

CITY COUNCIL MEETING AGENDA - VERSION 1
CITY COUNCIL CHAMBERS

June 27, 2016

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

June 13, 2016

(Approve)

8. TRANSFERS

- **TRAN021_06_27_16** PRK Maintenance \$3,500.00 to Parks Manager/Caretaker (B&F)
\$2,500.00 and PRK Seasonal Employees \$1,000.00

9. COMMUNICATIONS

- **COMM065_06_27_16** Whittier Regional VoTech 2016-17 Assessment (B&F)
- **COMM066_06_27_16** Congress Street Block Party (L&P)
- **COMM067_06_27_16** Dove Street Block Party (L&P)
- **COMM068_06_27_16** Lafayette Street Block Party (L&P)

10. APPOINTMENTS

- **NONE**

END OF CONSENT AGENDA
REGULAR AGENDA

11. MAYOR'S UPDATE

12. COMMUNICATIONS

- **COMM064_06_27_16** Legal Opinion – ODNC010 Outdoor Seating
- **COMM069_06_27_16** Amend to Intermunicipal ACO Contract

13. APPOINTMENTS

Second Reading APPOINTMENTS

- **APPT051_06_13_16** Robert Padellaro 17 56th St, Nbpt Spec Pol 7/1/2019
Michael Falite 4 Caitlin Cir, Slsbry Spec Pol 7/1/2019

RE-APPOINTMENTS

- **APPT052_06_13_16** Madeline Nash 19 Arlington St, Nbpt Aff Housing 5/1/2017
- **APPT053_06_13_16** Judy Tymon 39 Lime St, Nbpt Aff Housing 4/1/2018
- **APPT054_06_13_16** Karen B. Wiener 7 Lincoln St, Nbpt Aff Housing 6/1/2017

14. ORDERS

- **ORDR038_05_31_16** Intermunicipal Agreement for Shared Animal Control Services (TABLED)
- **ORDR051_06_27_16** Crow Lane No Parking
- **ORDR052_06_27_16** Stop Sign Kent at High
- **ORDR053_06_27_16** Council Rule 9 Amendment
- **ORDR054_06_27_16** Inn St Gift Acceptance \$900
- **ORDR055_06_27_16** Order re: Surplus Property - WWTP

15. ORDINANCES

- **ODNC010_05_31_16** Amend Outdoor Seating (TABLED)

15. COMMITTEE ITEMS

Budget & Finance

In Committee:

- **ORDR009_02_08_16** Increase fees for Fire Dept.
- **ORDR010_02_08_16** Increase fines Parking Violations
- **ORDR002_01_25_16** Accept gift of \$25,000 repairing Brown's Wharf Culvert (COTW)
- **ORDR039_05_31_16** Increase Hourly Parking Rate to \$1.50
- **ORDR040_05_31_16** Whittier Regional Stabilization Fund
- **TRAN018_06_13_16** General Fund \$28,068.02 and Snow & Ice – Labor \$56,722.98 to Snow & Ice – Expenses \$84,791.00
- **TRAN019_06_13_16** Sewer Retained Earnings \$370,000.00 to Odor Control Improvements Project \$370,000.00
- **TRAN020_06_13_16** POL Heat \$7,500.00, POL Electricity \$1,500.00, POL Equip Maint \$4,000.00, and POL Fuel \$10,000.00 to POL Purchase Cruiser \$23,000.00
- **ORDR046_06_13_16** Brown School Property Stab Fund
- **ORDR049_06_13_16** Revolving Fund Order
- **ORDR050_06_13_16** Harbormaster Boat Gift Acceptance

General Government

In Committee:

- **COMM063_06_13_16** Letter from Abutters of the I-95 Project

Joint Education

License & Permits

In Committee:

- **COMM010_01_25_16** - Licensing Commission Acoustic & Amplified Entertainment
- **COMM059_05_31_16** Letter RE: Sign Committee
- **ODNC011_05_31_16** Amend Transient Vendors for Cashman (COTW)

Neighborhoods and City Services

In Committee:

- **ODNC001_01_11_16** Amend Ch11 Parks and Recreation (COTW)
- **ORDR048_06_13_16** Sidewalk Order

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
- **ORDR041_05_31_16** Taking on 1 Pasture Road – Sewer Lift Station

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
- **COMM050_05_09_16** Coast to the Cure Bike Ride Sept 10, 2016
- **COMM058_05_31_16** Bed Race Event Application
- **COMM062_06_13_16** Newburyport Half Marathon
- **COMM063_06_13_16** Letter from Abutters of the I-95 Project
- **ORDR044_06_13_16** No Parking Simmons Drive Walkway Entrance

Public Utilities

In Committee:

- **COMM060_05_31_16** Mobilitie, LLC Highway Access Permit
- **ODNC012_05_31_16** Amend Sign Ordinance Chapter 12.3 et al

Rules Committee

In Committee:

- **ORDR047_06_13_16** Council Rule 7D Real Property Appraisal

16. GOOD OF THE ORDER

17. ADJOURNMENT

CONSENT AGENDA

CITY COUNCIL MEETING MINUTES
CITY COUNCIL CHAMBERS

June 13, 2016

7:15 PM

Pole Hearing (Tabled from May 31, 2016)

Low Street and Storey Avenue

Opened at 7:15pm by President O'Brien, all Councillors present. Dave Aguar from National Grid was present. Motion to approve by Councillor Vogel, seconded by Councillor Tontar. Hearing closed at 7:17pm.

7:30PM

The City Council President, Thomas O'Brien, called the meeting to order at 7:31pm. A moment of silence was held for Virginia Tobin, Helen and Norman Ladd, David Tierney, the victims of the Orlando massacre, and Ed Cameron, Sr., followed by the Pledge of Allegiance. The City Council President then instructed the City Clerk to call the roll. The following Councillors answered present: Cameron, Connell, Cronin, Devlin, Earls, Eigerman, Giunta, Tontar, Vogel, Zeid, 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, COMM063_06_13_16, ORDR050_06_13_16

Motion to waive the rules, to accept late files, by Councillor Zeid, seconded by Councillor Cameron. So voted.

5. PUBLIC COMMENT

1. Sheila Mullins	7 Parsons Street	Sidewalks
2. Stephanie Niketic	93 High Street	Sidewalks
3. Rob Germinara	2 Ashland Street	Sidewalks

6. MAYOR'S COMMENT

The mayor gave an update pursuant to her written communication.

CONSENT AGENDA

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7. APPROVAL OF MINUTES

May 31, 2016

(Approve)

8. TRANSFERS

- **TRAN018_06_13_16** General Fund \$28,068.02 and Snow & Ice – Labor \$56,722.98 to Snow & Ice – Expenses \$84,791.00
- **TRAN019_06_13_16** Sewer Retained Earnings \$370,000.00 to Odor Control

(B&F)

Improvements Project \$370,000.00

(B&F)

- **TRAN020_06_13_16** POL Heat \$7,500.00, POL Electricity \$1,500.00, POL Equip Maint \$4,000.00, and POL Fuel \$10,000.00 to POL Purchase Cruiser \$23,000.00

(B&F)

9. COMMUNICATIONS

- **COMM061_06_13_16** Tyng Street Block Party
Councillor Tontar removed from the Consent Agenda to the Regular Agenda.
- **COMM062_06_13_16** Newburyport Half Marathon

(L&P)

(PS)

10. APPOINTMENTS

First Reading APPOINTMENTS

- **APPT051_06_13_16** Robert Padellaro 17 56th St, Nbpt Spec Pol 7/1/2019
Michael Falite 4 Caitlin Cir, Slsbry Spec Pol 7/1/2019

RE-APPOINTMENTS

- **APPT052_06_13_16** Madeline Nash 19 Arlington St, Nbpt Aff Housing 5/1/2017
- **APPT053_06_13_16** Judy Tymon 39 Lime St, Nbpt Aff Housing 4/1/2018
- **APPT054_06_13_16** Karen B. Wiener 7 Lincoln St, Nbpt Aff Housing 6/1/2017

END OF CONSENT AGENDA REGULAR AGENDA

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

11. MAYOR'S UPDATE

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

12. TRANSFERS

- **TRAN017EP_06_13_16** Emergency Preamble – Transfer Comp Absences
Motion to approve by Councillor Zeid, seconded by Councillor Tontar. So voted.
- **TRAN017_06_13_16** General Fund \$113,562.37 to Comp Absences \$113,562.37
Motion to approve by Councillor Zeid, seconded by Councillor Vogel. So voted.

13. COMMUNICATIONS

- **COMM061EP_06_13_16** Emergency Preamble for Tyng Street Block Party
Motion to approve by Councillor Tontar, seconded by Councillor Vogel. 1 Present(RC), so voted.
- **COMM061_06_13_16** Tyng Street Block Party
Motion to approve by Councillor Tontar, seconded by Councillor Vogel. So voted.
- **COMM063_06_13_16 LATE FILE** Letter from Abutters of the I-95 Project
Motion to refer to General Government and Public Safety by Councillor Vogel, seconded by Councillor Tontar. So voted.

