during the term of this Agreement. The office where such officers shall be primarily located will be in Newburyport.

Article 5. Funding Contribution

During the Fiscal Year 2017 (July 1, 2016 – June 30, 2017), the Town of West Newbury shall pay the City of Newburyport for animal control services a total sum of $20,000.00 to be paid in four equal quarterly payments of $5,000.00 on or before August 1, November 1, February 1, and May 1. This payment shall include all applicable expenses incurred by the City of Newburyport in providing Animal Control Services on behalf of the Participating Governmental Units, including, but not limited to, salaries, group health insurance, workers' compensation insurance, and all other applicable benefits. Nothing herein shall prevent the parties from mutually agreeing in writing to change the funding contribution during the initial term or any extended term of this agreement, subject to available appropriation.

Article 6 Financial Safeguards

Under the provisions of M.G.L. Chapter 40, §4A, the City of Newburyport Director of Public Health shall provide to the Town of West Newbury periodic financial statements that shall include: accurate and comprehensive records of the services performed under this agreement; the costs incurred; and the reimbursements and contributions received. Such reports shall be compiled and distributed by the Health Director on a quarterly basis. In addition, all bills and payrolls submitted for work done under this regional agreement shall be plainly marked to indicate that the work was done under the authority of this agreement.

The accounting records of the Newburyport Animal Control Services, working under the direction of the Newburyport Director of Public Health, shall be subject to the City's annual audit process and shall be subject to periodic audit by the Newburyport City Auditor as is current practice.

Article 7 Hours of Services and Service Requirements

The City of Newburyport shall provide Animal Control Services under this Agreement on an as-needed basis, seven days a week, twenty four hours a day. Animal Control Services shall be provided on an equal basis between the communities.

Article 8 Vehicle Usage

The Town of West Newbury shall provide a 2005 Ford Van. This vehicle shall be made available for the use of the Animal Control Officers. Collision and liability insurance for this vehicle shall continue to be paid by the Town of West Newbury. The City of Newburyport shall be responsible for the maintenance and upkeep of West Newbury's vehicle.

Article 9 Fines

Any fines, exempting boarding fees, collected will be collected on behalf of and returned to the Participating Governmental Unit from within the municipal boundaries of which the animal was taken, or in the case of an animal not taken, returned to the Participating Governmental Unit in which the animal resides or is kept.

Article 10 Indemnification

In the event that any claims, demands, suits, causes of action, costs, and expenses arise with respect to the services provided pursuant to this 'agreement, and to the extent permitted by Massachusetts General Laws chapter 258 and other applicable law, a Participating Governmental Unit shall indemnify, defend and hold harmless the other participating Government Unit form and against any such claims, demands, suits, causes of actions, costs and expends, including reasonable attorneys' fees and legal costs, but only to the extent that they arise from or relate to the negligent acts or omissions of the first Participating Governmental Unit, or its agents, servants, or employees, By entering into this Agreement, neither of the parties have waived any governmental immunity or limitation of liability or damages which may be extended to them by operation of law. This Agreement is by and between the municipalities which have executed it and each states that this is intended for their mutual benefit alone and is not intended to confer any express or implied benefits on any other person. This Agreement is not intended to confer third party beneficiary status on any person.

Article 11 Operation of Animal Shelter Facilities

The City of Newburyport shall maintain and operate an Animal Shelter Facility under the following terms and conditions.

I. OPERATIONS:

a. The Animal Shelter Facility shall be accessible to the citizens of each Participating Governmental Unit for the retrieval of impounded animals during normal business hours, Monday through Friday 8AM to 4PM by appointment. Weekend hours will be provided by appointment only. Notice shall be posted conspicuously and in a readily accessible format in the main municipal building of both Participating Governmental Units which states the hours of operation and an emergency telephone number for use by residents to retrieve their pets. Such information shall also be made available on each respective Participating Governmental Unit website. The animal shelter shall be able to accept impounded animals 24 hours a day, 365 days a year.

b. Newburyport will provide daily supervision, food, water and humane care to animals boarded at the shelter.

c. All Animal Control Officers will log in each time they enter the Animal Shelter Facility. The sign-in sheets will be submitted monthly to the Director of Public Health.

d. The Animal Shelter Facility is to be solely used for the impounding of animals and to be used by Animal Control Officers only. There shall be no entry of other persons in the shelter without the consent of the City of Newburyport Director of Public Health.

e. Newburyport will be responsible for the Animal Shelter Facility cleaning/sanitizing supplies, maintenance, heat, water, electric and other utility costs incurred in connection with the operation of the Facility.

f. Newburyport will be responsible to keep the Animal Shelter Facility and associated kennels maintained, clean, and sanitary on a daily basis. Excreta and food waste shall be removed from primary enclosures daily and from under enclosures as often as necessary to prevent an excessive accumulation of feces and food waste, to prevent soiling of the animals contained in the enclosures, and to reduce disease, hazards, insects, pests, and odors. The condition of the kennels and quality of care is to be of a high caliber and performed to the standards established by the City of Newburyport Director of Public Health.

g. Boarding facilities shall include a sheltered kennel unit with cages and/or runs that protect the animals from precipitation, and extreme hot (100°F or greater) and cold (45°F or less) conditions. Except in emergency situations, as determined by the Newburyport Animal Control Officer, no more than one adult animal shall be kept per cage.

h. Newburyport will be responsible for ensuring that an ill or injured animal is treated promptly by the respective Participating Governmental Unit's contracted licensed veterinarian, depending on the nature and/or seriousness of the illness or injury, and that any prescribed medication is promptly obtained and administered.

II. FEES:

a. Owners who reclaim animal(s) shall make payment to the City of Newburyport prior to reclaiming their animal(s) for all boarding fees ($35.00 per day for each animal) and all other fees related to shelter services provided per day per animal.

b. Newburyport shall provide invoices, collect monies and keep records of all required fees received from owners. Invoices provided to owners who are retrieving their animal shall include the date that the animal was delivered to the shelter, the per day shelter rate, the number of days that the animal was sheltered, medical bills as applicable, and total fee due and collected.

c. Each Participating Governmental Unit shall be responsible for the direct costs to care for the animals which originate from said community, including but not limited to flea treatments and any veterinary costs. For the purposes of this agreement, "veterinary costs" shall include rabies vaccinations, health evaluation, treatment of minor curable diseases and euthanasia.

d. Each Participating Governmental Unit shall pay any additional costs associated with the transport and removal of animals from their community if an animal is not claimed or is injured.

e. Newburyport may add a surcharge of up to ten (10) percent (not to exceed $25.00) to medical bills to cover certain incidental costs relating to

transportation of an animal to a veterinarian's office, telephone expenses incurred in connection with medical treatment, and any special care involved. Bills must support all medical charges and receipts bearing the name of the veterinarian or firm from whom they were obtained.

f. Fees for animals that are unclaimed by the owner at the end of the maximum seven (7) day holding period shall be paid by the Participating Governmental Unit where the animal originated.

g. All fees and receipts from boarding and all other services related to the shelter shall be submitted monthly to the City of Newburyport Health Department.

III. RECORD KEEPING: Each Participating Governmental Unit's Animal Control Officers shall maintain an impound record on each animal delivered to the Animal Shelter Facility. The impound record will be prepared and filled out by the appropriate Animal Control Officer and delivered to the Facility with the animal.

Upon discharge, one (1) copy of the animal's completed record shall be provided to the person claiming the animal and one (1) copy of each discharged animal's record shall be provided to Newburyport. If the agreement is terminated, all impound records shall transmitted to the appropriate town.

IV. DISCHARGE:

a. Claimed animals: Each Participating Governmental Unit will require the person claiming the animal to show identification (preferably a driver's license). In the case of a dog, a certificate of license is required of all dogs six (6) months of age or older for release.

In the event of non-licensure of a dog, the owner or person claiming the dog will be required to show proof of licensure prior to release by the Animal Control Officer. The Animal Control Officer will not be responsible for ensuring licensure of the dog.

In addition, the Animal Control Officer will provide the person claiming the animal with a full disclosure of any medical treatment rendered by a veterinarian and/or the Animal Shelter Facility and by whom it was rendered

and a complete identification of any prescription or non-prescription medicine(s) administered to the animal while in custody. Finally, the Animal Shelter Facility must obtain the signature and the driver's license number of the person to whom the animal is released on the Impound Record.

b. Unclaimed animals: Unless requested by the Newburyport Director of Public Health or West Newbury Police Chief to retain the animal for a longer period (2 to 4 additional days), animals will be picked up on or immediately following the seventh (7th) day of confinement by the Animal Control Officer. The written notice to extend shelter services from the Newburyport Director of Public Health or West Newbury Police Chief must accompany the reports to the city or town. The shelter may place such animals as are deemed suitable up for adoption in accordance with MGL Chapter 140, section 136A.

Article 12 Dangerous or Nuisance Dogs

In accordance with M.G.L. Ch. 140 Sec. 157, complaints regarding dogs must be filed with the hearing authority in the city or town in which the dog is owned or kept. For the purposes of this IMA, the hearing authority for the City of Newburyport and for the Town of West Newbury shall be the Mayor and the Board of Selectmen respectively. Both hearing authorities will consult with the relevant animal control officer(s) in their review and resolution of these complaints.

Article 13 Miscellaneous

a. This agreement may be amended in writing by vote of both of the Participating Governmental Units. Should additional municipalities seek to join this program of shared Animal Control Services, the terms agreed to herein, including apportionment of expenses, for such additional municipalities shall be negotiated and approved by both of the Participating Governmental Units.
b. This agreement represents the entire understanding of the parties with respect to its subject matter.
c. This agreement shall be governed by the laws of the Commonwealth of Massachusetts.
d. If any of the provisions of this agreement is declared to be illegal, unenforceable, or void, then both parties shall be relieved of all obligations under such provision, provided, however, that the remainder of the Agreement shall be enforced.

TOWN OF WEST NEWBURY
By Board of Selectmen

Dated: 5/16/16

CITY OF NEWBURYPORT
By City Council

Dated: _____

RECEIVED
CLERK'S OFFICE
2016 MAY 12 A 1

CITY OF NEWBURYPORT

CITY COUNCIL

60 PLEASANT STREET – P.O. BOX 550
NEWBURYPORT, MASSACHUSETTS 01950
978 465 4407

IN CITY COUNCIL:

ORDERED: Date: May 12, 2016

THAT the CITY COUNCIL of the CITY OF NEWBURYPORT approves authorization for hourly, non-permitted parking rates in parking lots, specifically the so-called Green Street lot, Harris Street lot, Prince Place lot, Waterfront Trust lot and Newburyport Redevelopment Authority lots, both east and west to a rate of $1.50 per hour.

AND recognizing that residents of Newburyport will be asked to contribute over fifty-seven percent of funds needed for the City of Newburyport FY 2017 budget via tax levy.

AND further recognizing that the Newburyport Public Schools continue suffer budgetary challenges in their efforts to provide a state of the art teaching environment for the students of Newburyport.

AND further recognizing that unfunded and underfunded state mandates as well as other mitigating factors have had the result that the Newburyport School District continues to confront these factors while attempting to properly budget programs and associated staff and have found this process increasingly difficult as costs continue to increase.

THEREFORE the Newburyport City Council, through the municipal paid parking program allocates $.50 per hour of each hourly space, or the equivalent from the general fund, to the Newburyport Public Schools annually and in addition to its approved operating budget as endorsed by the Newburyport City Council to be used exclusively to improve educational programs for the students attending our public schools.

Submitted,

Councillor Robert J. Cronin for Ward 3

Councillor Thomas F O'Brien for Ward 6

CITY OF NEWBURYPORT

IN CITY COUNCIL

May 31, 2016

ORDERED:

WHEREAS Massachusetts General Laws Chapter 71, Section 16G½ allows a regional school district to establish a Stabilization Fund with the approval of a majority of the local appropriating authorities of member municipalities, and

WHEREAS the Whittier Regional Vocational Technical District wishes to establish a Stabilization Fund and respectfully requests the approval from its member municipalities,

NOW, THEREFORE, the CITY COUNCIL of the CITY OF NEWBURYPORT hereby approves of the Whittier Regional Vocational Technical District Committee's vote on February 10, 2016 to establish a Stabilization Fund, pursuant to Section 16G½ of Chapter 71 of the Massachusetts General Laws; said Stabilization Fund is to be invested and to retain its own interest earnings as provided by law and further set up an operational line item within the district's budget to be created to transfer available monies into said Stabilization Fund or take any other action relative thereto.