14. APPOINTMENTS

Second Reading APPOINTMENTS

Motion to approve all second reading appointments collectively by Councillor Cameron, seconded by Councillor Vogel. So voted. Roll call vote 11 yes

• APPT036_05_31_16	Sarah T. Spalding	280 High St, Nbpt	Library Board	1/1/2020
• APPT037_05_31_16	Joseph Brown	6 Cutting Dr, Nbpt	WFT	12/31/2017
• APPT038_05_31_16	Wilbur Shenk	1 Beck St, Nbpt	WFT	12/31/2018
• APPT039_05_31_16	George H. Ellison, Jr.	2A Noble St, Nbpt	WFT	12/31/2019
• APPT040_05_31_16	Steven D. Hines	54 Ferry Rd, Nbpt	WFT	12/31/2020
• APPT041_05_31_16	Scott W. Sutherland	3 Savory St, Nbpt	WFT	12/31/2016
• APPT042_05_31_16	Paul Healy	8 N St, Nbpt	Comm Preser	10/1/2019
• APPT043_05_31_16	Paul Healy	8 N St, Nbpt	Cnsrv Comm	5/31/2019
• APPT044_05_31_16	Paul Hogg	4 Coltin Dr, Nbpt	Harbormaster	5/1/2019
• APPT045_05_31_16	Donald F. Little	6 Cottage Ct, Nbpt	Comm Preser	5/1/2019
• APPT046_05_31_16	Daniel R. May	5 Lucey Dr, Nbpt	Harbor Comm	6/1/2019
• APPT047_05_31_16	Maurice Southworth	12 Fruit St, Nbpt	Fruit St	5/1/2019
• APPT048_05_31_16	David B. Vine	47 Marlboro St, Nbpt	Cnsrv Comm	5/31/2019
• APPT049_05_31_16	Daniel P. Warchol	47 Plummer Ave, Nbpt	Cnsrv Comm	6/1/2019
• APPT050_05_31_16	Sarah M. White	349 High St, Nbpt	Hist Comm	10/1/2018

15. ORDERS

- **ORDR044_06_13_16** No Parking Simmons Drive Walkway Entrance
Motion to refer to Public Safety by Councillor Giunta, seconded by Councillor Tontar. So voted.
- **ORDR045_06_13_16** Budget Order FY 2017
Motion to waive the rule to consider with Committee items, Councillor Tontar, seconded by Councillor Cameron, So Voted.
- **ORDR046_06_13_16** Brown School Property Stab Fund
Motion to refer to Budget & Finance by Councillor Tontar, seconded by Councillor Zeid. So voted.
- **ORDR047_06_13_16** Council Rule 7D Real Property Appraisal
Motion to refer to Rules by Councillor Zeid, seconded by Councillor Eigerman. So voted.
- **ORDR048_06_13_16** Sidewalk Order
Motion to refer to Neighborhood & City Services by Councillor Zeid, seconded by Councillor Giunta. So voted.
- **ORDR049_06_13_16** Revolving Fund Order
Motion to refer to Budget & Finance by Councillor Tontar, seconded by Councillor Vogel. So voted.
- **ORDR050_06_13_16 LATE FILE** Harbormaster Boat Gift Acceptance
Motion to refer to Budget & Finance by Councillor Tontar, seconded by Councillor Zeid. So voted.

16. ORDINANCES

- **ODNC001_01_25_16** Zoning Amend Smart Growth dist. (2nd reading)
- **ODNC004_01_25_16** Chapter 3 Animals Dogs Nuisance (2nd reading, pending pub.)
- **ODNC005_02_08_16** Zoning Map Change (2nd reading)

- **ODNC007_04_11_16** Zoning – Improve Record Keeping & Coordination (2nd reading, pending pub.)
- **ODNC009_04_25_16** CDT renamed to Human Rights Committee (2nd reading, pending pub.)

Motion to suspend Council rule #9, to receive and file ODNC001_01_25_16, ODNC004_01_25_16, ODNC005_02_08_16, ODNC007_04_11_16, and ODNC009_04_25_16 collectively, by Councillor Eigerman, seconded by Councillor Zeid. Withdrawn. Motion to suspend Council rule #9, to approve ODNC001_01_25_16, ODNC004_01_25_16, ODNC005_02_08_16, ODNC007_04_11_16, and ODNC009_04_25_16 collectively, by Councillor Eigerman, seconded by Councillor Zeid. Roll call vote, 11 Yes.

15. COMMITTEE ITEMS

General Government

In Committee:

Joint Education

License & Permits

In Committee:

- **COMM010_01_25_16** - Licensing Commission Acoustic & Amplified Entertainment
- **COMM049_05_09_16** Atomic Coffee Co. Application for Outdoor Seating
Motion to remove Councillor Vogel, Seconded by Councillor Cameron. Motion to approve by Councillor Vogel, seconded by Councillor Zeid. So voted.
- **COMM055_05_31_16** Exchange Club Request to Advertise Field of Honor Program
Motion to remove by Councillor Vogel, seconded by Councillor Giunta. Motion to approve by Councillor Vogel, seconded by Councillor Zeid. So voted.
- **COMM059_05_31_16** Letter RE: Sign Committee
- **ORDR038_05_31_16** Intermunicipal Agreement for Shared Animal Control Services
No vote in License & Permits Committee. Motion to remove by Councillor Vogel, seconded by Councillor Zeid. Motion to table by Councillor Zeid, seconded by Councillor Tontar. So voted.
- **ODNC010_05_31_16** Amend Outdoor Seating
Motion to remove by Councillor Vogel, seconded by Councillor Zeid. Motion to approve by Councillor Vogel, seconded by Councillor Connell. Motion to table by Councillor Vogel, seconded by Councillor Zeid. So voted.
- **ODNC011_05_31_16** Amend Transient Vendors for Cashman (COTW)

Neighborhoods and City Services

In Committee:

- **ODNC001_01_11_16** Amend Ch11 Parks and Recreation (COTW)
- **COMM033_03_29_16** Councillor Zeid - Garage Impact Abutters Group Recs

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
- **ODNC008_04_11_16** Zoning – Repair City-Owned Sidewalks (COTW)
Motion to remove Councillor Cameron, seconded by Councillor Tontar
Motion to amend by Councillor Devlin, seconded by Councillor Zeid. Motion to approve as amended by Councillor Eigerman, seconded by Councillor Zeid. Roll call vote, 2 No.(LG) (BV)
Motion passed.
- **ORDR041_05_31_16** Taking on 1 Pasture Road – Sewer Lift Station

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
- **COMM050_05_09_16** Coast to the Cure Bike Ride Sept 10, 2016
- **COMM058_05_31_16** Bed Race Event Application

Public Utilities

In Committee

- **ORDR027_04_11_16** Licensed Contractor Robell, Inc.
Motion to remove from Public Utilities by Councillor Eigerman, seconded by Councillor Cameron.
Motion to approve by Councillor Eigerman, seconded by Councillor Zeid. So voted.
- **COMM060_05_31_16** Mobilitie, LLC Highway Access Permit
- **ORDR042_05_31_16** F&S Construction – New Licensed Contractor
Motion to remove from Public Utilities by Councillor Eigerman, seconded by Councillor Zeid. Motion to approve by Councillor Eigerman, seconded by Councillor Zeid. So voted.
- **ODNC012_05_31_16** Amend Sign Ordinance Chapter 12.3 et al

Rules Committee

Budget & Finance

In Committee:

- **ORDR009_02_08_16** Increase fees for Fire Dept.
- **ORDR010_02_08_16** Increase fines Parking Violations
- **ORDR002_01_25_16** Accept gift of \$25,000 repairing Brown's Wharf Culvert (COTW)
- **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
Motion to remove from Budget & Finance by Councillor Tontar, seconded by Councillor Connell.
Motion to approve by Councillor Tontar, seconded by Councillor Connell. So voted.
- **TRAN015_05_31_16** Fire Fuel/Oil \$10,000.00 to Fire Maintenance \$10,000.00
Motion to remove from Budget & Finance by Councillor Tontar, seconded by Councillor Cameron.
Motion to approve by Councillor Tontar, seconded by Councillor Connell. So voted.
- **TRAN016_05_31_16** General Fund \$63,000.00, Fire/Fuel Oil \$10,000.00, Fire Educational Materials \$2,000.00, to Fire Overtime \$75,000
Motion to remove from Budget & Finance by Councillor Tontar, seconded by Councillor Cameron.
Motion to approve by Councillor Tontar, seconded by Councillor Cameron. So voted.

- **ORDR037_05_31_16** Military Plate Space in Green St lot
Motion to remove from Budget & Finance by Councillor Tontar, seconded by Councillor Zeid. Motion to approve by Councillor Tontar, seconded by Councillor Zeid. So voted.
- **ORDR039_05_31_16** Increase Hourly Parking Rate to \$1.50
- **ORDR040_05_31_16** Whittier Regional Stabilization Fund
- **ORDR043_05_31_16** Free Parking During Christmas Season
Motion to remove from Budget & Finance by Councillor Tontar, seconded by Councillor Zeid. Motion to approve by Councillor Tontar, seconded by Councillor Zeid. So voted.

Five minute break 9:03 – 9:08

Motion to Remove Budget by Councillor Tontar, seconded Councillor Cameron,

Motions to Amend as follows:

Page 45, Item 51501 – Motion to reduce by \$2,000.00 by Councillor Eigerman, seconded by Councillor Devlin. Roll call vote, 3 N (CT/TO/BV). Motion passed.

Page 45, Item 57801 – Motion to reduce by \$5,000.00 by Councillor Devlin, seconded by Councillor Eigerman. Roll call vote, 2 N (CT/BV) Motion passed.

Page 46, Item 52403 – Motion to reduce by \$3,000.00 by Councillor Eigerman, seconded by Councillor Devlin. Roll call vote, 2 N (CT/BV) Motion passed.

Page 46, Item 54200 – Motion to reduce by \$2,500.00 by Councillor Devlin, seconded by Councillor Eigerman. Roll call vote, 6 N (EC,BC,GE,CT,BV,TO). Motion failed.

Page 51, Item 53001 – Motion to reduce by \$3,500.00 by Councillor Cronin. Motion to reduce by \$2,500.00 by Councillor O'Brien, seconded by Councillor Devlin. Roll call vote, 1 N(BV). Motion passed.

Page 56, Item 55800 – Motion to reduce by \$200.00 by Councillor Devlin, seconded by Councillor Giunta. Roll call vote, 2 N (CT,BV). Motion passed.

Page 63, Item 55800 – Motion to reduce by \$250.00 by Councillor Devlin, seconded by Councillor Cameron. Roll call vote, 3 N (CT,BV,BC). Motion passed.

Page 72, Item 55801 – Motion to reduce by \$800.00 by Councillor Devlin, seconded by Councillor Giunta. Roll call vote 5N(EC,BC,JE,CT,BV)1P(TO)Motion failed.

Page 72, Item 54200 – Motion to reduce by \$500.00 by Councillor Zeid, seconded by Councillor Devlin. Roll call vote, 2 N(CT,BV). Motion passed.

Page 76, Item 54200 – Motion to reduce by \$1,800.00 by Councillor Cronin, seconded by Councillor Connell. Roll call vote, 2 N(CT,BV). Motion passed.

Page 81, Item 51417 – Motion to reduce by \$2,000.00 by Councillor Eigerman, seconded by Councillor Devlin. Roll call vote 4Y(EC,BC,JD,JE)/7N Motion failed.

Page 82, Item 55101 – Motion to reduce by \$2,000.00 by Councillor Eigerman, seconded by Councillor Connell. Roll call vote 7/4(LG,CT,SZ,BV) Motion passed.

Page 99, Item 53009 – Motion to reduce by \$2,000.00 by Councillor Eigerman, seconded by Councillor Connell. Roll call vote Motion passed.

Page 115, Item 52411 – Motion to reduce by \$5,000.00 by Councillor Eigerman, seconded by Councillor Cameron. 1 N (BV). Motion passed.

Page 123, Items 51166-55800 – Motion to reduce to \$0.00 by Councillor Devlin, seconded by Councillor Cronin. Withdrawn.

Page 123, Item 51167 – Motion to reduce to \$0.00 by Councillor Devlin, seconded by Councillor Eigerman. Roll call vote 4Y(RC,JD,JE,TO)/7N Motion failed.

Page 145, Item 52101 – Motion to reduce by \$15,000.00 by Councillor Eigerman, seconded by Councillor Connell. 7Y/ 4 No. Motion passed.

Page 169, Item 51707 – Motion to reduce by \$40,000.00 by Councillor Zeid, seconded by Councillor Connell. Roll call vote, 1 No (BV). Motion passed

- **ORDR045EP_06_13_16** Emergency Preamble for General Fund Budget
Motion to approve by Councillor Cronin, seconded by Councillor Vogel. So voted.
- **ORDR045_06_13_16** General Fund Budget
Motion to approve by Councillor Cronin, seconded by Councillor Vogel.
- **ORDR050EP_06_13_16** Emergency Preamble for Modification to FY2017 Budget by allocating \$60,000 to the Newburyport Public Schools
Motion to approve by Councillor Tontar, seconded by Councillor Connell. So voted.
- **ORDR050_06_13_16** Modification to FY2017 Budget
Motion to approve by Councillor Tontar, seconded by Councillor Connell. So voted.
- Vote on Budget as Amended, So Voted
- **COMM052_05_09_16** FY2017 Proposed Budget (COTW)

16. GOOD OF THE ORDER

17. ADJOURNMENT

TRANSFERS



City of Newburyport

FY 2016

BUDGET TRANSFER REQUEST

RECEIVED
CITY CLERK'S OFFICE

Department: Parks Department

Submitted by: Lisë Reid, Parks Director

Date Submitted: 6/27/2016

Transfer From:

Account Name	<u>PRK Maint-Parks</u>	Bud Cat:	<u>\$ 3,865.23</u>
Account Number:	<u>01630002-52420</u>	YTD Bal:	<u>\$ 623.09</u>
Amount:	<u>\$3,500.00</u>	Trans I/O:	<u>\$ -</u>
Why are Funds Available:	<u>Due to the termination of the parks caretaker contract.</u>		

Transfer To:

Account Name	<u>PRK Parks Mgr/Caretaker</u>	Bud Cat:	<u>\$ -</u>
Account Number:	<u>01630001-51167</u>	YTD Bal:	<u>\$ -</u>
Amount:	<u>\$2,500.00</u>	Trans I/O:	<u>\$ -</u>
Why are Funds Required:	<u>To fund the Parks Manager/Caretaker through June 30, 2016.</u>		

Transfer To:

Account Name	<u>PRK Seasonal Employees</u>	Bud Cat:	<u>\$ -</u>
Account Number:	<u>01630001-51190</u>	YTD Bal:	<u>\$ -</u>
Amount:	<u>\$1,000.00</u>	Trans I/O:	<u>\$ -</u>
Why are Funds Required:	<u>To fund the Seasonal Employees through June 30, 2016.</u>		

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

Date: 6/21/16
 Date: 6/21/16

Michael Hennessey

13 Autumn Circle, Plaistow NH 03865
Home: 603-382-3455 - Cell: 603-235-3939 - hennalands1@comcast.net

Summary

Talented Landscape and Turf Manager offering more than 30 years in parks and grounds maintenance. Extensive experience in Landscape Design, Turf, Organics, Landscape Maintenance and Arboriculture.

Highlights

- MA Licensed Pesticide Applicator#18406
- Mass Certified Landscape Professional #1012
- NOFA: Accredited Organic Landcare Professional
- Small Business Owner for 25 Years
- Integrated Pest Management
- Extensive Turf Knowledge
- Extensive Plant Knowledge
- Tree Pruning & Ornamental Care
- Budgeting
- Landscape Sales
- Motivator
- Small Business Organizational Skills
- Ongoing Management of 6-8 employees on staff
- Irrigation Audit Experience
- Irrigation Installation & Maintenance

Accomplishments

Served as Landscape Contractor for the TV Show "This Old House" featured on PBS in April, 2016.

Harvard University: Renovation of on campus Residence of Dean of Harvard Divinity School

Salem, MA Historical Society: Award for Creation of Period Compliant Cobblestone Driveway in Historical District

Managed 1.5 million square feet of residential lawns doing mowing, lawn care and soil enhancement

Consultant for True North Solar Technology park in Salisbury, a 75 acre solar farm, doing landscape design, conservation compliance, turf studies and Public Meeting Q & A.

Joppa Park Newburyport: Contractor for renovation of park 2013, renovation of turf, 2015, Donated Irrigation system, 2015. Maintain Park for City of Newburyport for free.

Atkinson Common: Preferred vendor from 1993 to 2009. Managed Turf and trees. Ongoing tree planting and weed management. Irrigation maintenance. Plummer Avenue Entrance Renovation. Tower Lawn creation and installation. Worked with volunteers for fund raising ideas.

Newburyport Parks: Preferred Contractor 2008 to Present

Experience

President

April 1991 to Current

Hennessey Landscape Services, Inc — Plaistow, NH

Small Business Owner managing all aspects of running a small landscape company. Sales, budgeting, purchasing, managing employees, project management and Volunteering.

Maintenance Operations Manager

May 1989 to March 1991

Desmond Landscape Contractors — North Andover, MA

Operations Manager for Commercial Landscape Maintenance Division

Education

Bachelor of Science in Business Administration : Management, 1989

University Of Lowell — Lowell, MA, USA

Rugby, Treasurer Tau Kappa Epsilon Fraternity

COMMUNICATIONS



Whittier Regional Vocational Technical High School

RECEIVED
CITY CLERK'S OFFICE
2016 JUN 13 P 10

115 Amesbury Line Road
Haverhill, MA 01830-1898
978-373-4101
Fax: 978-372-5331
kkosmes@whittier.tec.ma.us

Maureen Lynch
Superintendent

Kara M. Kosmes
Business Manager

Amy Pocsik
Treasurer

June 30, 2016

Ms. Julie Languirand, Treasurer
City of Newburyport
60 Pleasant Street, PO Box 550
Newburyport, MA 01950

Dear Ms. Languirand,

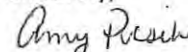
On April 13, 2016 the Whittier Regional Vocational Technical High School Committee voted to adopt a final **2016-2017 Gross Budget** in the amount of \$23,528,414.00, which consists of \$19,322,789.00 for the Required Net School Spending as defined under the Ed Reform formula; \$1,285,632.00 for Other Assessments, Assessment Transportation & Community Education; \$795,000.00 for Capital Assessments; \$2,124,993.00 for Other Educational Assessment. The estimated receipts for the school year are \$9,874,023.00, resulting in a **Total Approved Assessment for 2016-2017 at \$13,654,391.00.**

This is to certify that the **2016-2017** net assessment for the **City of Newburyport** is **\$427,368.00.**

NEWBURYPORT		TOTAL DUE
25%	Due August 15, 2016	\$106,842.00
25%	Due November 1, 2016	\$106,842.00
35%	Due February 1, 2017	\$149,579.00
15%	Due April 1, 2017	<u>\$64,105.00</u>
TOTAL:		\$427,368.00

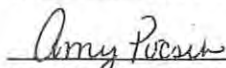
Several of our communities are transmitting assessment payments electronically. If your community would like to do so as well, please contact me at 978-373-4101 x293 to set up this process. If you have any questions, please do not hesitate to call our Business Manager, Ms. Kosmes at 978-373-4101 x269.

Sincerely,


Amy Pocsik, Treasurer

Cc: Mayor, City Clerk, Chmn. Board of Assessors, Finance Director, Superintendent of Schools, Whittier Representative

Certification: I hereby certify that the information contained above is true to the best of my knowledge and belief.


Amy Pocsik, Treasurer



RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2016 JUN 11 AM

CITY OF NEWBURYPORT
60 PLEASANT STREET
NEWBURYPORT, MA 01950

BLOCK PARTY APPLICATION

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

DATE OF REQUEST: June 10, 2016

CONTACT INFORMATION

FIRST AND LAST NAMES: Jamie Chabot

MAILING ADDRESS: 4 Congress St.