Councillor Larry G. Giunta, Jr.
Chair, Joint Education Committee

CITY OF NEWBURYPORT

IN CITY COUNCIL

May 31, 2016

ORDERED:

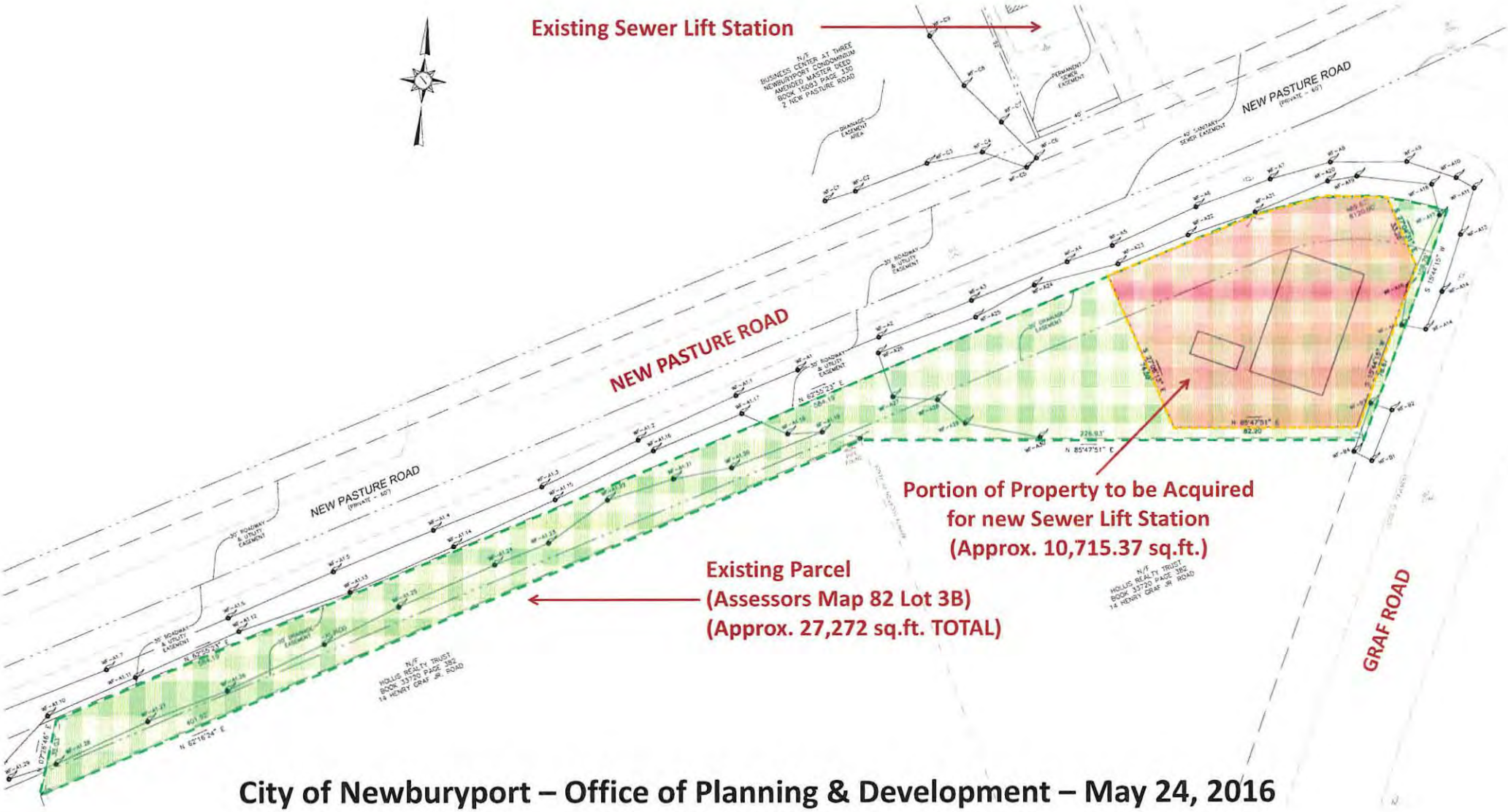
Be it ordained by the City Council of the City of Newburyport as follows:

THAT the City Council of the City of Newburyport herby approve and authorize the permanent taking of a portion of that property located at 1 New Pasture Road for all purposes incidental to the construction and operation of a new Sewer Lift Station, as shown on the attached sketch plan and in accordance with the attached "Order of Taking." Further, that the Council President is hereby authorized to sign said Order of Taking on behalf of the Council, and that the Mayor of the City of Newburyport is hereby authorized to act on behalf of the City and enter into any and all instruments or actions necessary to execute this Order of Taking accordingly.

Councillor Jared J. Eigerman

Councillor Bruce L. Vogel

1 New Pasture Road – Portion of Property to be Taken



City of Newburyport – Office of Planning & Development – May 24, 2016

COMMONWEALTH OF MASSACHUSETTS

ESSEX, SS. CITY OF NEWBURYPORT

ORDER OF TAKING

At a regularly convened meeting of the CITY COUNCIL of the CITY OF NEWBURYPORT held the ____ day of June, 2016, it was voted and ordered as follows:

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 79 of the General Laws, as amended, and of any and every other power and authority which is hereunto in any way enabling, does hereby take permanently, on behalf of the City, property for all purposes incidental to the construction and operation of a new Sewer Lift Station the lands described as follows, and shown on a sketch plan attached hereto:

> A portion of a parcel of undeveloped land located at **1 New Pasture Road**, Newburyport, Essex County Massachusetts more particularly referenced as Parcel 6 on plan entitled "Plan of Land in Newburyport, MA" as Prepared For Hiller Realty Trust by Port Engineering Associates, Inc., dated January 13, 1999 and recorded in the Essex South District Registry Deeds in Plan Book 374 as Plan 21. Said portion of such parcel consisting of approximately 10,715.37 square feet of land more particularly referenced on a sketch plan attached hereto entitled "1 New Pasture Road – Portion of Property to be Taken", prepared by the City of Newburyport Office of Planning & Development, and dated May 24, 2016.

The lands affected by the herein taking are owned or supposedly owned by Russell H. Stiles, Trustee of Hollis Realty Trust, 11 River Street, Suite 3, Middleton, MA 01949 (Book 33720, Page 384).

Said owner has executed a "Waiver of Appraisal and Damages" dated May 10th, 2016 (attached hereto), and we therefore award $32,000 to said owner for the herein taking in accordance with said Waiver. No betterments are to be assessed under this taking.

IN WITNESS WHEREOF, I, the duly elected and qualified president of the City Council of the City of Newburyport, acting as the duly authorized representative of said Council, have hereunto set my hand and seal as of this ____ day of June, 2016.

CITY OF NEWBURYPORT
By its City Council

_____
Thomas F. O'Brien, President

Approved:

_____
Mayor Donna D. Holaday

COMMONWEALTH OF MASSACHUSETTS

Essex, ss.

On this ____ day of June, 2016, before me, the undersigned Notary Public, personally appeared _____, President of the City Council of the City of Newburyport, as aforesaid, and proved to me through satisfactory evidence of identification, which was _____, to be the person whose name is signed on the preceding document, and acknowledged to me that he/she signed it voluntarily for its stated purpose on behalf of the City of Newburyport.

_____
(Official Signature and Seal of Notary)

CITY OF NEWBURYPORT, MASSACHUSETTS

Waiver of Appraisal and Damages

KNOW ALL MEN BY THESE PRESENTS, that I, Russell H. Stiles, Trustee of Hollis Realty Trust, having an address of 11 River Street, Suite 3, Middleton, MA 01949, the record owner of that property known as 1 New Pasture Road, Newburyport, Massachusetts (the "Property") by way of a deed recorded with the Essex South Registry of Deeds in Book 33720, Page 384 (the "Owner"), in consideration of the sum of Thirty-Two Thousand dollars ($32,000.00) paid and other good and valuable consideration, hereby acknowledged as full compensation for all damages sustained by said Owner on account of a taking to be made by the City of Newburyport, by and through its City Council ("City") of a portion of the subject Property for the purposes of constructing a new Sewer Lift Station on the Property as described in a letter from Mayor Donna D. Holaday, attached hereto as Exhibit A, for ourselves and our successors and assigns, pursuant to Massachusetts General Laws (MGL) Chapter 79, §7A, waive, release and forever discharge the City of Newburyport, its successors and assigns, from all debt, demands, actions, reckonings, bonds, covenants, contracts, agreements, promises, damages, and liabilities and any and all other claims of every kind, nature and description whatsoever, both in Law and Equity, arising from or in consequence of said taking, consent to said taking, and waive all right to an appraisal of damages for said taking.

EXECUTED UNDER SEAL this 10TH day of MAY, 2016.

HOLLIS REALTY TRUST

Witness

Russell H. Stiles, Trustee

CITY OF NEWBURYPORT

IN CITY COUNCIL

ORDERED:

May 31, 2016

THAT the City Council of the City of Newburyport approves the following Licensed Contractor application for the 2016 construction year for Water, Sewer, Drain Layer, Roadway and Sidwalk work:

F & S Construction
45 Mill Road
Kingston, NH 03848

Paperwork on file in the City Clerk's office.

Councillor Eigerman
Public Utilities Chairperson

CITY OF NEWBURYPORT

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2016 MAY 20 A

DEPARTMENT
OF
PUBLIC SERVICES

ANTHONY J. FURNARI
DIRECTOR

WAYNE S. AMARAL
DEPUTY DIRECTOR /
DIRECTOR OF OPERATIONS

16A PERRY WAY
NEWBURYPORT, MA 01950

TEL: 978-465-4464
FAX: 978-465-1623

WWW.CITYOFNEWBURYPORT.COM

MEMORANDUM

TO: Richard Jones, City Clerk
FROM: Wayne S. Amaral, DPS Deputy Director
DATE: May 19, 2016
RE: License Contractor Application and recommendation for 2016 Season

---

Enclosed is a copy of a new Licensed Contractor application with bond and references to be forwarded to the city council for approval for;

F and S Construction
45 Mill Road
Kington, NH 03848

For the following work;

Water
Sewer
Drain Laying
Roadway
Sidewalk

Thank you for your attention to this matter.

CITY OF NEWBURYPORT
DEPARTMENT OF PUBLIC SERVICES
16A PERRY WAY
NEWBURYPORT, MA 01950

ANTHONY J. FURNARI, DIRECTOR
ANDREW LAFFERTY, DEPUTY DIRECTOR

PHONE: 978-465-4464
FAX: 978-465-1623

Licensed Contractor Application

*Submit **completed** application to DPS at 16A Perry Way, Newburyport, MA*

Name of Company: F & S CONST LLC

Name of Owner: FRED RAMEY

Contact Person: FRED RAMEY

Street Address: 45 MILL RD City: KINGSTON State: NH Zip Code: 03848

Phone #: 6036424757 Cell #: 508-509 4314 Fax #: 6036424757

Type of Work Qualified for: (check all that apply)

✓ Water Service/Main	✓ Sewer Service/Main	✓ Drain Laying
✓ Roadway (incl. curb cuts)	✓ Sidewalk	____ Street Occupancy
____ Gas	____ Electric	____ Communications

Submit the Following with this completed Application:

- ☑ **$500 Check non-refundable payable to City of Newburyport**
- ☑ **$5000 or $10,000 Bond ORIGINAL ONLY** ($10,000 Bond for laying Wire or Conduit)
- ☑ **Certificate of Insurance incl. Worker's Compensation Insurance Affidavit** (per M.G.L. .c152)
- ☐ **Minimum 3 Municipal References within the last 5 years of similar work**

F&SCO-1 OP ID: LO

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 05/06/2016

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
DeSanctis Insurance Agcy, Inc.
100 Unicorn Park Drive
Woburn, MA 01801

CONTACT NAME:
PHONE (A/C, No, Ext):
FAX (A/C, No): 781-933-5645
E-MAIL ADDRESS:

INSURER(S) AFFORDING COVERAGE	NAIC #
INSURER A : Atlantic Casualty Insurance Co	
INSURER B : Liberty Mutual Insurance Cos.	
INSURER C : Hanover Insurance Company	22292
INSURER D :	
INSURER E :	
INSURER F :	

INSURED
F & S Construction, LLC.
45 Mill Road
Kingston, NH 03848

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 INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	X COMMERCIAL GENERAL LIABILITY						EACH OCCURRENCE	$ 1,000,000
	CLAIMS-MADE X OCCUR			L233000129	01/09/2016	01/09/2017	DAMAGE TO RENTED PREMISES (Ea occurrence)	$ 100,000
							MED EXP (Any one person)	$ 5,000
							PERSONAL & ADV INJURY	$ 1,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER:						GENERAL AGGREGATE	$ 2,000,000
	X POLICY PRO-JECT LOC						PRODUCTS - COMP/OP AGG	$ 2,000,000
	OTHER:							$
C	AUTOMOBILE LIABILITY						COMBINED SINGLE LIMIT (Ea accident)	$ 1,000,000
	ANY AUTO			AHN8422655	05/11/2015	05/11/2016	BODILY INJURY (Per person)	$
	ALL OWNED AUTOS X SCHEDULED AUTOS						BODILY INJURY (Per accident)	$
	HIRED AUTOS NON-OWNED AUTOS						PROPERTY DAMAGE (Per accident)	$
								$
	UMBRELLA LIAB OCCUR						EACH OCCURRENCE	$
	EXCESS LIAB CLAIMS-MADE						AGGREGATE	$
	DED RETENTION $							$
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY Y/N			WC531S612314016	01/14/2016	01/14/2017	X PER STATUTE OTH-ER	
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? Y N/A (Mandatory in NH)			NH			E.L. EACH ACCIDENT	$ 500,000
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - EA EMPLOYEE	$ 500,000
							E.L. DISEASE - POLICY LIMIT	$ 500,000

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

"Additional insured limits are no greater than required by written contract"
The WC Policy does not provide coverage for Fred Ramey, Jr.
Evidence of Coverage. City of Newburyport is Additional Insured with respects to the GL

CERTIFICATE HOLDER

NEWBU-4

City of Newburyport
Department of Public Services
16A Perry Way
Newburyport, MA 01950

CANCELLATION

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

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TRAVELERS

BOND
(License or Permit - Continuous)

Bond No. 106514255

KNOW ALL MEN BY THESE PRESENTS:

THAT WE F & S CONSTRUCTION, LLC as Principal, and Travelers Casualty and Surety Company of America, a corporation duly incorporated under the laws of the State of Connecticut and authorized to do business in the State of MASSACHUSETTS, as Surety, are held and firmly bound unto City of Newburyport, as Obligee, in the penal sum of Five Thousand ($5,000.00) Dollars, for the payment of which we hereby bind ourselves, our heirs, executors and administrators, jointly and severally, firmly by these presents.

WHEREAS, the Principal has obtained or is about to obtain a license or permit for Sidewalk Permit.

NOW, THEREFORE, THE CONDITIONS OF THIS OBLIGATION ARE SUCH, that if the Principal shall faithfully comply with all applicable laws, statutes, ordinances, rules or regulations, pertaining to the license or permit issued, then this obligation shall be null and void; otherwise to remain in full force and effect.

This bond shall become effective on May 06, 2016.

PROVIDED, that regardless of the number of years this bond is in force, the Surety shall not be liable hereunder for a larger amount, in the aggregate, than the penal sum listed above.

PROVIDED FURTHER, that the Surety may terminate its liability hereunder as to future acts of the Principal at any time by giving thirty (30) days written notice of such termination to the Obligee.

SIGNED, SEALED AND DATED this May 06, 2016.

F & S CONSTRUCTION, LLC

By: _____
Principal

Travelers Casualty and Surety Company of America

By: _____
David A Boutiette — Attorney-in-fact

S-2151A (6/10)

TRAVELERS

POWER OF ATTORNEY

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
St. Paul Fire and Marine Insurance Company
St. Paul Guardian Insurance Company

St. Paul Mercury Insurance Company
Travelers Casualty and Surety Company
Travelers Casualty and Surety Company of America
United States Fidelity and Guaranty Company

Surety Bond No. 106514255

Principal: F & S CONSTRUCTION, LLC
45 MILL ROAD KINGSTON, NH 03848

Obligee: City of Newburyport
Department of Public Services 16A Perry Way
NEWBURYPORT, MA 01950

KNOW ALL MEN BY THESE PRESENTS: That Farmington Casualty Company, St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company, are corporations duly organized under the laws of the State of Connecticut, that Fidelity and Guaranty Insurance Company is a corporation duly organized under the laws of the State of Iowa, and that Fidelity and Guaranty Insurance Underwriters, Inc. is a corporation duly organized under the laws of the State of Wisconsin (herein collectively called the "Companies"), and that the Companies do hereby make, constitute and appoint **David A Boutiette**, of the City of **Woburn**, State of **MA**, their true and lawful Attorney(s)-in-Fact, to sign, execute, seal and acknowledge the surety bond referenced above.

IN WITNESS WHEREOF, the Companies have caused this instrument to be signed and their corporate seals to be hereto affixed, this **10th** day of **September, 2012**.

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
St. Paul Fire and Marine Insurance Company
St. Paul Guardian Insurance Company

St. Paul Mercury Insurance Company
Travelers Casualty and Surety Company
Travelers Casualty and Surety Company of America
United States Fidelity and Guaranty Company

State of Connecticut

City of Hartford ss.

By _____
Robert L. Raney, Senior Vice President

On this the **10th** day of **September, 2012**, before me personally appeared **Robert L. Raney**, who acknowledged himself to be the Senior Vice President of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company, and that he, as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

In Witness Whereof, I hereunto set my hand and official seal.

My Commission expires the **30th** day of **June, 2016**.

Marie C. Tetreault, Notary Public

This Power of Attorney is granted under and by the authority of the following resolutions adopted by the Boards of Directors of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company, which resolutions are now in full force and effect, reading as follows:

RESOLVED, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President, any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary may appoint Attorneys-in-Fact and Agents to act for and on behalf of the Company and may give such appointee such authority as his or her certificate of authority may prescribe to sign with the Company's name and seal with the Company's seal bonds, recognizances, contracts of indemnity, and other writings obligatory in the nature of a bond, recognizance, or conditional undertaking, and any of said officers or the Board of Directors at any time may remove any such appointee and revoke the power given him or her; and it is

FURTHER RESOLVED, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President may delegate all or any part of the foregoing authority to one or more officers or employees of this Company, provided that each such delegation is in writing and a copy thereof is filed in the office of the Secretary; and it is

FURTHER RESOLVED, that any bond, recognizance, contract of indemnity, or writing obligatory in the nature of a bond, recognizance, or conditional undertaking shall be valid and binding upon the Company when (a) signed by the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary and duly attested and sealed with the Company's seal by a Secretary or Assistant Secretary; or (b) duly executed (under seal, if required) by one or more Attorneys-in-Fact and Agents pursuant to the power prescribed in his or her certificate or their certificates of authority or by one or more Company officers pursuant to a written delegation of authority; and it is

FURTHER RESOLVED, that the signature of each of the following officers: President, any Executive Vice President, any Senior Vice President, any Vice President, any Assistant Vice President, any Secretary, any Assistant Secretary, and the seal of the Company may be affixed by facsimile to any Power of Attorney or to any certificate relating thereto appointing Resident Vice Presidents, Resident Assistant Secretaries or Attorneys-in-Fact for purposes only of executing and attesting bonds and undertakings and other writings obligatory in the nature thereof, and any such Power of Attorney or certificate bearing such facsimile signature or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by such facsimile signature and facsimile seal shall be valid and binding on the Company in the future with respect to any bond or understanding to which it is attached.

I, Kevin E. Hughes, the undersigned, Assistant Secretary, of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company do hereby certify that the above and foregoing is a true and correct copy of the Power of Attorney executed by said Companies, which is in full force and effect and has not been revoked.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seals of said Companies this 06 day of May, 2016.

Kevin E. Hughes, Assistant Secretary

To verify the authenticity of this Power of Attorney, call 1-800-421-3880 or contact us at www.travelersbond.com. Please refer to the Attorney-In-Fact number, the above-named individuals and the details of the bond to which the power is attached.

By signing below, the applicant, owner, and excavator all acknowledge the following information on pages 4, 5, and 6 and certify that they are familiar all applicable laws and regulations.

APPLICANT SIGNATURE

_____ **DATE:** 5/5/16

EXCAVATOR SIGNATURE (IF DIFFERENT)

_____ **DATE:** _____

OWNER'S SIGNATURE (IF DIFFERENT)

_____ **DATE:** _____

_____ DATE: 5/19/2016

DEPUTY DIRECTORS SIGNATURE

By signing this form, the applicant, owner, and excavator all acknowledge and certify that they are familiar with, or, before commencement of the work, will become familiar with, all laws and regulations applicable to work proposed, including OSHA regulations, G.L. C. 82a, 520 CMR 7.00 et seq., and any applicable municipal ordinances, by-laws and regulations and they covenant and agree that all work done under the permit issued for such work will comply therewith in all respects and with the conditions set forth below.

The undersigned owner authorizes the applicant to apply for the permit and the excavator to undertake such work on the property of the owner, and also, for the duration of construction, authorizes persons duly appointed by the municipality to enter upon the property to monitor and inspect the work for conformity with the conditions attached hereto and the laws and regulations governing such work.

The undersigned applicant, owner and excavator agree jointly and severally to reimburse the municipality for any and all costs and expenses incurred by the municipality in connection with this permit and the work conducted hereunder, including but not limited to enforcing the requirements of state law and conditions of this permit, inspections made to assure compliance therewith, and measures taken by the municipality to protect the public where the applicant owner or excavator has failed to comply therewith including police details and other remedial measures deemed necessary by the municipality.

The undersigned applicant, owner and excavator agree jointly and severally to defend, indemnify, and hold harmless the municipality and all of its agents and employees from any and all liability, causes or action, costs, and expenses resulting from or arising out of any injury, death, loss, or damage to any person or property during the work conducted under this permit. Conditions and Requirements Pursuant To G.L.C.82a And 520 CMR 7.00 Et Seq. (As Amended)

By signing the application, the applicant understands and agrees to comply with the following:

i. No trench may be excavated unless the requirements of sections 40 through 40D of chapter 82, and any accompanying regulations, have been met and this permit is invalid unless and until said requirements have been complied with by the excavator applying for the permit including, but not limited to, the establishment of a valid excavation number with the underground plant damage prevention system as said system is defined in section 76D of chapter 164 (DIG SAFE);
ii. Trenches may pose a significant health and safety hazard. Pursuant to Section 1 of Chapter 82 of the General Laws, an excavator shall not leave any open trench unattended without first making every reasonable effort to eliminate any recognized safety hazard that may exist as a result of leaving said open trench unattended. Excavators should consult regulations promulgated by the Department of Public Safety in order to familiarize themselves with the recognized safety hazards associated with excavations and open trenches and the procedures required or recommended by said department in order to make every reasonable effort to eliminate said safety hazards which may include covering, barricading or otherwise protecting open trenches from accidental entry.
iii. Persons engaging in any in any trenching operation shall familiarize themselves with the federal safety

City of Methuen, Massachusetts
Department of Public Works
Engineering Division
The Searles Building, 41 Pleasant Street, Room 206
Methuen, Massachusetts 01844
Telephone (978) 983-8550 Fax (978) 983-8978

Stephen N. Zanni
Mayor

Stephen J. Gagnon
Chief Engineer

May 6, 2016

To Whom It May Concern:

This letter is to inform you that Fred Ramey, Jr., F & S Construction, LLC, 45 Mill Road, Kingston, NH 03848 is currently a licensed Drainlayer in the City of Methuen, MA 01844. Mr. Ramey has performed sewer and water installations in the City of Methuen to the satisfaction of the Department of Public Works.

If you have any further questions or concerns, please feel free to contact me at (978) 983-8550.

Sincerely,

Stephen J. Gagnon
Chief Engineer

SJG/kgd

Via email: jayneramey@aol.com

The City of Methuen is an Equal Opportunity/Affirmative Action Employer in its Programs and Activities

Town Hall
157 Main Street
Epping, NH 03042

Tel: (603) 679-5441x4
Fax: (603) 679-3002
waterandsewer@townofepping.com

Town of Epping, New Hampshire

Office of the Water & Sewer Commission

May 9, 2016

To Whom It May Concern,

On behalf of the Town of Epping, NH Water and Sewer Commission, it is a pleasure to recommend F&S Construction of Kingston, NH for your construction needs.

Fred Ramey of F&S Construction has been working with the Town of Epping on various projects since 1998. Projects include installing water and sewer pipes, new building site work, fire hydrant replacement and emergency water and sewer repairs.

F&S Construction works closely with the Town to meet our budgetary limitations and time constraints, consistently delivering top quality results. All projects have been completed on-time, in the utmost professional manner.

Sincerely,

Dennis Koch
Public Works Coordinator
Epping, New Hampshire

TOWN OF KINGSTON, N. H.

Office of the Board of Selectmen

PO Box 716, 163 MAIN STREET
KINGSTON, NEW HAMPSHIRE 03848-0716

May 10, 2016

TO WHOM IT MAY CONCERN,

This office has been asked to provide a letter of professional reference on behalf of Fred Ramey, owner and operator of F & S Construction, LLC of 45 Mill Road in Kingston.