PHONE NUMBER: 775-240-6836 cell

E-MAIL ADDRESS: Jamie.Chabot1@gmail.com

BLOCK PARTY INFORMATION

BLOCK PARTY DATE: Aug 6, 2016

DESIRED STREET CLOSING LOCATION: Corner of Buck & Congress to Olive
Please indicate cross streets when requesting the closing of street sections

STREET TO BE BARRICADED: Corner of Buck & Congress

DESIRED STREET CLOSING TIME: 5PM - 9PM

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

REGULATIONS

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

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

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

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

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

Applicant signature: _____

Date: _____

June 6, 2016

APPROVAL SIGNATURES REQUIRED FOR STREET CLOSURE

CITY MARSHALL

4 Green Street

FIRE CHIEF

Greenleaf Street

DEPUTY DIRECTOR

1 Perry Way

CITY CLERK

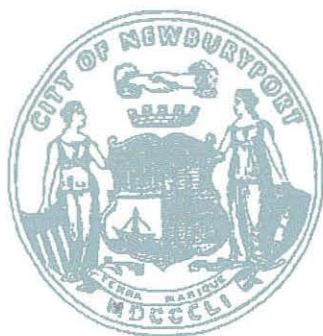
60 Pleasant Street

City use only:

Approved _____

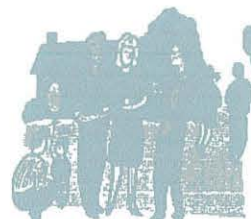
Denied _____

Date _____



RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2016 JUN 14 P 2



CITY OF NEWBURYPORT
60 PLEASANT STREET
NEWBURYPORT, MA 01950

BLOCK PARTY APPLICATION

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

DATE OF REQUEST: June 9, 2016

CONTACT INFORMATION

FIRST AND LAST NAME: Melissa Duncan
MAILING ADDRESS: 14 Dove St.
PHONE NUMBER: 978-499-9736
E-MAIL ADDRESS: djdener@msn.com

BLOCK PARTY INFORMATION

BLOCK PARTY DATE: Sat. August 6, 2016

DESIRED STREET CLOSING LOCATION: Dove & Monroe to
Please indicate cross streets when requesting the closing of street sections (Dove & Merrimack)

STREET TO BE BARRICADED: Dove St

DESIRED STREET CLOSING TIME: 5-10

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

REGULATIONS

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

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

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

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

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

Applicant Signature

Melissa Duncan

Date

June 9, 2016

APPROVAL SIGNATURES REQUIRED FOR STREET CLOSURE

CITY MARSHALL

4 Green Street

FIRE CHIEF

Greenleaf Street

DEPUTY DIRECTOR

1 Perry Way

CITY CLERK

60 Pleasant St.

M. J. [Signature] 6/10/16

Cheryl [Signature] 6/13/16

A. [Signature] 6-13-16

City use only:

Approved

-Denied

Date



CITY OF NEWBURYPORT
60 PLEASANT STREET
NEWBURYPORT, MA 01950



BLOCK PARTY APPLICATION

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

DATE OF REQUEST: 6/7/16

CONTACT INFORMATION

FIRST AND LAST NAME: Patricia + Robert Hoffman

MAILING ADDRESS: 15 Lafayette St

PHONE NUMBER: 978-255-2894

E-MAIL ADDRESS: hoffmanpatty@gmail.com

BLOCK PARTY INFORMATION

BLOCK PARTY DATE: 7/30/16

DESIRED STREET CLOSING LOCATION: Lafayette St

Please indicate cross streets when requesting the closing of street sections

STREET TO BE BARRICADED: Lafayette St to Highland Ave & High St

DESIRED STREET CLOSING TIME: 3pm-9pm

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

cross ST: Highland Ave + High St.

REGULATIONS

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

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

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

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

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

Applicant Signature



Date

10/7/16

APPROVAL SIGNATURES REQUIRED FOR STREET CLOSURE

CITY MARSHALL

4 Green Street

FIRE CHIEF

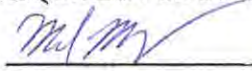
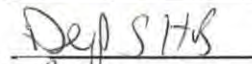
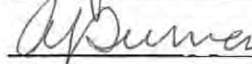
Greenleaf Street

DEPUTY DIRECTOR

1 Perry Way

CITY CLERK

60 Pleasant St.

 6/10/16
 6/8/16
 6-13-16

City use only:

Approved

-Denied

Date

**END OF CONSENT AGENDA
BEGINNING OF REGULAR AGENDA**

COMMUNICATIONS

Richard –

You question whether the permit extensions that will be authorized pursuant to the proposed revisions to Section 12-1(b) of the Code of Ordinances are themselves subject to the requirements for enactment found in Section 2-9 of the City Charter

As you are aware, the City Charter in Section 1-7 defines “measure” as “any ordinance, order, or other vote or proceeding adopted, or which might be adopted, by the city council or the school committee.” The proposed ordinance seeking to amend Section 12-1(b) of the Code of Ordinances by adding a new subsection (6) is, of course, a measure subject to the requirements of Section 2-9 of the City Charter for adoption. However, in my further opinion, the actions authorized and the delegations of authority empowered by the ordinances are not themselves measures, as they are not “adopted” by the City Council, but are actions authorized by the ordinances. In taking these actions, the City Council is acting in an executive, rather than legislative, capacity. Thus, in my opinion, the City Council may, by ordinance, determine what actions may be taken by the City Council to effectuate the operations of the City, and such executive actions would not be subject to the legislative enactment procedures of Section 2-9 of the City Charter.

Please contact me with any further questions.

Mark

Mark R. Reich, Esq.
KOPELMAN AND PAIGE, P.C.
 101 Arch Street, 12th Floor
 Boston, MA 02110
 O: (617) 556 0007
 F: (617) 654 1735
mreich@k-plaw.com
www.k-plaw.com

This message and the documents attached to it, if any, are intended only for the use of the addressee and may contain information that is PRIVILEGED and CONFIDENTIAL and/or may contain ATTORNEY WORK PRODUCT. If you are not the intended recipient, you are hereby notified that any dissemination of this communication is strictly prohibited. If you have received this communication in error, please delete all electronic copies of this message and attachments thereto, if any, and destroy any hard copies you may have created and notify me immediately.

From: Richard Jones [<mailto:RJones@CityofNewburyport.com>]
Sent: Friday, June 17, 2016 12:37 PM
To: Mark R. Reich
Cc: Donna Holaday; Patricia Moore
Subject: Request for Opinion

Hi Mark,

I need to seek your opinion on whether or not our Charter Sec 2-9 prohibits a proposed ordinance from being considered.

The proposed ordinance would delegate and authorize the City Clerk and the Chair of the License and Permits Committee as follows:

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 material changes to the same.

The pertinent Charter language (Sec 2-9) is as follows:

No measure making a grant, renewal or extension, whatever its kind or nature, or a franchise or special privilege shall be passed as an emergency measure, and except as provided by the laws of the commonwealth, no such grant, renewal or extension shall be made otherwise than by ordinance.

The Charter language creates two issues:

1. That a measure cannot be renewed at its first introduction to the Council.
2. That a renewal measure must be by ordinance.

Issue #1 - The proposed ordinance, if passed, would mean that renewals would not be a measure coming before the Council, therefore issue #1 above is satisfied.

Issue #2 - The above-mentioned Charter language states "no such [], renewal [] shall be made otherwise than by ordinance." The 'such' qualifier refers back to the word 'measure' at the beginning of the sentence. Since the change to the renewal of outdoor seating is being made by ordinance, issue #2 is satisfied.

Please find attached the proposed ordinance. As always, thank you for your attention to this request.

Thanks,

Richard

Richard B. Jones
City Clerk
City of Newburyport
60 Pleasant Street
Newburyport, MA

Amendment to Contract

City of Newburyport and

Town of West Newbury

INTERMUNICIPAL AGREEMENT FOR THE ADMINISTRATION OF SHARED ANIMAL CONTROL SERVICES

This amendment (the "Amendment") is made by the City of Newburyport and the Town of West Newbury, parties to the agreement INTERMUNICIPAL AGREEMENT FOR THE ADMINISTRATION OF SHARED ANIMAL CONTROL SERVICES dated July 1, 2016.

The Agreement is amended as follows:

Article 3. Term – Replace with the following:

This Agreement shall take effect on July 1, 2016, for a three month term ending September 30, 2016. At the end of the initial three month term the Agreement may be extended through June 30, 2017. If extended through June 30, 2017, upon expiration, the agreement 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 the approval of 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. Should either of the Participating Governmental Units wish to terminate the agreement after the initial three month term expiring on September 30, 2016, or anytime thereafter, a mutually agreeable transition plan will be developed and implemented, including the return of the ACO vehicle to West Newbury or other disposition as agreed upon between both municipalities. During the transition, the Town of West Newbury will continue to make payments to the City of Newburyport, pro-rated if applicable, until such time the Inter-municipal Agreement is terminated and Newburyport is no longer providing Animal Control Services to West Newbury.

Except as set forth in this Amendment, the Agreement is unaffected and shall continue in full force and effect in accordance with its terms. If there is conflict between this amendment and the Agreement or any earlier amendment, the terms of this amendment will prevail.

Town of West Newbury

By Board of Selectmen

Dated:

City of Newburyport

By City Council

By Mayor Donna Holaday

Dated:

**APPOINTMENTS
SECOND READING**

Second Reading
APPOINTMENTS

- **APPT051_06_13_16** Robert Padellaro 17 56th St, Nbpt Spec Pol 7/1/2019
Michael Falite 4 Caitlin Cir, Slsbry Spec Pol 7/1/2019

RE-APPOINTMENTS

- **APPT052_06_13_16** Madeline Nash 19 Arlington St, Nbpt Aff Housing 5/1/2017
- **APPT053_06_13_16** Judy Tymon 39 Lime St, Nbpt Aff Housing 4/1/2018
- **APPT054_06_13_16** Karen B. Wiener 7 Lincoln St, Nbpt Aff Housing 6/1/2017

ORDERS

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
TOWN OFFICE
NEWBURYPORT, MA
MAY 22 2016

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

CITY OF NEWBURYPORT AND
TOWN OF WEST NEWBURY
INTERMUNICIPAL AGREEMENT FOR THE ADMINISTRATION OF SHARED
ANIMAL CONTROL SERVICES

JUL 15 2016
11:11 AM
CLERK

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 from 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 be 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.