Mr. Ramey and his company have been utilized by the Town of Kingston on several occasions for a variety of different types of job, from road work to water main installation. We have been satisfied both in dealing with Mr. Ramey and the staff of his company, and with the results of the work done. We have found Mr. Ramey to be quick to grasp the requirements of a job, accurate in his preparation of bids, and dependable in accomplishing the work to be done in a timely fashion.

We would not hesitate to hire F & S Construction, LLC for any future work that the town may need outside contractors for, and we wholeheartedly recommend the company and Mr. Ramey personally to any other town looking for a reputable contractor.

Yours truly,

Peter V. Broderick
Kingston Board of Selectmen

Telephone (603) 642-3342 Fax (603) 642-4108 www.kingstonnh.org

CITY OF NEWBURYPORT

IN CITY COUNCIL

ORDERED:

May 16, 2016

Free Parking during Christmas Season

The Newburyport City Council in conjunction with Mayor Donna D. Holaday (or the Office of the Mayor) suspend the collection of parking fees in all parking lots participating in the city's paid parking program between the dates of December 17, 2016 and December 24, 2016. A sign will be hung on the parking kiosks stating "Free Parking - Seasons Greetings from the Citizens of Newburyport".

Councillor Larry G Giunta, JR

ORDINANCES

CITY OF NEWBURYPORT

IN CITY COUNCIL

ORDERED:

May 31, 2016

AN ORDINANCE TO AMEND FOOD SERVICE ESTABLISHMENTS ON PUBLIC RIGHTS-OF-WAY

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

Chapter 12	Streets, Sidewalks and Other Public Places
Article I	In General
Section 12 – 1	Obstructing Streets, Sidewalks Generally

Amend Section 12-1(b) regarding outdoor seating, with deletions ~~double stricken through~~, and additions double-underlined:

Sec. 12-1(b) – Food Service Establishments on Public Rights-of-Way.

(6) In the case of a renewal application for the above mentioned permits described in (b)(1), the City Clerk (or designee) and the Chair of the License and Permit Committee (or designee) may approve said renewal provided that there are no changes to the same.

Councilor Bruce L. Vogel

CITY OF NEWBURYPORT

IN CITY COUNCIL

ORDERED:

May 31, 2016

AN ORDINANCE TO AMEND TRANSIENT VENDORS, HAWKERS AND PEDDLERS

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

Chapter 9	Streets, Sidewalks and Other Public Places
Article 7	Transient Vendors, Hawkers and Peddlers
Division 1	Transient Vendors

Amend Sections 9-111through 9-114 regarding transient vendors, with deletions ~~double-stricken through~~, and additions double-underlined:

Sec. 9-111. - Definitions.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Temporary or *transient business* shall mean any exhibition and sale of goods, wares or merchandise which is carried on in any vehicle, tent, booth, or other temporary structure on the public way.

Transient vendor shall mean any person, either principal or agent, who engages in a temporary or transient business in the commonwealth selling goods, wares or merchandise.

Sec. 9-112. - License required.

It shall be unlawful for any transient vendor to sell, attempt to sell, or exhibit any food, beverage, goods, wares, or merchandise without first applying for and obtaining a license from the license commission. In the event that the vendor location is within the jurisdiction of the parks commission, this license is subject to their approval.

Sec. 9-113. - Granting license.

(a) Annually, the license commission shall issue no more than three (3) full season licenses at Inn Street and no more than two (2) full season licenses at Cashman Park (city-owned portion). ~~The license commission shall not issue more than three (3) full season transient vendor licenses per year.~~

(b) In addition to ~~three (3)~~ five (5) full season transient vendor licenses available annually, the city council may grant special licenses to charitable and nonprofit organizations under such conditions as the city council may deem appropriate.

(Ord. of 1-24-11)

Sec. 9-114. - Restricted areas. Approved transient vendor may operate only on Inn Street and Cashman Park (city-owned portion), pursuant to license commission regulations. ~~This provision does not apply to licensees holding a valid license on December 31, 2010.~~

_____

Councillor Jared J. Eigerman

_____

Councillor Robert J. Cronin

CITY OF NEWBURYPORT

IN CITY COUNCIL

ORDERED:

MAY 31, 2016

AN ORDINANCE TO AMEND CHAPTER 12-STREETS, SIDEWALKS AND OTHER PUBLIC PLACES

Be it ordained by the City Council of the City of Newburyport as follows:
Chapter 12 Streets, Sidewalks and Other Public Places

Article 1 In General

Sec 12-1.3. -Signs in public ways

(A) Purpose:

The purpose of this section is to regulate any and all signs erected, placed, or installed in, on, over or projecting into public rights-of-way and private rights-of-way open to the public travel, including, without limitation, all signs erected, placed, or installed on telephone poles, light poles, and other public structures. Signs erected, placed, or installed on a lot, as distinguished from a public way, shall be regulated by the Zoning Ordinance of the City of Newburyport.

(B) Definitions:

Banner – a temporary sign that advertises, promotes or calls attraction to a civic, charitable, or for-profit event of finite duration held, hosted, or otherwise occurring in the city, including, without limitation, (i) art or historical exhibits, (ii) musical concerts or other media presentations or performances, (iii) cultural, historical, or entertainment festivals, and (iv) road races, walkathons, bicycle tours regulated under section 13-97.

Movable sign – a temporary sign, such as an a-frame sign or real estate for sale sign, that is not permanently affixed to the ground or any structure, and which advertises, promotes or calls attraction to an establishment, business or event.

Permanent sign – Any sign, such as a wayfinding sign, erected, placed, or installed for a period of time exceeding sixty three (63) days.

Public way – any public right-of-way, or a private right-of-way open to public travel, and located within the city.

Sign – any billboard, display, light, figure, painting, drawing, poster, picture, symbol, emblem, flag, banner, object, or other device, whether fixed or movable, which advertises, promotes or calls attraction to any business, article, substance, idea or any other thing or concept, including both the supporting structure, fixtures, and informative contents thereof.

Temporary – any sign that is not a permanent sign.

Temporary traffic sign – any temporary sign authorized by the department of public services to serve as a direction sign, warning sign or light, curb, street or other traffic marking, mechanical traffic signal system, traffic device, or parking meter, as such department may deem necessary for promoting the public safety and convenience.

(C) Regulations for Permanent signs:

(1) It shall be unlawful for any person, including, without limitation, any city officer or employee, to erect, install, place, maintain, replace, reinstall, or reconstruct any permanent sign in, on, over or projecting into a public way for a distance of no more than twelve (12) inches or be lower than seven (7) feet or without having first obtained authorization from the city council by validly adopted order or ordinance, including, without limitation, any duly adopted traffic or parking regulation that implies associated signs.

(2) Before erecting, installing, placing, replacing, reinstalling, or reconstructing any permanent sign in a public way, the owner of such permanent sign, or the city officer or employee serving as the custodian of such permanent sign, as the case may be, shall submit a written application to the city clerk in the format and including all supporting materials as required by that official.

- No application is required to maintain a permanent sign previously authorized under a validly adopted order or ordinance by the city council.
- The city clerk may waive the requirement of a written application for a city officer or employee to replace, reinstall, or reconstruct a permanent sign previously authorized under a validly adopted order or ordinance by the city council.

(3) The applicant shall pay an application fee to the city clerk of one-hundred and fifty dollars ($150.00), except that such fee shall be waived for an application filed by a city officer or employee.

(4) Except in the case of applications filed by a city officer or employee for a city-owned sign, the applicant shall file with its application to the city clerk a release and agreement to hold harmless the city from any and all liability,

together with evidence of liability insurance for the temporary sign, with a minimum coverage of one million dollars and naming the city as a co-insured entity. The city clerk shall keep on file a statement certifying to said liability policy.

(5) The applicant for and the owner of any sign erected, installed, placed, maintained, replaced, reinstalled, or reconstructed within the public way, at all times shall together be solely responsible for such work, in addition to any and all liability associated with it.

(6) The city council shall not approve any application under this subsection (C) unless it expressly finds that such authorization will serve a public purpose. Examples of a permanent sign that may be deemed to serve a public purpose include, without limitation, so-called wayfinding maps or signs intended to direct the public to multiple establishments.

(7) In the case of permanent signs subject to this subsection (c) and located within the Downtown Overlay District, the building commissioner shall process all permit applications consistent with *The Sign Book: a Guide for the Urban Renewal Project Area*, originally published for use by the Newburyport Redevelopment Authority, a copy of which shall be maintained at the office of the building commissioner for public use.

(8) Except in the case of applications filed by a city officer or employee for a city-owned sign, no permit for a permanent sign may have a duration greater than five (5) years.

(9) Traffic and parking regulatory signs as defined in the *Manual of Uniform Traffic Devices* are excluded from the above restrictions.

(D) Regulations for Temporary signs:

(1) Temporary signs. It shall be unlawful for any person, including, without limitation, any city officer or employee, to erect, install, place, maintain, replace, reinstall, or reconstruct any temporary sign other than a temporary traffic sign in, on, over or projecting into a public way for a distance of more than twelve (12) inches or be lower than seven (7) feet without having received permission by completing and submitting a written application with all supporting materials to the City Clerk.

(2) Banners -

(a) The City Council may, in addition to Atkinson Common and Fuller Field fence, designate additional areas within public ways where a limited number of banners, in an amount to be specified in writing by the Council shall be allowed for up to twenty-one (21) days prior to the occurrence of its associated event. All such banners shall be removed within three (3) calendar days after the event has taken place.

If the banner is not removed timely, such banner shall constitute a nuisance, and the department of public services may immediately remove and store such banner, with subsequent notice to the applicant. If, after such notice, an applicant fails to retrieve its removed banner within twenty (20) days, then the department of public services may destroy such sign without compensation to the applicant.

(b) Before erecting, installing, or placing, any banner in a public way, the owner of such banner, or the city officer or employee serving as the custodian of such banner, as the case may be, shall submit a written application to the city clerk in the format and including all supporting materials as required by that official.

(c) The applicant shall pay a deposit fee to the city clerk of twenty-five dollars ($25.00) for each banner, except that such fee shall be waived for an application filed for a city sponsored event.

Deposit to be refunded after removal as specified in (a) above.

(d) Only one banner shall be permitted per event, per area designated by the City Council. Permitted dimensions, materials, and means of erection, installation, or placement for banners shall be in accordance with specification outlined on application.

(e) Applications for banners shall be processed by the city clerk on a first-come, first-served basis.

(f) The applicant for an banner erected, installed, or placed within the public way, shall at all times be solely responsible for such work, and any and all liability associated with it, and, furthermore, shall maintain such banner in good repair. No banner shall be erected, installed, or placed within the public way more than twenty-one (21) days prior to the occurrence of its associated event.

(3) Moveable signs -

(a) By written permit approved by City Council and issued by the city clerk, each permittee may maintain no more than one (1) movable sign in a nearby public way for a period of one (1) year.

(b) A movable sign permit shall require payment of an annual fee to the city of fifty dollars ($50). Each such permit shall commence on the first day of April and expire on March 31. The permit fee for new businesses opening during the annual period shall be prorated at a rate of $5.00 a month.

(c) Each movable sign may be two-sided, but none shall exceed two (2) feet in width or depth, or four (4) feet in height.

(d) Unless relief is granted by City Council -

a) One moveable sign is allowed for each business location.

b) Each sign shall be placed within five (5) feet of either side of the main entrance and as to allow for at least five (5) feet of clear passage between the curb and the sign.

(e) Each movable sign shall be affixed with a current permit.

(f) As a condition of any approved application, the owner of such movable sign shall file with the city clerk a release and agreement to hold the city of Newburyport harmless from any and all liability, together with evidence of liability insurance covering the sign or merchandise display, with a minimum limit of one million dollars and naming the city of Newburyport as a co-insured entity. A statement certifying to said liability policy shall be kept on file with the city clerk.

(4) Residential open house signs in the public way

- Sized on larger than 4 square feet per face.
- No taller than four (4) feet.
- Only one (1) sign per property and one (1) sign per intersection, allowed.
- Shall not be attached to any tree, pole, bench, or any other public way feature.
- Displayed only from 9:00 a.m. to 6:00 p.m.
- May have only two (2) sign faces.

(F) Regulations for Public ways within MassDOT jurisdiction:

(1) As to signs located within public ways subject to the jurisdiction of the Massachusetts Department of Transportation, or its successor agency, the department of public servicers shall coordinate with such state agency regarding the regulation of such signs under a written memorandum of understanding between the department and such state agency.