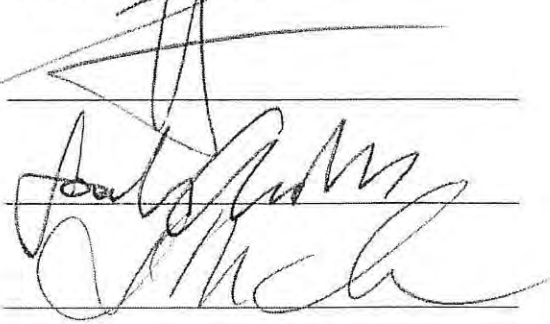
Article 12 Dangerous or Nuisance Dogs

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

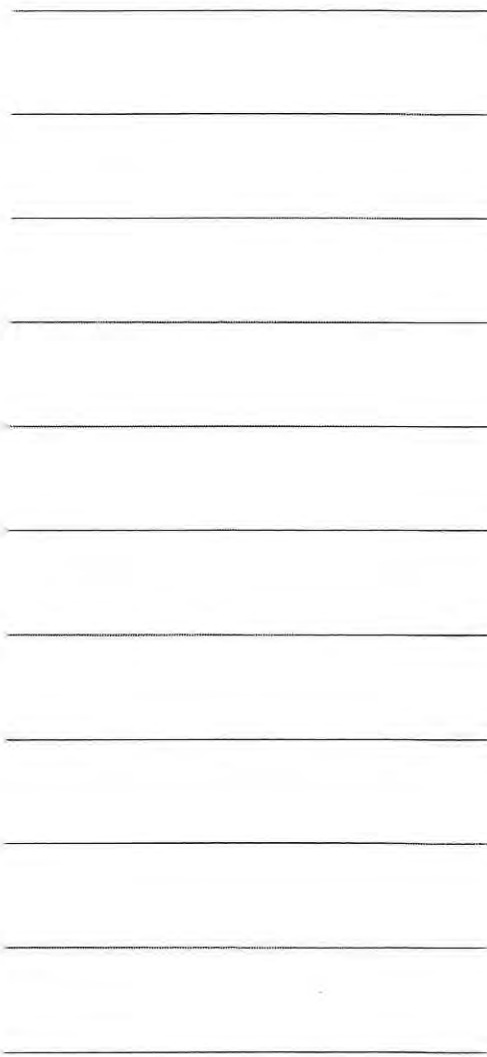
- a. This agreement may be amended in writing by vote of both of the Participating Governmental Units. Should additional municipalities seek to join this program of shared Animal Control Services, the terms agreed to herein, including apportionment of expenses, for such additional municipalities shall 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

A large, stylized handwritten signature in black ink, written over three horizontal lines.

Dated: 5/16/16

CITY OF NEWBURYPORT
By City Council

A series of ten horizontal lines provided for the signature of the City of Newburyport representative.

Dated: _____

Amendment to Contract

City of Newburyport and

Town of West Newbury

INTERMUNICIPAL AGREEMENT FOR THE ADMINISTRATION OF SHARED ANIMAL CONTROL SERVICES

This amendment (the "Amendment") is made by the City of Newburyport and the Town of West Newbury, parties to the agreement INTERMUNICIPAL AGREEMENT FOR THE ADMINISTRATION OF SHARED ANIMAL CONTROL SERVICES dated July 1, 2016.

The Agreement is amended as follows:

Article 3. Term – Replace with the following:

This Agreement shall take effect on July 1, 2016, for a three month term ending September 30, 2016. At the end of the initial three month term the Agreement may be extended through June 30, 2017. If extended through June 30, 2017, upon expiration, the agreement 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 the approval of 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. Should either of the Participating Governmental Units wish to terminate the agreement after the initial three month term expiring on September 30, 2016, or anytime thereafter, a mutually agreeable transition plan will be developed and implemented, including the return of the ACO vehicle to West Newbury or other disposition as agreed upon between both municipalities. During the transition, the Town of West Newbury will continue to make payments to the City of Newburyport, pro-rated if applicable, until such time the Inter-municipal Agreement is terminated and Newburyport is no longer providing Animal Control Services to West Newbury.

Except as set forth in this Amendment, the Agreement is unaffected and shall continue in full force and effect in accordance with its terms. If there is conflict between this amendment and the Agreement or any earlier amendment, the terms of this amendment will prevail.

Town of West Newbury
By Board of Selectmen

Dated:

City of Newburyport
By City Council

By Mayor Donna Holaday

Dated:

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

June 27, 2016

THAT the City Council of the City of Newburyport hereby orders, pursuant to Code Section 13-166, that no person shall park any vehicle on the following streets or portions thereof as follows:

Street: Crow Lane

Restriction: On the northerly side starting at a point 257 feet east of Storeybrook Drive running easterly to a point 394 feet from said Drive.
On the southerly side startng at a point 351' east of Storeybrook Drive running easterly to a point 436 feet from said Drive.
The signage shall read "No On Street Parking During Athletic Field Use".

Furthermore, the City Clerk shall add this restriction to the public list available in the Clerk's office. This list shall be updated and posted on the City of Newburyport website.

Councillor Larry G. Giunta

Councillor Thomas F. O'Brien

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

Date: June 27, 2016

THAT the City Council of the City of Newburyport hereby orders, pursuant to Code Section 13-136, that the following street shall be designated as a stop intersection:

Street: Kent Street

Intersection: Southwesterly drivers at the intersection of Kent Street and High Street

Furthermore, the City Clerk shall add this stop intersection to the public list available in the Clerk's office. This list shall be updated and posted on the City of Newburyport website.

Councillor Robert J. Cronin

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

June 21, 2016

AN ORDER AMENDING CITY COUNCIL RULES RELATING TO REQUIREMENT OF TWO (2) ROLL CALL VOTES PER ORDINANCE:

WHEREAS, The City Council of the City of Newburyport intends to hold itself to the highest standard of transparency and integrity

WHEREAS, Gathering as much public input as possible is integral to the process of Government and the formation of our laws

WHEREAS, Moving with great deliberation and careful thought offers time for reflection and additional consideration of any proposed law

THEREFORE, BE IT ORDERED, that:

The following shall be inserted into Rule Nine (9) of the Newburyport City Council Rules, section titled "MANNER OF VOTING", following the first full sentence:

Following removal from committee, approval of any ordinance shall require two (2) readings and two (2) roll-call votes to be held at separate, consecutive City Council meetings. Following passage of the first reading, the Ordinance shall be posted to the Internet in a timely fashion in a manner prescribed by the City Clerk.

Councillor Robert J. Cronin

Councillor Larry G. Giunta, Jr.

Councillor Sharif I. Zeid

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

June 27, 2016

THAT, The CITY COUNCIL of the City of Newburyport accepts with gratitude a gift from the Downtown Newburyport Enhancement Team Inc. in the amount of \$900.00 for the purpose of restoring the historic Inn Street fountain and appropriates said funds to the Inn Street Fountain Restoration and Splash Pad Project in accordance with M.G.L. Chapter 44, Section 53A.

Councillor Charles F. Tontar
Chair, Budget & Finance Committee

CITY OF NEWBURYPORT



IN CITY COUNCIL

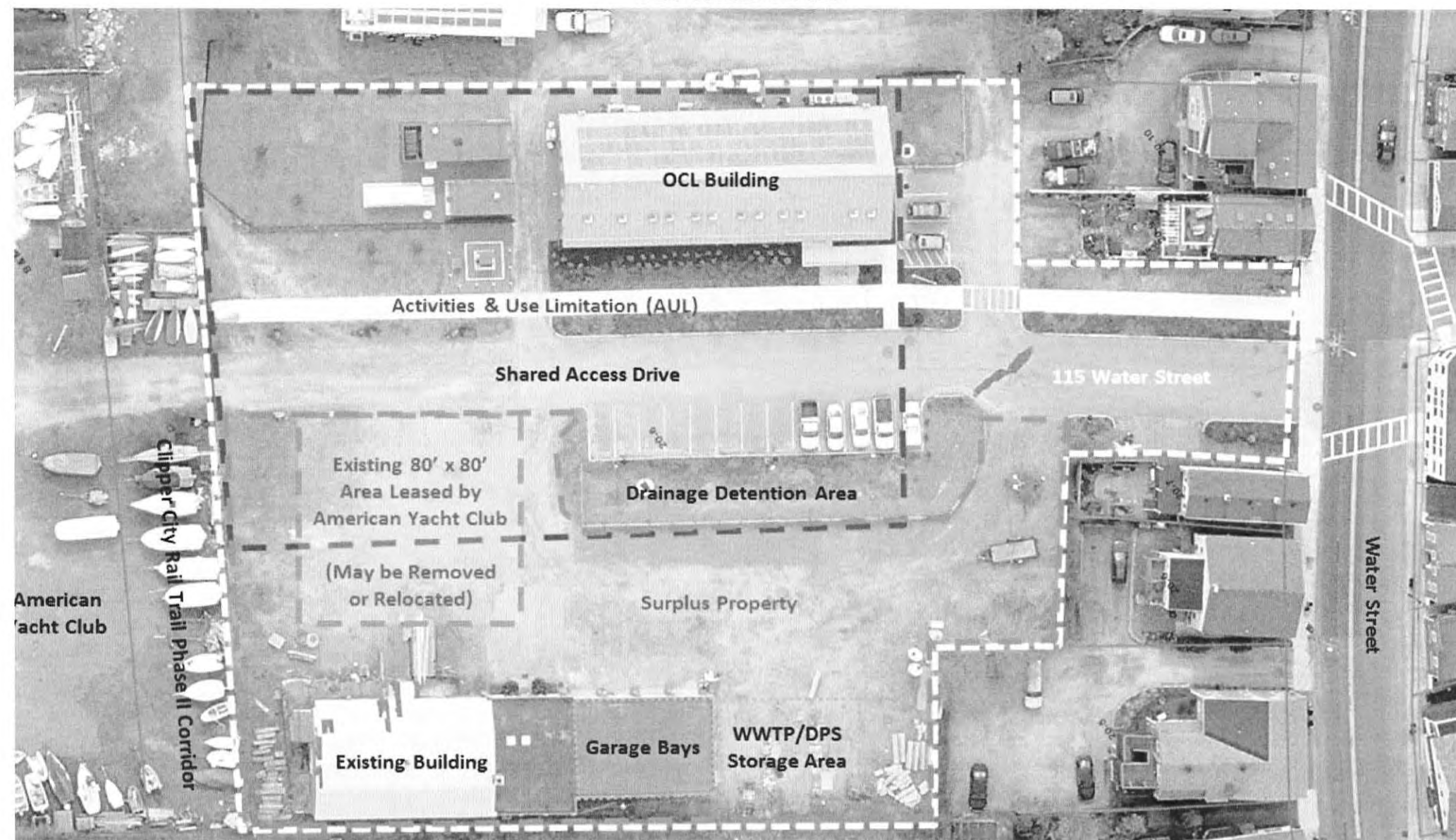
ORDERED:

Date: June 27, 2016

THAT pursuant to General Laws Chapter 40, Sections 15 and 15A the City Council of the City of Newburyport hereby designate the remaining 115 Water Street property (*originally taken by the City for the Wastewater Treatment Plant upgrade project*) as surplus property, no longer needed by the City, and further (*consistent with the June 20, 2016 vote of the Water and Sewer Commission*) that the Council hereby transfers the care, custody, management and control of said property, including any structures thereon, to the Mayor for the purposes of further conveyance, on such terms and conditions, and for such consideration, as the Mayor deems appropriate, provided that as a condition of the sale or lease of said property the City shall retain rights to such indoor and outdoor storage space as indicated on the attached diagram for continued use by the Department of Public Services and its Sewer Division, and further that any proceeds from sale or lease of the subject property shall be used to reduce the balance of any outstanding debt owed by the City associated with the aforementioned Wastewater Treatment Plant upgrade project.