(2) It shall be the policy of the city, though such memorandum:

(a) to encourage the state agency to make maximum use of the engineering judgment allowed by the Federal Highway Administration's Manual on Uniform Traffic Control Devices (MUTCD) to minimize clutter from Permanent Signs, and

(b) for the department of public services to obtain from such state agency ongoing authority to remove all unauthorized signs, whether

permanent or temporary, located within public ways subject to such state agency's jurisdiction.

Sec. 12-1.5. - Merchandising displays and beautification items in a public way.

(A) Regulations for* Merchandising displays and beautification items in a public way*:

(1) Unless relief is granted by City Council, merchandise displays shall be placed so as not to extend more than four (4) feet from either side of the business's primary public entrance or more than four (4) feet into the public way, or exceed five (5) feet in height and notwithstanding the previous, must allow for at least five (5) feet of clear passage between the display and the curb.

(2) No merchandise display shall include a tent, booth, or other structure unless a permit is granted subject to section 12-4.

(3) Before placing any merchandise display in a public way, the owner of such merchandise display shall file with the city clerk a release and agreement to hold the City of Newburyport harmless from any and all liability, together with evidence of liability insurance covering the merchandise display, with a minimum limit of one million dollars and naming the City of Newburyport as a co-insured entity. A statement certifying to said liability policy shall be attached to the merchandise display.

(4) Beautification items such as flower boxes, planters, or similar items to beautify a public way shall not be placed, installed, erected, maintained, replaced, or reconstructed in any public way without the prior, written approval of the city council's committee on licenses and permits, for which a fee need not be charged.

Sec 12-1.7. –Enforcement of Sections 12-1.3 and 12-1.5

(A) All signs, merchandise displays, and beautification items permitted in a public way shall preserve a travel lane along the sidewalk of such public way that is at least five (5) feet in width, and shall allow for free and unobstructed passage of pedestrians.

(B) Enforcement of sections 12-1.3 and 12-1.5 shall be designated by the Mayor.

(C) Any sign or merchandise display that has been placed in a public way without an issued permit shall be subject to removal.

Prior to the removal, the owner of the sign / display will be given five (5) business days to secure a permit or make application for placement relief.

Should relief be requested - while the application for relief is being considered, the sign or display must be removed from the public way.

The cost of a permit for a sign that has been placed without a permit will not be prorated.

Any non-permitted or non-conforming sign or display shall be subject to immediate removal.

(D) Each violation of sections 12-1.3. And 12-1.5 shall be punishable by a fine of one hundred dollars ($100.00), upon not fewer than five (5) days' notice to the violator. Any condition found to violate either section shall be deemed to constitute a separate offense on each day during which it exists after the giving of notice to the violator.

(E) Prosecution of violations of sections 12-1.3 and 12-1.5 shall be by non-criminal disposition as provided in M.G.L.A. c. 40, § 21D, as may be amended from time to time, the provisions of which are incorporated herein by reference.

_____

Councillor Robert J. Cronin

_____

Councillor Bruce L. Vogel

COMMITTEE ITEMS

BUDGET & FINANCE COMMITTEE ITEMS:

1. **COMM034_03_29_16** – CIP Submission FY 2016.
2. **TRAN011_05__09_16** – Solid Waste Fee $8,700.00 to Chipper $8,700.
3. **TRAN012_05__09_16** – Free Cash $6,400.00 to HWY Maint Bldg $6,400..
4. **TRAN013_05_09_16** – Multiple $482,349.00 to New Account $482,349.00 (Fuller Field & Track Project).

COMM034_03_29_16

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

To: President and Members of the City Council

From: Donna D. Holaday, Mayor

Date: March 29, 2016

Subject: FY2016-FY2020 Capital Improvement Program Submission

In accordance with Section 6-5 of the Charter, which requires the submission of a capital improvement plan to the City Council by April 1 of each year, I am pleased to submit an updated Capital Improvement Program for Fiscal Years 2016 through 2020.

The enclosed Capital Improvement Program continues the process initiated five years ago in the FY13 budget. The format of this document remains consistent - it includes an executive summary, cost estimates, supportive documentation, projected methods of financing, and long-term financial planning for a five-year window of capital investment needs. The fact that the Government Finance Officers Association has designated our annual budget document with a Distinguished Budget Presentation Award for the past three years speaks to the level of quality and detail contained in our CIP submissions for those fiscal years.

As was done previously, we have included projects that we have funded or proposed to be funded in the course of the current fiscal year to demonstrate the City's ongoing commitments to investing in our infrastructure and to show the strides being made to attend to the City's ongoing capital needs. As a result, this CIP constitutes a selection of projects and equipment that either have received funding already in FY16 or that we have requested funding before the end of the fiscal year.

This document should be viewed as a tool to illustrate how effective a coordinated approach to capital planning can be in the acquisition of equipment or completion of significant infrastructure improvement projects. Additionally, the fact that the revised Charter requires that this document be updated annually demonstrates the importance of this information being communicated to the City Council and the community as a whole.

I have placed significant emphasis on the importance of developing an organized and coordinated CIP for the City. Over the past few years, we have made progress in allocating funding for capital improvements into the operating budget and I am committed to continuing that trend to the greatest extent possible in FY17 and beyond.

As you know, we received support from the state's Division of Local Services to make further improvements to our capital planning process to increase our ability to predictably fund capital needs each year. We received their final report and recommendations in late February and will begin to implement feasible recommendations in FY17 related to our capital planning process. The entire report can be downloaded at: http://www.mass.gov/governor/administration/groups/communitycompactcabinet/reports/fy16-02-2016-newburyport-cip.pdf

I urge the members of the City Council to carefully review the plan, which will also be made available for public viewing on the City's website, and look forward to working with you through the public hearing and adoption process as specified in the Charter.

TRAN011_05_09_16

City of Newburyport
FY 2016
BUDGET TRANSFER REQUEST

Department: Sustainability

Submitted by: Molly Ettenborough **Date Submitted:** 5/9/2016

Transfer From:

Account Name	Solid Waste Fee	YTD Bal:	$ 263,962.84
Account Number:	2747-59600	Trans In:	$ -
Amount:	$8,700.00	Trans Out:	$ 75,650.00
Why are Funds Available:	*Funded through compost sticker fees and recycling rebate.*		

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

Transfer To:

Account Name	Chipper	YTD Bal:	$ -
Account Number:	01519002-52813	Trans In:	$ 17,000.00
Amount:	$8,700.00	Trans Out:	$ -
Why are Funds Required:	*Estimated costs for yard waste removal and operations of the yard waste facility on Crow Lane.*		

Donna D. Holaday, Mayor — Donna D Holaday — Date: 5/3/16

Ethan R. Manning, Auditor — Ethan R Manning — Date: 5/3/16

City Council Approval: (Stamp)

City of Newburyport
FY 2016
BUDGET TRANSFER REQUEST

Department: Mayor's Office

Submitted by: Donna D. Holaday **Date Submitted:** 5/9/2016

Transfer From:

Account Name	General Fund - Free Cash	YTD Bal:	$ 896,412.78
Account Number:	01-35910	Trans In:	$ -
Amount:	$6,400.00	Trans Out:	$ (1,922,023.22)

Why are Funds Available: *The Massachusetts Department of Revenue certified Free Cash for FY2016 at $2,818,436. These funds are available for any legal expenditure with the approval of the Mayor and a vote of the City Council.*

Transfer To:

Account Name	HWY Maint-Building	YTD Bal:	$ 3,504.26
Account Number:	01421002-52401	Trans In:	$ -
Amount:	$6,400.00	Trans Out:	$ -

Why are Funds Required: *A fence at the Brown School was damaged during last year's storm and has gradually deteriorated, with many panels falling down. The cost to replace the 128' section of 8' fence is estimated at $6,400.*

Donna D. Holaday, Mayor — Donna D. Holaday — Date: 5/3/16

Ethan R. Manning, Auditor — Ethan R. Manning — Date: 5/3/16

City Council Approval: (Stamp)

LATE FILE
TRAN013_05_09_16

City of Newburyport
FY 2016
BUDGET TRANSFER REQUEST

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2016 MAY -9 P 7:0

Department: Mayor's Office

Submitted by: Donna D. Holaday **Date Submitted:** 5/9/2016

Transfer From:

Account Name	Multiple - See attached	YTD Bal:	$ -
Account Number:	Multiple - See attached	Trans In:	$ -
Amount:	$482,349.00	Trans Out:	$ -

Why are Funds Available: *The Massachusetts Department of Revenue certified Free Cash for FY2016 at $2,818,436. These funds are available for any legal expenditure with the approval of the Mayor and a vote of the City Council.*

Transfer To:

Account Name	Fuller Field & Track Project	YTD Bal:	$ -
Account Number:	New Account	Trans In:	$ -
Amount:	$482,349.00	Trans Out:	$ -

Why are Funds Required: *See attached explanatory memo.*

Donna D. Holaday, Mayor — Donna D Holaday — Date:

Ethan R. Manning, Auditor — Ethan R Manning — Date: 5/9/16

City Council Approval: (Stamp)

BOF
RE
EC
AH

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: Thomas F. O'Brien, City Council President
Members of the City Council

From: Donna D. Holaday, Mayor

Cc: Ethan Manning, Finance Director
Richard Jones, City Clerk
Lisë Reid, Parks Director

Date: 9 May 2016

Re: Transfer request to fund Bradley Fuller Athletic Field Facility

---

I am writing to respectfully request that the City Council approve a transfer of funds to support renovation of the Bradley Fuller Athletic Field Facility.

Renovation of the track facility is part of a comprehensive, city-wide plan to address the lack of athletic field space and poor condition of existing sports facilities. Much of the funding for this project was approved by residents who voted for a debt exclusion to pay for construction of the Nock-Molin baseball diamond and renovation of the track facility. Additional funds are being provided as outlined below.

- Friends of Newburyport Track in the amount of $15,000
- Institution for Savings in the amount of $100,000 to be disbursed over five years beginning in 2016 (for maintenance)
- Newburyport Youth Lacrosse Association in the amount of $30,000

Project design has been broken into three phases: phase one will address replacing the track itself, facilities for all field sports, drainage issues and a sod infield; phase two will include addition of a grandstand, parking, press box, fencing, storage and site landscaping; phase three involves installation of a synthetic turf infield.

After receiving sealed bids for phase one, project costs total $1,360,275 leaving us facing a funding gap of $482,349. We have applied for $150,000 grant from the Community Preservation Committee, which could help close this gap, but will not know the outcome of that grant application until after CPC deliberation on June 6 and City Council approval later in the summer.

We are asking for a transfer from free cash and additional city accounts totaling $482,349.00 now (see attached) so that we can sign a contract as soon as possible and meet our construction start date of June 8, 2016. Without these funds we will likely need to delay this project by another year. Thank you for your thoughtful consideration of this funding transfer request.

Source of Funds - Transfer to Fuller Field & Track Project
May 9, 2016

Org #	Object #	Account Name	Remaining Balance	Transfer Amount
01	35910	FREE CASH	$890,012.78	$157,893.12
01610002	52101	LIB HEAT/ELECTRICITY	$59,298.92	$40,000.00
01210004	54801	POL FUEL/OIL VEHICLE(S)	$53,754.72	$35,000.00
01210002	52102	POL ELECTRICITY	$22,659.20	$15,000.00
01914001	51700	INS HEALTH INSURANCE PREMIUMS	$1,685,795.49	$125,000.00
2722	59600	RSV APPR DPW GASOLINE	$135,416.62	$75,000.00
2988	59600	INCIDENT COST RECOVERY	$34,455.88	$34,455.88
			Total	**$482,349.00**

License & Permits:

- **ODNC004_01_25_16** – Chapter 3 Animals Dogs Nuisance

CITY OF NEWBURYPORT

IN CITY COUNCIL

ORDERED:

January 25, 2016

AN ORDINANCE TO AMEND FEES FOR NUISANCE ISSUES RELATED TO DOGS

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

Chapter 3 Animals
Article II Dogs

Amend Section 3-28(b) regarding nuisance issues, with deletions ~~double-stricken through~~, and additions double-underlined:

(b) Animal behavior which constitutes a nuisance includes, but is not limited to the following: vicious disposition, molesting passerby's or passing vehicles (including bicycles, etc.), attacking persons or domestic animals, damaging ~~or soiling~~ public or private property, barking, whining, or howling in an excessive or continuous, ~~or untimely~~ fashion shall be subject to the following fine schedule, upon investigation of the animal control officer or a police officer.

(1) First offense .....~~$15.00~~ $25.00
(2) Second offense .....~~25.00~~ $50.00
(3) Third and subsequent offenses .....~~50.00~~ $100.00

Councilor Charles F. Tontar

Councilor Bruce L. Vogel

In City Council January 25, 2016:

Motion to refer to Budget & Finance and License & Permits by Councillor Vogel, seconded by Councillor Earls. 10 yes, 1 no (O'Brien). So voted.

In City Council February 11, 2016:

Motion to remove by Councillor Tontar, seconded by Councillor Zeid, 8Y, 2N (RC, JD)
Motion to approve by Councillor Tontar, seconded by Councillor Vogel, Withdrawn
Motion to refer to L&P by Councillor Tontar seconded by Councillor Cronin, So Voted.

Neighborhoods and City Services

In Committee:

- **COMM032_03_29_16** Councillor Cronin - Garage Impact Abutters Group Recs
- **COMM033_03_29_16** Councillor Zeid - Garage Impact Abutters Group Recs
- **ORDR031_04_25_16** Tree Order on Replanting
- **ORDR035_05_09_16** Rename Portion of Atwood Park to Garrison Gardens
- **ODNC009_04_25_16** CDT renamed to Human Rights Committee

DCS

COMM032_03_29_16

RECEIVED
CITY CLERK'S OFFICE
2016 MAR 22 P 3:?

CITY OF NEWBURYPORT

CITY COUNCIL

60 PLEASANT STREET - P.O. BOX 550
NEWBURYPORT, MASSACHUSETTS 01950
978 465 4405

To: Mayor Donna D. Holaday
Council President Thomas F. O'Brien
CC: City Clerk Richard Jones
FROM: Councillor Robert J. Cronin
RE: Garage "Impact Abutters Group Nominations
Date: March 22, 2016

I hereby recommend, subject to your approval, the following named individuals to be members of the Garage Impact Advisory Group ("IAG") established by City Council Resolution on March 14th, 2016:

Roberta Lenes	104 Pleasant Street
Pam Ketchum	15 Washington Street
Virginia Eramo	28 Toppans Lane d/b/a Interlocks Day Spa 58 Merrimac Street
Robin Blair	10 Dexter Lane d/b/a Dr. Robin Blair 18 Market Street
Tim Weaver	22 Market Street d/b/a Market Street Inn (same address)
Jon Lenes	104 Pleasant Street
Stephanie Vincent	77 Pleasant Street 77 Pleasant Street Condominium Association
YWCA representative	13 Market Street

DCS

COMM033_03_29_16

RECEIVED
CLERK'S OFFICE
NEWBURYPORT, MA
2016 MAR 22 P 2:

City of Newburyport

60 Pleasant Street – PO Box 550
Newburyport, MA 01950

To: Honorable Donna D. Holaday, Mayor
From: Sharif I. Zeid, Ward 1 Councillor
Subject: Recommended appointments to Garage Impact Abutters Group ("IAG")
Date: March 22, 2016

I hereby recommend, subject to your approval, the following named individuals to be members of the Garage Impact Advisory Group ("IAG") established by City Council Resolution on March 14th, 2016:

Roberta Lenes
104 Pleasant St.

Jon Lenes
104 Pleasant St.

Pam Ketchum
15 Washington St.

Virginia Eramo
58 Merrimac St. (business)

Christopher Ferraiolo
102 Pleasant St.

Gail Cray
96 Pleasant St. (owner)

CITY OF NEWBURYPORT

IN CITY COUNCIL

ORDERED:

April 19, 2016

WHEREAS there are many trees within the City of Newburyport that have been removed without any replacement tree planted in its place, and

WHEREAS trees enhance both the aesthetic and physical quality of our environment by modifying the local climate, reducing noise and air pollution, and by protecting soil and water, and

WHEREAS trees absorb water and release it into the atmosphere. The average tree breathes out approximately 250 – 400 gallons of water in one day. Trees also reduce flooding by intercepting approximately 1,000 gallons of water per year per mature tree.

NOW, THEREFORE, the City Council of the City of Newburyport hereby establishes the following policy:

Whenever a tree is removed from public property, it shall be replaced with a tree of the same species or a species recommended by the Tree Warden.

Councillor Barry N. Connell

MOTION TO NCDS DC LG

CITY OF NEWBURYPORT
CITY COUNCIL
60 PLEASANT STREET -- P.O. BOX 550
NEWBURYPORT, MASSACHUSETTS 01950
978 465 4407

IN CITY COUNCIL:

ORDERED: Date: May 9, 2016

WHEREAS William Lloyd Garrison was a resident of School Street, Newburyport and a prominent American abolitionist, journalist and social reformer, AND

WHEREAS A recent survey of the residents in the area of Atwood Park indicated that the preference is for green space rather than pavement, AND

WHEREAS The name "Garrison Gardens" has been approved by the Newburyport Parks Commission by vote on December 3, 2015;

NOW, THEREFORE THE CITY COUNCIL of the CITY OF NEWBURYPORT hereby approves the following:

1. The new green space and former tennis court portion of Atwood Park shall be known as "Garrison Gardens".

_____

Councillor Barry N. Connell

Newburyport
Parks

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

To: Thomas F. O'Brien, City Council President
Members of the City Council

From: Lisë Reid, Parks Director

Cc: Donna D. Holaday, Mayor
Richard Jones, City Clerk
Parks Commissioners

Date: 28 April 2016

Re: Naming of Garrison Gardens at Atwood Park

I am writing to respectfully request that the City Council approve naming of the new green space at Atwood Park "Garrison Gardens." The name was approved by the Parks Commission as recorded in their minutes of 3 December 2015.

The newly renovated park space is the site of a former tennis court that fell into disrepair. A 2015 online survey of residents revealed that the majority of respondents preferred turning the site into a new green space with a lawn, planting beds, walkways and benches. The project is expected to be complete in May 2016.

CITY OF NEWBURYPORT

IN CITY COUNCIL

ORDERED:

April 25, 2016

AN AMENDMENT TO THE ORDINANCE ESTABLISHING THE COMMISION ON DIVERSITY AND TOLERANCE

Amend Section 2-125b regarding the establishment of diversity and tolerance commission, membership, term, officers, administration, with additions double-underlined and deletions ~~double-stricken-through~~, all other text unchanged;

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

Chapter 2	Administration
Article III	Boards, Committees and Commissions
Division 6	~~Commission on Diversity and Tolerance~~ Human Rights Commission

Sec. 2-125b. - Establishment of ~~diversity and tolerance~~ human rights commission, membership, term, officers, administration.

In furtherance of policy espoused above there is hereby established in the City of Newburyport a municipal board to be known as the ~~Commission for Diversity and Tolerance~~ Human Rights Commission of the City of Newburyport (hereinafter referred to as the "commission"). Membership of the commission shall not exceed nine (9) members who shall serve for terms of not more than three (3) years. The members shall be appointed by the mayor, all subject to confirmation by the city council. Each member of the commission shall reside in Newburyport and shall, so far as practical, be selected to provide culturally diverse representation from fields including, but not limited to, education, religion, law, law enforcement, social services, industry, commerce, and labor.

For the initial appointments to the commission, the first three (3) appointments shall serve for a term of three (3) years; the next three appointments shall serve for a term of two (2) years; and any additional appointments shall serve for a term of one (1) year.

MOTION TO BV BC N+CS

Thereafter, the mayor shall appoint each successor to his/her initial appointment to a term of three (3) years. No members of the commission may serve for more than two (2) consecutive terms. A member having served two (2) consecutive terms must remain off the commission for at least one (1) year before becoming eligible for re-appointment. Appointments to un-expired terms or initial appointments for less than three (3) years shall not be counted as a term for the person appointed. The mayor shall also appoint on an annual basis one or middle - or high school students(s) to serve as non-voting member(s) on the commission. The members of the commission shall serve without compensation.

The commission shall meet each January to elect one of its voting members as chairperson and one of its voting members as secretary/clerk, and may elect other officers from its voting membership, as it may deem necessary. In addition to this January meeting, the commission shall meet at least four (4) times a year at regular intervals. A majority of the voting members of the commission shall constitute a quorum. Any member who fails to attend three (3) consecutive regular meetings shall be considered removed from the commission.

With permission of the mayor, the city solicitor shall serve as counsel of the commission, unless a conflict of interest requires outside legal assistance. The mayor shall authorize and assign a member of his/her or a municipal agency or department's staff to serve as liaison between the commission and the mayor and to act as the communication's coordinator for the commission.

_____

Bruce L. Vogel, Councillor

Planning & Development:

- **ODNC008_04_11_16** Zoning – Repair City-Owned Sidewalks (COTW)
- **ORDR033_04_25_16** Multi-Hazard Mitigation Plan

CITY OF NEWBURYPORT

IN CITY COUNCIL

ORDERED:

APRIL 11, 2016

A ZONING ORDINANCE REGARDING REPAIR OF CITY-OWNED SIDEWALKS FOR LARGER PROJECTS REQUIRING ZONING RELIEF

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

Amend existing Section X-H.6.I., as follows, with deletions ~~double stricken-through~~, and additions double-underlined:

I. In all cases where the board grants a variance from the strict application of the requirements of this chapter, it shall be the duty of such board to attach conditions and safeguards as may be required in order that the result of its action be as nearly as possible in accordance with the intent and purposes of this chapter; but excluding any condition, safeguards or limitation based upon the continued ownership of the land or structures to which the variance pertains by the applicant, petitioner or any owner. *In all cases where a variance is granted for a project with an estimated construction cost of no less than one-hundred thousand dollars ($100,000), the board shall require that both: (1) city-owned sidewalks adjoining the site be reconstructed, repaired, and/or replaced at the discretion of the department of public services pursuant to Sections 12-54 and 12-55 of the Newburyport Code, except that such department may accept an in-lieu payment by the applicant to the John Bromfield Fund pursuant to Section 12-9 of the Newburyport Code in an amount no less than the value of such required work; and (2) street trees be planted, preserved, and/or replaced along all public rights-of-way adjoining the site at the discretion of the tree warden pursuant to article VI of chapter 12 of Newburyport Code, except that the tree warden may accept an in-lieu payment by the applicant to the John Bromfield Fund pursuant to Section 12-181 of the Newburyport Code in an amount no less than the value of such required work.*

Amend existing Section X-H.7.B., as follows, with deletions ~~double stricken-through~~, and additions double-underlined:

B. *Special permit conditions.* *In all cases where a special permit is granted for a project with an estimated construction cost of no less than one-hundred thousand dollars ($100,000), the SPGA shall require that both: (i) city-owned sidewalks adjoining the site be reconstructed, repaired, and/or replaced at the discretion of the department of public services pursuant to Sections 12-54 and 12-55 of the Newburyport Code, except that such department may accept an in-lieu payment by the applicant to the John Bromfield Fund pursuant to Section 12-9 of the Newburyport Code in an amount no less than the value of such required work; and (ii) street trees be planted, preserved, and/or replaced along all public rights-of-way adjoining the site at the discretion of the tree warden pursuant to article VI of chapter 12 of Newburyport Code, except that the tree warden may accept an in-lieu payment by the applicant to the John Bromfield Fund pursuant to Section 12-181 of the Newburyport Code in an amount no less than the value of such required work.* The SPGA shall also impose, in addition to any applicable conditions specified in this ordinance, such additional conditions as it finds reasonably appropriate to safeguard the neighborhood, or otherwise serve the purposes of this ordinance, including, but not limited to, the following:

Amend existing Section XV-H.a.6., as follows, with deletions ~~double stricken-through~~, and additions double-underlined:

6. ~~*Sidewalks, c*~~*C*rosswalks, walkways, bike racks, or other pedestrian access may be required*, and repairs to all city-owned sidewalks shall be required as follows,* to allow access to adjacent properties and between individual businesses within a development*: For those projects with an estimated construction cost of no less than one-hundred thousand dollars ($100,000), the planning board shall require that both: (i) city-owned sidewalks adjoining the site be reconstructed, repaired, and/or replaced at the discretion of the department of public services pursuant to Sections 12-54 and 12-55 of the Newburyport Code, except that such department may accept an in-lieu payment by the applicant to the John Bromfield Fund pursuant to Section 12-9 of the Newburyport Code in an amount no less than the value of such required work; and (ii) street trees be planted, preserved, and/or replaced along all public rights-of-way adjoining the site at the discretion of the tree warden pursuant to article VI of chapter 12 of Newburyport Code, except that the tree warden may accept an in-lieu payment by the applicant to the John Bromfield Fund pursuant to Section 12-181 of the Newburyport Code in an amount no less than the value of such required work.*

Amend existing Section XV-L.f., as follows, with deletions ~~double stricken-through~~, and additions double-underlined:

F. No building permit shall be issued unless *both: (i) the department of public services has certified in writing to the planning board that* all public utilities *and work involving city-owned sidewalks* have been reviewed and approved by *such* ~~*the respective utility*~~ departments~~,~~ and that the proposed utilities will be

installed in accordance with plans submitted with the application*; and (ii) the tree warden has certified in writing to the planning board that work involving city trees has been reviewed and approved by that officer and that it will be performed in accordance with plans submitted with the application*.