Councilor Edward Cameron

115 Water Street



Notes:

1) Garage Bays: First floor Garage Bays to be retained by City via easement with permission for subsequent owner(s) and/or tenants to provide in-kind replacement for this indoor storage space on-site any within redevelopment scheme. Access easement to be provided from Water Street to Garage Bays. Future owner(s) and/or tenants may build second floor addition over existing garage bays provided that such improvements do not interfere with the purposes of this easement.

2) WWTP/DPS Storage Area: Outdoor storage area equivalent to garage bays in size (sq.ft.) to be retained by City via easement with permission for subsequent owner(s) and/or tenants to provide in-kind replacement for this outdoor storage space on-site within redevelopment scheme. Access easement to be provided from Water Street to Storage Area.

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

COMMITTEE ITEMS

BUDGET & FINANCE COMMITTEE ITEMS

1. **ORDR039_05_31_16** – Increase Hourly Parking Rate to \$1.50.
2. **ORDR040_05_31_16** – Whittier Regional Stabilization Fund.
3. **TRAN018_06_13_16** – General Fund \$28,068.02 and Snow & Ice – Labor \$56,722.98 to Snow & Ice – Expenses \$84,791.00
4. **TRAN019_06_13_16** – Sewer Retained Earnings \$370,000.00 to Odor Control Improvements Project \$370,000.00.
5. **TRAN020_06_13_16** – POL Heat \$7,500.00, POL Electricity \$1,500.00, POL Equip Maint \$4,000.00, and POL Fuel \$10,000.00 to POL Purchase Cruiser \$23,000.00.
6. **ORDR046_13_16** – Brown School Property Stab Fund.
7. **ORDR049_13_16** – Revolving Fund Order.
8. **ORDR050_13_16** – Accept Gift of Dusky boat.



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

FY 2016

BUDGET TRANSFER REQUEST

Department: Mayor's Office

Submitted by: Mayor Donna D. Holaday

Date Submitted: 6/13/2016

Transfer From:

Account Name	General Fund - Free Cash	YTD Bal:	\$ 732,119.66
Account Number:	01-35910	Category:	\$ -
Amount:	\$28,068.02	Trans I/O:	\$ (2,086,316.34)

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 \$73,000.00 in pending transfer requests.*

Transfer From:

Account Name	Snow & Ice - Labor	YTD Bal:	\$ 56,722.98
Account Number:	01423001-51301	Category:	\$ -
Amount:	\$56,722.98	Trans I/O:	\$ -

Why are Funds Available: *Snow and ice expenses are variable depending on winter weather conditions. Weather conditions during this past winter allowed for a remaining balance in the S/I Labor Account of \$56,722.98.*

Transfer To:

Account Name	Snow & Ice - Expenses	YTD Bal:	\$ (84,791.00)
Account Number:	01423002-52901	Category:	\$ -
Amount:	\$84,791.00	Trans I/O:	\$ -

Why are Funds Required: *Snow and ice expenses are variable depending on winter weather conditions. Weather conditions during this past winter caused the amount appropriated for S/I Expenses to exceed by \$84,791.00. This account is used to pay the cost of contractors hired to clear snow, equipment maintenance, as well as, materials such as salt and sand. State law allows communities to deficit spend in this category, however the deficit must be removed by fiscal year-end with available funds, or raise in FY2017.*

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

Donna D. Holaday
Ethan R. Manning

Date: 6/17/16
 Date: 6/17/16



City of Newburyport

FY 2016

BUDGET TRANSFER REQUEST

Department: DPS - Sewer

Submitted by: Anthony Furnari, Director

Date Submitted: 6/13/2016

Transfer From:

Account Name	Sewer Retained Earnings	YTD Bal:	\$	1,359,181.00
Account Number:	61-35920	Trans In:	\$	-
Amount:	\$370,000.00	Trans Out:	\$	(568,000.00)
Why are Funds Available:	<i>The Massachusetts Department of Revenue certified Retained Earnings for the Sewer Enterprise Fund for FY2016 at \$1,927,181. These funds are available for any legal expenditure with the approval of the Mayor and a majority vote of the City Council.</i>			

Transfer To:

Account Name	Odor Control Improvements Project	YTD Bal:	\$	248,231.50
Account Number:	4101-49700	Trans In:	\$	343,000.00
Amount:	\$370,000.00	Trans Out:	\$	-
Why are Funds Required:	<i>To fund expedited bidding/construction services of Contract 1 of the Odor Control and Facility Upgrade at the City's Wastewater Treatment Facility, as well as, additional design work for Contract 2. See attached explanatory memoranda.</i>			

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

Donna D Holaday
Ethan R Manning

Date: 6/17/16
 Date: 6/17/16



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: June 7, 2016

Subject: Request for Transfer to Fund Contract 1 Expedited Bidding/Construction Services and Contract 2 Additional Design for Wastewater Treatment Facility Odor Control

I am writing to respectfully request approval of an appropriation from Sewer Retained Earnings in the amount of \$370,000 to fund the Contract 1 Expedited Bidding and Construction Services, and the Contract 2 Additional Design for odor control and facility upgrades at the Wastewater Treatment Facility at 115 Water Street.

At the May 23, 2016 Water and Sewer Commission meeting, Bob Rafferty from Environmental Partners discussed milestones and funding approval dates for the facility upgrades at the Wastewater Treatment Facility. The attached transfer will position the Water and Sewer Commission to move forward within the necessary timeline.

Again, listed below are the Project Milestones.

Project Milestones	Completion Dates
1A Preliminary Design	February 29, 2016
1B City Review	March 14, 2016
2A Permitting Submittal	May 31, 2016 - July 25, 2016
2B Final Design	June 27, 2016
2C City Review	July 18, 2016
3 Bid Period	July 25, 2016 - September 2, 2016
4 Award Contract	September 19, 2016
5 Construction Period	September 2016 - June 2017

To meet the above milestones, we are anticipating our funding needs as shown below. The estimated costs will be further refined as the design process is completed and the project goes out to bid.

Phase	Estimated Cost	Funding Approval Dates
Preliminary Design	\$113,000	January 11, 2016
Final Design/Bidding	\$230,000	February 29, 2016
Expedited Design/Bidding/ Construction Services	\$370,000	June 27, 2016
Construction	\$3.0-3.5 million	September 12, 2016

The scheduling of a portion of construction in spring and summer 2016 (Contract 1) improves the odor control situation for the summer season but requires moving some design, bidding and construction services funds to May instead of late summer. The inclusion of the sodium hypochlorite septage receiving, exterior ducts, and geotechnical engineering have added design and construction scope, but the total budget is still at the initial estimate.

The goals of this project are two-fold: (1) take immediate steps to reduce odors for summer of 2016 and (2) undergo bidding and construction of the facility upgrades as a permanent solution to reducing odors at the facility.

I thank you in advance for your consideration.



City of Newburyport

FY 2016

BUDGET TRANSFER REQUEST

Department: Police Department

Submitted by: Mark R. Murray, City Marshal

Date Submitted: 6/13/2016

Transfer From:

Account Name	POL Heat	YTD Bal:	\$	8,631.39
Account Number:	01210002-52101	Trans In:	\$	-
Amount:	\$7,500.00	Trans Out:	\$	-
Why are Funds Available:	<i>Anticipated heating costs were lower than projected.</i>			

Transfer From:

Account Name	POL Electricity	YTD Bal:	\$	4,719.72
Account Number:	01210002-52102	Trans In:	\$	-
Amount:	\$1,500.00	Trans Out:	\$	15,000.00
Why are Funds Available:	<i>Anticipated electricity costs were lower than expected.</i>			

Transfer From:

Account Name	POL Equipment Maintenance	YTD Bal:	\$	9,653.24
Account Number:	01210002-52402	Trans In:	\$	-
Amount:	\$4,000.00	Trans Out:	\$	-
Why are Funds Available:	<i>Less maintenance was required on newer equipment.</i>			

Transfer From:

Account Name	POL Fuel/Oil Vehicles	YTD Bal:	\$	14,696.12
Account Number:	01210004-54801	Trans In:	\$	-
Amount:	\$10,000.00	Trans Out:	\$	35,000.00
Why are Funds Available:	<i>Anticipated fuel and oil costs were lower than projected due to the price of gas.</i>			

Transfer To:

Account Name	POL Purchase Cruiser	YTD Bal:	\$	3,486.38
Account Number:	01210008-58501	Trans In:	\$	-
Amount:	\$23,000.00	Trans Out:	\$	-
Why are Funds Required:	<i>Funds are needed to replace a cruiser, which was involved in a motor vehicle accident on May 13, 2016. The cruiser was a total loss according to the City's insurance company. \$4,895 was recovered from the City's insurance policy, which will also go toward the purchase of the new cruiser in accordance with MGL Ch. 44, Sec. 53.</i>			

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

Donna D. Holaday
Ethan R. Manning

Date: 4/7/16
 Date: 6/7/16



CITY OF NEWBURYPORT

June 2nd, 2016

POLICE DEPARTMENT

MARK R. MURRAY
CITY MARSHAL

4 GREEN STREET
NEWBURYPORT, MA 01950

TEL: 978-462-4411

FAX: 978-462-0396

TO: President and Members of the Newburyport City Council
FROM: City Marshal Mark Murray
RE: Transfer Request

The police department has always carried 10 marked police cruisers 5-6 which are used as front line cars. The older cars are used as spare cars for special assignments such as traffic details or school/training. We will also deploy extra patrol during special events, such as festivals, road races or unusual occurrences which require added patrol.