Councillor Jared J. Eigerman

In City Council April 11, 2016:

Motion to refer to Planning & Development by Councillor Eigerman, seconded by Councillor Cameron … Motion to Amend to refer to Committee of the Whole also by Councillor Devlin, seconded by Councillor Cronin. So Voted. (2N BC BV). Motion to Refer As Amended, So Voted

Late File

CERTIFICATE OF ADOPTION
City of Newburyport, Massachusetts

A RESOLUTION ADOPTING MERRIMACK VALLEY REGION MULTI-HAZARD MITIGATION PLAN UPDATE 2016

WHEREAS, the City of Newburyport established a local planning team to work with and assist the Merrimack Valley Planning Commission in the preparation of the City of Newburyport components of the multi-jurisdictional Merrimack Valley Region Multi-Hazard Mitigation Plan Update 2016 (hereinafter, "Hazard Mitigation Plan"); and

WHEREAS, the City of Newburyport has historically experienced damages from natural hazards and continues to be vulnerable to the effects of those natural hazards profiled in the Hazard Mitigation Plan resulting in potential losses of property and life, economic hardship, and threats to public health and safety; and

WHEREAS, the Hazard Mitigation Plan identifies recommends potential future activities and projects aimed at mitigating potential adverse impacts from floods, winter storms, and other natural hazards in the Merrimack Valley region and the City of Newburyport; and

WHEREAS, public meetings and workshop by the City of Newburyport and the Merrimack Valley Planning Commission were held from 2012 through 2015 as part of the process of updating the Hazard Mitigation Plan; and

WHEREAS, the City of Newburyport, acting through its various municipal departments, boards, and commissions is committed to implementing these potential mitigation activities

Late File

and projects as future town funding and personnel resources permit; and

WHEREAS, FEMA has approved the Hazard Mitigation plan and requires the City of Newburyport's adoption of this Hazard Mitigation Plan which also makes the City eligible for funding to alleviate the impacts of future hazards.

NOW, THEREFORE BE IT RESOLVED by the City of Newburyport City Council:

1. The Hazard Mitigation Plan is hereby adopted as an official plan of the City of Newburyport;
2. Future revision and plan maintenance required by 44 CFR 201.6 and FEMA are hereby adopted as part of this resolution for a period of 5 years from the date of this resolution; and
3. Municipal departments and officials are authorized to pursue implementation of the recommended actions and in format available to the public will periodically report to the public on the progress of the implementation elements.

_____

Robert J. Cronin, Councillor

In City Council April 25, 2016:

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

ORDR033_04_25_16

Late File

5.10 CITY OF NEWBURYPORT Natural Hazard Risk Assessment

Community Profile

The City of Newburyport is a small urban community with a vibrant, historic downtown and a strong tourist industry centered on the city's historic waterfront. Located 35 miles northeast of Boston, the coastal Clipper City is bordered to the north across the Merrimack River by Salisbury and Amesbury, to the south by the Town of Newbury and to the west by the Town of West Newbury.

Newburyport's coastal zone includes Plum Island, a barrier beach island fronting the Atlantic Ocean at the Merrimack River outlet. The developed northerly portion of the island includes land in both Newbury and Newburyport. It is densely populated and reflects the character of a vacation retreat with small lots created by the Plum Island Beach Company in the 1920s and many modest "summer camp" style homes. In recent years a number of the original homes have been converted or demolished and rebuilt as year-round residences. Overdevelopment of the barrier beach and coastal erosion, caused by more intense storms in recent years and rising sea level of climate change are major concerns. Five beachfront homes in the Newbury section of P.lum Island collapsed into the ocean in 2010 because of storm generated erosion.

Since the 1960's, Newburyport has maintained a relatively consistent rate of moderate growth. The current (2010) population is 17,416 people, a 1.3% increase from the 2000 population. According to MVPC projections, the town population is expected to grow at a continued low/moderate rate to 17,950 by 2030. In 2010, there were 7,622 households; MVPC projects 7,970 households in the City by the year 2030.

Transportation access to and from Newburyport is convenient owing to the presence of Interstate 95, Route 1, Route 1A and Route 113. The city also benefits from proximity to 1-495, which is not only a major circumferential highway around the Boston metropolitan area, but also serves as a primary connector to the seacoast region of southern New Hampshire and also Maine.

With extension of the Salem-Beverly rail line in 1998, Newburyport became terminus for MBTA Commuter Rail service offering convenient transit commuter connection between the City and downtown Boston.

The City has expanded public water supply and wastewater collection systems to accommodate new development. The Wastewater Treatment facility on the waterfront near downtown recently underwent a $32 million upgrade and the City also completed

$18 million in improvements at the Water Treatment Plan at Spring Lane.

Development Activity in Newburyport

The historic seaport of Downtown Newburyport, which had gone through significant decline in the mid-20th century, was transformed through public-private revitalization efforts initiated in the 1970's and 1980's. The downtown, designated a regional priority growth area, according to the MVPC Regional Growth Strategy (updated 2015) is comprised of approximately 150 acres of densely developed mixed uses. It includes retail, service, and office uses. The scale is intended to reinforce downtown's role as the focus of activity in Newburyport. Multi-use development combining residential and business use is encouraged. Activity is oriented to pedestrian traffic and centralized parking is in place. Businesses that consume large amounts of land and interrupt pedestrian circulation and shopping patterns, and single and two-family dwellings are prohibited.

The Newburyport Business & Industry Park, also designated a regional priority development area, is an area of approximately 443 total acres of which approximately 80 acres is developed and has almost 3.5 million square feet of building space. This area is zoned lndustrial-1 (west of Henry Graf Jr. Road) and Industrial 1B (east of Henry Graf Jr. Road), which allows a broad range of manufacturing and industrial uses as of right, along with accessory retail uses. Most non-industrial uses are prohibited, as are all residential and marine uses. Parcels in this zoning district must be at least 50,000 square feet in area, maximum lot coverage ranges from 30 to 40 percent, depending on use, and buildings cannot exceed 40 feet in height.
According to Newburyport's Strategic Land Use Plan, this area is likely to see incremental, infill development on the remaining buildable lots, and possible expansion of existing developed lots where feasible given zoning, environmental considerations, and existing covenants on the land.

In addition, the City in 2015 is establishing a planned 40R smart growth district near the MBTA Commuter Rail Station and the Route 1 traffic circle. All new development would be multi-story, mixed-use buildings with much greater total floor area. Recommended uses in this area include retail, office, and residential with integrated parking and shared lots. Following density and design now in the downtown, this area could be a dramatic new gateway to Newburyport.

Newburyport prepared an individual community Hazard Mitigation Plan in 2007-2008 and did not directly participate in the regional plan development. Given the moderate level and type of development in recent years, the City through its planning team indicates that the extent of its risk vulnerabilities is unchanged since the prior planning process.

Late File

Below is a listing of major development in planning/permitting phases in Newburyport.

Merrimac Street Downtown	Mixed Use- Hotel, Condos, Parking Garage	Projected	2017-18	40	80,000
MBTA Station TOO	Mixed Use	Projected	2016	80 (540 @ buildout	3,500
Towle Building Redevelopment	Merrimack St	Projected	2016	15	

Critical Facilities

Selected critical facilities in Newburyport (emergency operations center, health and medical aid facilities, emergency public shelters) are listed in **Table 5.10-1** on the following page. These were identified by the local emergency management planning committee and updated from the City's 2007 Hazard Mitigation Plan. The locations of these and other critical facilities and infrastructure in the community were entered by MVPC into an Excel database and subsequently incorporated into MVPC's Arcview GIS for use in digital mapping. The full array of critical facilities, as identified by City emergency management, public works, and conservation personnel, are depicted in the Newburyport map series that is presented as Appendix F of this Plan.

Table 5.10-1. NEWBURYPORT Emergency Operations Center, Health Care/Nursing Facilities, and Shelters

Facility Type	Common Name	Street Address	Health Facility Type	Average Daily Capacity	Maximum Capacity	Emergency Feeding Capability	Generator Available
Emergency Operations	Emergency Operations Center	59 Low St. N/A Management	N/A	N/A	N/A		Yes
	National Guard Armory	49 Low St	N/A	N/A	N/A	N/A	N/A
	Atlantic/Cataldo Ambulance Station	3 Boston Way	N/A	N/A	N/A	N/A	Yes
	Central Fire Station	3 Greenleaf Street	N/A	N/A	N/A	N/A	Yes
	Police Station	4 Green Street	N/A	N/A	N/A	N/A	Yes
	U.S. Coast Guard Station-Merrimack River	64B Water Street	N/A	N/A	N/A	N/A	Yes
	West End Fire Station	153 Storey Avenue	N/A	N/A	N/A	N/A	Yes
Health Care and Nursing Facilities	Anna Jaques Hospital	25 Highland Avenue	Hospital; Level 3 trauma center	123 bed		Yes	Yes
	Brigham Manor Nursing Home/Rehab Center	77 High Street	Nursing home	64 bed	64	yes	yes
	Country Rehabilitation/Nursing Center	180 Low Street	Nursing Home	111 bed	111	Yes	Yes
	Avita Assisted Living Facility	4 Wallace Bashaw Jr. Road	Assisted Living		67 bed		67 Yes
	Atria Merrimack Place	85 Storey Avenue	Assisted Living				Yes

	[redacted] [redacted]						**Late File**
	[redacted] Nursing 100 bed						
Emergency	Port Hea[illegible] Center - Low & Hale Streets		Home	100	Yes	Yes	
	Newburyport High School	Yes		241 High Street Yes	100	Approx.	Approx.
	Rupert A. Nock Middle Schooi/Molin Upper Elementary School		Yes	70 Low Street	Yes	200	200
Shelters	Bresnahan Elementary School	333 High Street				Yes	Yes
	Salvation Army-			Water Street		Approx.	Approx.
		Yes 100		Yes (installed warming station	100		2015)
							202

Surface Waters and Flood Prone Areas

Newburyport is a city of three watersheds: the Merrimack, the Little River and the Artichoke.

The Merrimack River flows alongside Newburyport downtown before draining into the Atlantic. As the Merrimack approaches the western boundary of the City, it meets the Artichoke River, source of public drinking water supply for Newburyport and West Newbury. The headwaters of the Little River are by Route 95 north of Hale Street. The main branch meanders along the Old Route 95 road bed. The western tributaries include streams that originate behind the shopping centers on Storey Avenue. The Little River flows south through Newbury and enters the Parker River, which along with the Ipswich and Rowley rivers are freshwater sources entering into Plum Island Sound, part of the Great Marsh ecosystem designated an Area of Critical Environmental Concern (ACEC).

Because Newburyport is both a water-rich and a low-lying coastal community, significant portions of it are located in flood hazard zones and thus are susceptible to flooding. This is especially the case when high river flows from heavy rains coincide with high ocean tides. When high winds from the northeast and east are added to this mix, the effects can be truly devastating. Nowhere has this been more evident than on Plum Island, where storm surges have eroded large swaths of beach frontage and seriously damaged or destroyed a number of ocean-side structures.

The City in 2012 and again in 2014 adopted changes in the FEMA Flood Insurance Rate Maps. The 2012 update significantly expanded the 100-year floodplain zone area in the City.

Historically, Newburyport has been directly impacted by flooding and erosion during storm events, both along the waterfront and in the Business Park and low-lying neighborhoods. Flooding problems in downtown are exacerbated by outdated infrastructure including undersized drainage pipes and culverts built over 100 years ago. Sea level rise attributed to climate change is also contributing to the flooding and beach erosion problems.

Vulnerability Assessment:

A GIS analysis of the City's most recent (2014) FIRM flood hazard areas by MVPC has determined that a total of 1,529.6 acres (2.39 sq. mi.) of land area and salt marsh in Newburyport is located within the 100-year floodplain and thus is vulnerable to flooding.

Newburyport has a number of critical facilities identified as vulnerable to flooding. These include the **Wastewater Treatment Facility,** located on the waterfront off the downtown and recently upgraded with a $32 million capital investment. The facility was reconstructed to address the aging infrastructure of the Plant and was built slightly higher than the current 100-year flood elevation to the greatest extent practicable.

Unfortunately, the reconstruction elevation may not be adequate to adapt to the projected 2' to 3' rise in sea level which could potentially render the treatment plant inoperable by 2050 or earlier. City officials express concern climate change impact may eventually require relocation of the facility away from the riverfront.

Risk of salt water intrusion is a significant concern at two of the City's four surface water supply reservoirs-the **Lower Artichoke Reservoir and the Bartlett Spring Pond.** Fortunately, the dam holding back the Lower Artichoke was not breached during the 2006 Mother Day Storm floodwaters. The river surcharge, however was just inches below the top of the dam, City engineering officials report. During the same 2006 event, the Artichoke River came close to overtopping the dike/roadway protecting Bartlett Spring Pond. With the potential of sea level rise increasing in coming decades, City officials foresee heightened risk that the tidal Merrimack River will back up into these reservoirs during storm events and render the water supply unsuitable for consumption because of salination.

The **Water Treatment Plant** is located at Spring Lane, just west of Interstate 95 and less than 500 feet from the Merrimack River. The City expended $18 million on a recent facility upgrade. While the City does not anticipate rising seas will impact the main facility, ancillary structures and the piping network may be vulnerable and will need to be evaluated.

The **National Grid Power Substation** at 95 Water Street on the Merrimack River shoreline is in the FEMA flood zone and subject to waves and coastal flooding during severe storm events. The utility has plans and in 2015 is seeking local permits for a flood protection project to install barriers and timber wall systems to protect the facility from damage during 100-year flood events.

There are sixty businesses in the 550-acre **Business Park** area, built on low-lying former farm land within the Parker River watershed. Many of the industrial and manufacturing facilities there have hazardous materials on site and are vulnerable to flooding. During heavy rainstorms, the primary access road, Malcolm Hoyt Road, is flooded and impassable. During the May 2006 flood, all six entrances into the Business Park area were inaccessible, not only creating private business losses, but also shutting down critical routes of egress and emergency vehicle access.

Public Safety

- **COMM046_04_25_16** Dates for Yankee Homecoming
- **COMM048_04_25_16** Yankee Homecoming Race Application

COMM046_04_25_16

ps

Yankee Homecoming 2016

Fifty-Nine Years of Family, Friends, and Fun!

Saturday, July 30 – Sunday, August 7, 2016

April 19, 2016

Mr. Thomas F. O'Brien, President
Newburyport City Council
60 Pleasant Street
Newburyport, MA 01950

Dear President O'Brien and members of the City Council:

On behalf of the thousands of Yankee Homecoming participants, and the hundreds of dedicated volunteers now hard at work on the Festival, I respectfully write and request the use of the City of Newburyport for our celebration this summer.

As you know, Newburyport is a city of "gatherings," whether it be on the boardwalk, or the Yankee Homecoming parade, or just seeing your neighbors having a frozen yogurt in Market Square. Our residents, as well as the employees of our businesses, are attracted to live and work here, in part, because of the sense of community provided by this experience.

Yankee Homecoming is a part of that experience. For nearly sixty years, Yankee Homecoming has been a part of family celebrations and gatherings throughout the region. I've received scores of emails in the past six months asking me to confirm our plans for the Festival so that family reunions and summer vacations in Newburyport can be scheduled.

I have also been meeting with City Hall staffers, staff at the Chamber of Commerce, some area business leaders, and dozens of key volunteers who have assisted me in planning a wonderful Festival this summer.

So, I ask for your continued support and that of the Council. I am available to you and others to answer any questions you have, or address any concerns. Thank you for your support.

Sincerely,

Paul Swindlehurst

Paul G. Swindlehurst
2016 General Chairman

12 Spofford Street
Newburyport, MA 01950

NEWBURYPORT SPECIAL EVENT APPLICATION

Tel. Fax.

(For Parades, Road Races and Walkathons Only - Please complete page 3 of this application)

RECEIVED
CLERK'S OFFICE
NEWBURYPORT, MA
2016 MAR 30 P 12:5

NAME OF EVENT: Yankee Homecoming Race

Date Aug 2 2016 Time: from 5:30 PM to 8:30 PM

Rain Date _____ Time: from _____ to _____

2. Location Start and finish at High School

3. Description of Property See map Public ____ Private ____

4. Name of Organizer Newburyport lions Club City Sponsored Event Yes ____ No X

Contact Person Jonathan Pearson

Address 43 Moulton St.NBPT Telephone 978 376 5328

E-Mail Yankeeseacoast@comcast.net Cell Phone 978 376 5328

Day of Event Contact & Phone Jon at 978 376 5328

5. Number of Attendees Expected: 3000

6. MA Tax Number 51 0130124

7. Is the Event Being Advertised? yes Where? E Mail and Daily News

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

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 NA Goods NA Total # of Vendors 0

B. Entertainment (Subject to City's Noise Ordinance.) Live Music NA DJ _____ Radio/CD NA

Performers NA Dancing NA Amplified Sound NA Stage NA

C. Games /Rides: Adult Rides NA Kiddie Rides NA Games NA Raffle NA

Other _____ Total # _____

Name of Carnival Operator NONE

Address _____

Telephone _____

D. Organizer is responsible for clean-up during and after event. All trash must be collected and removed from event location immediately at the end of the event unless prior written agreement had been made with the Department of Public Services (DPS).

Will you be conducting the clean-up for this event? Yes YES No ____

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
Yankee Homecoming Race sponsered by Institution For Savings

2. Name, Address & Daytime Phone Number of Organizer
Newburyport Lions Club Jonathan Pearson 43 Moulton Street. NBPT
9t8 576 5328 Cell 978 462 2203 Home

3. Name, Address & 24/7 Telephone Number of Person Responsible for Clean Up
Don Carey 11Lisa Circle Merrimac 978 462 6238
Jon Pearson 43 Moulton St NBPT 978 462 2203

4. Date of Event **Aug 2 2016** Expected Number of Participants **3000**

5. Start Time **6 PM** Expected End Time **8:30**

6. Road Race, Parade or Walkathon Street names & attach map of route
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 **12**

8. Will Detours for Motor Vehicles Be Required? _____ If so, where? _____

9. Formation Location & Time for Participants **NBPT High School 3 to 6 PM**

10. Dismissal Location & Time for Participants **NBPT High School 8:45 PM**

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 OR ANY USE OF A PUBLIC WAY.

CITY MARSHAL [signature] 4 Green St. FIRE CHIEF [signature] 3/30/16 0 Greenleaf St

PUBLIC WORKS [signature] 55 Perry Ave. CITY CLERK [signature] 60 Pleasant St.

Rev. 12/15

2016 Yankee Homecoming Race

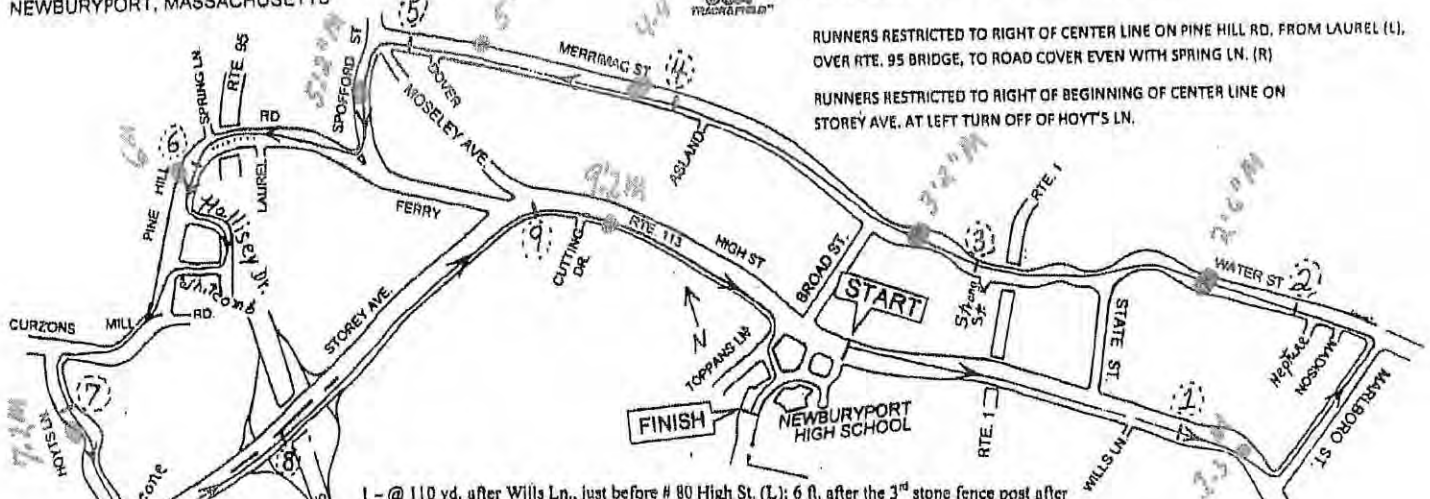
Water Stops

Yankee Homecoming
10 Mile Road Race
NEWBURYPORT, MASSACHUSETTS

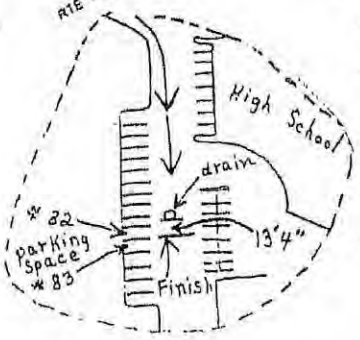
USATF CERTIFIED COURSE – MA11008RN
EFFECTIVE 8/2/2011 – 12/31/2021
MEASURED BY RAY N ELSON 6/20/2011

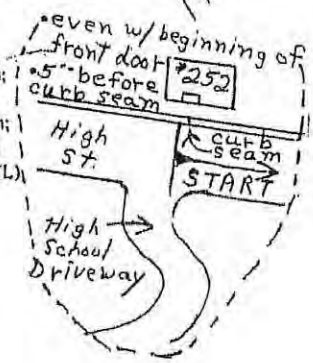
RUNNERS RESTRICTED TO RIGHT OF CENTER LINE ON PINE HILL RD. FROM LAUREL (L), OVER RTE. 95 BRIDGE, TO ROAD COVER EVEN WITH SPRING LN. (R)

RUNNERS RESTRICTED TO RIGHT OF BEGINNING OF CENTER LINE ON STOREY AVE. AT LEFT TURN OFF OF HOYT'S LN.



1 – @ 110 yd. after Wills Ln., just before # 80 High St. (L); 6 ft. after the 3rd 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 Mersen; 46 ft. before crosswalk; 6 ft. after end of single driveway immediately after the car repair place (L)
5 – just after # 568 Merrimac 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 Hoyts 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





CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY): 04/11/2016

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	CONTACT NAME: John Adams	
DSP Insurance 1900 E. Golf Road, Suite 650 Schaumburg, IL 60173	PHONE (A/C, No, Ext): 1-800-316-6705	FAX (A/C, No): 1-888-467-2378
	E-MAIL ADDRESS: lionsclubs@dspins.com	
	INSURER(S) AFFORDING COVERAGE	NAIC #
	INSURER A: ACE American Insurance Company	22667
INSURED Newburyport Lons Club 33N Newburyport Massachusetts	INSURER B:	
	INSURER C:	
	INSURER D:	
	INSURER E:	
	INSURER F:	

COVERAGES CERTIFICATE NUMBER: REVISION NUMBER:

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

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	GENERAL LIABILITY			HDOG27396392	09/01/2015	09/01/2016	EACH OCCURRENCE	$ 1,000,000
	X COMMERCIAL GENERAL LIABILITY						DAMAGE TO RENTED PREMISES (Ea occurrence)	$ 1,000,000
	CLAIMS-MADE X OCCUR						MED EXP (Any one person)	$ 5,000
	X Agg. Per Named Insured is $2,000,000						PERSONAL & ADV INJURY	$ 1,000,000
							GENERAL AGGREGATE	$ 10,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER: X POLICY PRO-JECT LOC						PRODUCTS - COMP/OP AGG	$ 2,000,000
								$
A	AUTOMOBILE LIABILITY			ISAH08858354	09/01/2015	09/01/2016	COMBINED SINGLE LIMIT (Ea accident)	$ 1,000,000
	ANY AUTO						BODILY INJURY (Per person)	$
	ALL OWNED AUTOS / SCHEDULED AUTOS						BODILY INJURY (Per accident)	$
	X HIRED AUTOS / X NON-OWNED AUTOS						PROPERTY DAMAGE (Per accident)	$
								$
	UMBRELLA LIAB / OCCUR						EACH OCCURRENCE	$
	EXCESS LIAB / CLAIMS-MADE						AGGREGATE	$
	DED / RETENTION $							$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY Y/N						WC STATU-TORY LIMITS / OTH-ER	
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? N/A (Mandatory in NH)						E.L. EACH ACCIDENT	$
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - EA EMPLOYEE	$
							E.L. DISEASE - POLICY LIMIT	$

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

Provisions of the policy apply to the named insured's participation in the following activity during the policy period shown above: Yankee Homecoming Race Aug 2 ,2016
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

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