We are currently at 8 marked police cruisers. We have lost 2 cruisers in accidents in the last year and 2 2009 Dodge Chargers to mechanical issues. We have been rotating the older vehicles out of the front line and using them more sparingly. We find that by doing this and maintaining a fairly new frontline fleet we are able to keep the maintenance costs at a reasonable level. The front line cars are running 24 hours a day.

The fleet currently consists of:

505	2016	FORD EXPLORER
508	2014	FORD EXPLORER
509	2014	FORD EXPLORER
502	2014	FORD POL INTER
501	2011	FORD CRN VIC
503	2011	FORD CRN VIC
507	2010	FORD CRN VIC
506	2006	FORD CRN VIC

The 2010 Ford Crown Vic is dedicated to the K9 Officer. We are currently waiting for the delivery of a 2016 Ford Police Interceptor sedan which was ordered back in February, which was replacing 1 of the 2 Dodge Chargers which were put out of service due to mechanical issues. I would like to replace car# 506 which is a 2006 Ford Crown Vic.

The cost to purchase this vehicle is \$27,895.

City Marshal Mark Murray

Excellence In Policing Through Superior Service

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

June 13, 2016

WHEREAS Massachusetts General Laws Chapter 40, Section 5B allows municipalities to create multiple stabilization funds, assign different purposes to each, and

WHEREAS the Brown School neighborhood, so-called, was impacted by a special permit violation at 77 Lime Street, and

WHEREAS the developer, 77 Lime Dev. LLC, is seeking relief for the change in height of the structure through a modification of the existing Special Permit (2016-013) and has agreed to pay a mitigation fee of \$40,000 to the City with an additional \$10,000 to be paid to the City if the unit known at 93 Prospect Street sells for one million dollars or more upon closing, and

NOW, THEREFORE, the CITY COUNCIL of the CITY OF NEWBURYPORT hereby establishes and, upon receipt of said payment, appropriates said funds to the Brown School Property Fund with the designated purpose of making improvements to the site and/or surrounding neighborhood or related costs thereto with the approval of the Mayor and City Council in accordance with MGL Ch. 40, Sec. 5B.

Councillor Jared J. Eigerman

Councillor Charles F. Tontar



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

60 PLEASANT STREET - P.O. BOX 350
NEWBURYPORT, MA 01950

978-465-4413 PHONE

978-465-4402 FAX

Ed Ramsdell, Chair
Zoning Board of Appeals
60 Pleasant St.
Newburyport, MA 01950

May 3, 2016

Dear Mr. Ramsdell,

On April 12, 2016 the Zoning Board of Appeals (ZBA) heard a request from the 77 Lime St. property developers to modify the existing Special Permit (2016-013). The issue before the ZBA was that the Gambrel structure was built to height 27' 5" instead of 26' 3" as shown on the approved plans. The developer, 77 Lime Dev. LLC is seeking relief for the change in height through modification of the existing Special Permit.

Following testimony from the developer and public comments, the ZBA discussed the facts related to the removal of the roof to reduce the height to the approved plan. It was acknowledged that it would be costly to reduce the height based upon the estimate of \$120,000 to \$130,000 and the fact that the developer offered an alternative mitigation which should be discussed. The developer proposed that \$15,000 would be donated to the Newburyport Preservation Trust and \$15,000 would be donated to the restoration project of the Unitarian Church Steeple. The ZBA requested that the developer meet with the mayor to discuss an appropriate mitigation and report back to the Zoning Board relative to any discussions and/or resolutions with regards to the mitigation.

A meeting was held on April 26th, 2016 with the developers and their Attorney Lisa Mead for the purpose of this discussion. The Preservation Trust reported that they have no interest in receiving the \$15,000 in suggested funding and the City prefers a more direct benefit to the Lime St. neighborhood than a donation to the steeple project. The parties finally agreed to the following:

1. The window replacement on the original building would be completed prior to the May ZBA meeting noting the roofline prohibits one of the requested windows to be replaced. This work will be directly approved by the Building Commissioner. (While I agree this was not part of the direction of the Zoning Board, nor do I as mayor have any authority over the enforcement of the permits, given that the developer had agreed with the Zoning Board that this would occur, the developer and I thought it should be reiterated here.)

2. A mitigation fee of \$40,000 with a potential additional \$10,000 to be paid to the City to be used to benefit the South End neighborhood surrounding the Lime St. property as follows: \$40,000 will be paid

to the City upon the closing of the unit known at 93 Prospect and if that unit is sold for one million dollars or more then, \$10,000 will be paid to the City at the same time.

3. Developer will work with the City to resolve and complete the fencing between the Gambrel at 77 Lime St. and the Brown Youth Center.

Please do not hesitate to contact me if I can be of further assistance.

Sincerely,

A handwritten signature in cursive script, appearing to read "Donna D. Holaday".

Donna D. Holaday
Mayor



CITY OF NEWBURYPORT
ZONING BOARD OF APPEALS
60 PLEASANT STREET • P.O. BOX 550
NEWBURYPORT, MA 01950
(978) 465-4400 • (978) 465-4452 (FAX)
WWW.CITYOFNEWBURYPORT.COM

RECORD OF PROCEEDINGS AND DECISION FOR
A SPECIAL PERMIT FOR NON-CONFORMITIES

An application for a Special Permit for Non-Conformities was filed by:

Lime Dev. LLC c/o Blatman, Bobrowski, Mead & Talermin, LLC
30 Green Street
Newburyport, MA 01950

for property owned by Lime Dev., LLC for the following request:

modify existing Special Permit for Non-Conformities to allow a building height with front and side elevations of 127' 5 1/4" instead of 126' 10" as shown on the approved plans

The application was filed at the City Clerk's Office on 12/17/2015 under the Zoning Ordinance Section X-H.3 Powers of the Board and Section IX.B.2 Extension or Alteration.

The application is for the premises at 77 Lime Street in the R3 Zoning District, as indicated in the Newburyport Assessor's Office as map and parcel 21-1 and recorded in the Essex South District Registry of Deeds as Book and Page 33657-331. The newspaper notices for the public hearing were posted on 1/11/2016 and 1/18/2016 in the Newburyport Daily News.

A public hearing was held for the above application on 5/24/2016 at 7:15 p.m. at which time the Board heard the petition for a Special Permit for Non-Conformities. After the close of the hearing on 5/24/2016, upon motion made by Duncan LaBay and duly seconded by Richard Goulet, the Board voted to APPROVE the petition for the Special Permit for Non-Conformities.

The following members present and voting, and voting as follows with respect to the petition:

Robert Ciampitti	<u>Absent</u>	Duncan LaBay	<u>Yes</u>
Jamie Pennington	<u>Yes</u>	Richard Goulet	<u>Yes</u>
Edward Ramsdell, Chair	<u>Yes</u>	Renee Bourdeau, Associate	<u>Not Voting</u>

Having received the necessary two-thirds super majority vote or all the members of the ZBA, in accordance with M.G.L. c.40A, Section 9, as adopted, the petition for the Special Permit for Non-Conformities was therefore APPROVED.

FINDINGS

After the public hearing, in accordance with the criteria set forth in the City of Newburyport Zoning

Ordinance Section IX.B Extension or Alteration, the Newburyport Zoning Board of Appeals made the following findings:

1. The applicant is seeking a SPNC to allow a building height with front and side elevations of 127'-5 1/4" instead of 126'-10" as shown on the previously-approved plans.
2. At a hearing in January the Board requested to be able to view what the structure would look like if the current structure's roof height was reduced to that called out on the approved plans. This would aid the Board in determining the impact of the height and architecture on the abutting properties and character of the neighborhood. In a continuation of the hearing held on April the applicant presented 3 options - 1. The top of the roof is taken off so the mean height comes into compliance. The applicant was not considering this option, as it is not aesthetically pleasing. 2. A portion of the roof would be taken off, leaving 2' on side gables. Rails would be added to give the look of a 'widow's walk and 3. Reduce the roof in height by removing pitch and replacing with a shallower pitch and lowering the eaves. The Board was disinclined to approve these proposals. Also during the April hearing the applicant raised the possibility of making some contribution to local preservation options as an option. The Board again suggested that the applicant seek an continuance and further explore options. The applicant then requested a continuance to 24 May 2016 and this was granted.
3. At the May 24 hearing the applicant proposed a payment in mitigation to the City of \$40,000 to be used to benefit the neighborhood of the structure and an additional \$10,000 if the structure sells for \$1 million or more - these payments due upon closing of the unit known as 93 Prospect Street. Additionally the applicant will work with City to resolve and complete the fencing between 77 Lime Street and the Brown Youth Center.
4. All the existing non-conformities are remaining the same with the allowance in height increase from the original plans as requested.
5. Evidence was presented and the Board found that the proposed change continues to be in conformity with the neighborhood and will not be substantially more detrimental to the neighborhood than the pre-existing non-conforming structure originally proposed when the benefits of the offered mitigation to the City and the neighborhood are considered.

CONDITIONS OF APPROVAL

The following conditions do not limit any other rights and remedies the City of Newburyport may have.

1. This Special Permit for Non-Conformities shall not take effect until a copy of this decision bearing the certification of the City Clerk is recorded in the Essex South Registry of Deeds or is recorded and noted on the owner's certificate of title. The fee for recording or registering shall be paid by the owner or applicant.
2. This special permit will lapse after two years if a substantial use has not commenced except for good cause or, in the case of a permit for construction, if construction has not commenced except for good cause. Excluded from any lapse period is the time required to pursue or await the determination of any appeal taken pursuant to MGL, Chapter 40A, Section 17.

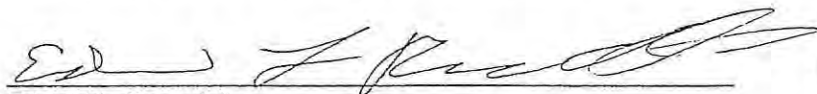
3. A payment in mitigation to the City of \$40,000 to be used to benefit the neighborhood and an additional \$10,000 if the structure sells for \$1 million or more - these payments due upon closing of the unit known as 93 Prospect Street. This payment(s) will be deposited into a stabilization account to be created, called the "Brown School Property Fund."

4. The applicant will work with City to resolve and complete the fencing between 77 Lime Street and the Brown Youth Center.

5. It is also noted that the window replacement in the original structure was completed prior to the May hearing date as promised by the applicant.

This decision was filed with the Newburyport City Clerk on **6/3/2016** and sent registered mail to the applicant and by regular mail to the Parties in Interest and the abutting Municipalities.

Undersigned Chair of the Zoning Board of Appeals,



Edward L. Ramsdell

Date: 6/3/2016

CERTIFICATION OF CITY CLERK

I, Richard Jones, City Clerk of the City of Newburyport, hereby certify pursuant to M.G.L. Chapter 40A, Section 17, that the decision for the property known as **77 Lime Street** was filed in the Office of the City Clerk on **6/3/2016**.

Pursuant to M.G.L. Chapter 40A, Section 11 this decision was also filed with the Newburyport Planning Board on **6/3/2016**.

Twenty (20) days have elapsed since the decision was filed and **NO APPEAL** has been filed. Appeals shall be made pursuant to M.G.L. Chapter 40A, Section 17 and filed within (20) twenty days after the date of filing of this decision in the Office of the City Clerk.

Newburyport City Clerk

Date: _____

CITY OF NEWBURYPORT



IN CITY COUNCIL

June 13, 2016

ORDERED:

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

Code	Revolving Fund	Authorized to Spend	Revenue Source	Use of Fund	FY17 Spending Limit ¹
2801	Engineering Services	Director of Planning & Development	Charges to developers who have applications before the City in an amount equal to the cost of acquiring the professional service	Expenses associated with the engagement, by the City, of engineers, architects, and other professionals qualified to evaluate various aspects of development projects and to advise the City accordingly	\$100,000
2802	Council on Aging	Director of Council on Aging	Program fees	Senior citizen programs	\$50,000
2803	Recreational Services	Director of Youth Services	Program fees	Funds recreational services in the City including program supplies, materials and equipment, class instructor fees, fees for reservations and tickets related to trips and functions, and other costs related to the provisions of recreational services	\$400,000
2804	Historical Commission	Director of Planning & Development	Application fees	Administration of the Historical Commission operations, including office supplies and technical assistance	\$10,000
2806	Electrical Inspector	Building Commissioner	Electrical permit fees	Electrical Inspector's salary and related expenses	\$105,000
2807	Plumbing Inspector	Building Commissioner	Plumbing permit fees	Plumbing Inspector's salary and related expenses	\$60,000
2808	Gas Inspector	Building Commissioner	Gas permit fees	Gas Inspector's salary and related expenses	\$50,000
2809	Disabilities Commission	ADA Coordinator	Handicapped parking fines	Assist the Commission on Disabilities in their efforts to advise, assist, research, coordinate, review and make policy recommendations, provide information, referrals, guidance and technical assistance to individuals, public agencies, businesses and organizations in all matters pertaining to disability; and to coordinate activities of other local groups organized for similar purposes	\$25,000
2810	Emma Andrews Library	Director of Public Services	Income received from the rental of the apartment located on the second floor of the South End Branch Library, commonly known as the Emma Andrews Library	Expenses associated with building maintenance, repairs, renovations, upkeep and security	\$35,000
2811	M-School Drop-in Center	Director of Youth Services	Fees and voluntary payments received from the general public, private corporations and charitable foundations	Expenses associated with the operation of the Drop-In Center, including staff salaries, equipment, materials, supplies and other costs related to the Drop-In Center programs and activities	\$100,000
2812	Transient Vendors	Director of Public Health	License fees	Maintain City streets, ways, parks, walkways and other public areas throughout the City, as well as, City expenses associated with carrying out holiday celebrations, special activities and other public events	\$40,000

<u>Code</u>	<u>Revolving Fund</u>	<u>Authorized to Spend</u>	<u>Revenue Source</u>	<u>Use of Fund</u>	<u>FY17 Spending Limit¹</u>
2813	Planning & Zoning	Director of Planning & Development	Planning and zoning service and application fees	Planning and zoning related purposes including consultant's fees, legal expenses and other costs associated with project reviews and planning activities	\$75,000
2817	Animal Control	Director of Public Health	Fees and charges associated with animal control and animal shelter activities	Offset City expenses associated with carrying out animal control and animal shelter operations	\$25,000
2818	Tree Commission	Newburyport Tree Warden	Fines, voluntary payments, fees, charges, contributions, donations, grants, insurance settlements, and other payments received from private individuals, businesses, government entities, and persons or business making payment to the City for damage caused to trees located on City property	Plant, maintain, protect, and preserve public trees throughout the City in order to; contribute to the distinct character of the City; improve air quality; create habitats for wildlife, including various rare and protected species; reduce noise; provide privacy; protect soil from erosion; provide glare and heat protection; provide an aesthetic appeal that enhances property values; provides natural privacy to neighbors; and promotes civic pride and enjoyment	\$30,000
2835	Medicare/Medicaid	Director of Public Health	Reimbursements charged to the state or federal Medicare/Medicaid programs	Maintain emergency planning programs and allow response to emergencies, as well as, offset City expenses associated with carrying out Health Department activities	\$50,000
2836	Veterans Benefits	Director of Veteran's Services	Sale of grave markers, donations, gifts and grants received from the general public, government entities, private corporations, and charitable foundations	Expenses associated with goods and services benefiting veterans residing in the City and their families	\$10,000
2839	Downtown Paid Parking	City Clerk/ Parking Clerk	Parking fees, violation fines and passes	Expenses include: a) all annual operational costs of the downtown paid parking program, including, without limitation, maintenance of the parking lots' asphalt and gravel surfacing, lighting, landscaping, and snow removal, equipment, supplies and signage, and parking enforcement officers; b) monthly payments to the Newburyport Redevelopment Authority in an amount equal to its meter revenue from said East and West Lots; c) contractual payments to the Newburyport Waterfront Trust; d) annual capital reserve allocations towards cyclical replacement of revenue collection machines and re-surfacing of the asphalt parking lots; e) not less than \$50,000 per year towards the general stewardship, care, maintenance, and improvement of the downtown's public infrastructure, including but not limited to, sidewalks, curbing, stairways, lighting, trees and landscaping and entities; and f) other capital projects and general fund transfers, as determined by the Mayor and the City Council, based on the program's net income after the aforementioned expenditures have been satisfied	\$504,000
2840	City Hall Maintenance	Director of Public Services	Fees and charges paid to the City for the use and rental of City Hall facilities by outside groups, organizations and individuals	Expenses associated with City Hall maintenance, repairs, renovations, upkeep and security	\$25,000
2841	Senior Community Center Maintenance	Director of Public Services	Fees and charges paid to the City for the use and rental of the Senior Community Center	Expenses associated with maintenance, repairs, renovations, upkeep and security at the Senior Community Center	\$50,000
2842	Parks Maintenance	Parks Director	Fees and charges paid to the City for the use and rental of parks by outside groups, organizations and individuals	Expenses associated with parks maintenance, repairs, renovations, upkeep and security	\$50,000

Total Spending²

\$1,794,000

¹FY17 per department spending limit is \$504,151 (1% of FY16 levy of \$50,415,097)

²FY17 total spending limit is \$5,041,510 (10% of FY16 levy of \$50,415,097)

**CITY OF NEWBURYPORT
REVOLVING FUNDS**

FY2016 YEAR-TO-DATE ACTIVITY
(AS OF JUNE 6, 2016)

<u>Account Name</u>	<u>Fund Code</u>	<u>Beginning Balance</u>	<u>YTD Revenue</u>	<u>YTD Expended</u>	<u>Transfers In/(Out)</u>	<u>Current Balance</u>
Engineering Services	2801	72,600.46	57,325.00	31,092.50	0.00	98,832.96
Council on Aging	2802	42,242.40	17,796.25	18,562.74	0.00	41,475.91
Recreational Services	2803	172,803.59	365,425.59	292,779.71	0.00	245,449.47
Historical Commission	2804	9,372.08	525.00	3,393.75	0.00	6,503.33
Electrical Inspector	2806	146,110.88	85,473.00	44,231.67	0.00	187,352.21
Plumbing Inspector	2807	29,600.50	41,778.00	44,936.91	0.00	26,441.59
Gas Inspector	2808	15,160.68	25,303.00	24,979.00	0.00	15,484.68
Disabilities Commission	2809	5,895.82	3,180.00	1,992.53	0.00	7,083.29
Emma Andrews Library	2810	12,030.71	16,500.00	12,079.27	0.00	16,451.44
M-School Drop-in Center	2811	16,755.30	53,317.83	36,751.68	0.00	33,321.45
Transient Vendors	2812	40,009.87	12,340.00	10,212.50	0.00	42,137.37
Planning & Zoning	2813	6,044.51	51,146.00	32,324.71	0.00	24,865.80
Animal Control	2817	11,906.76	2,165.00	1,810.78	0.00	12,260.98
Tree Commission	2818	12,333.71	0.00	4,834.60	0.00	7,499.11
Medicare/Medicaid	2835	17,006.23	9,066.88	11,710.97	0.00	14,362.14
Veterans Services	2836	2,578.73	60.00	229.90	0.00	2,408.83
Downtown Paid Parking	2839	385,210.49	600,053.87	468,270.46	0.00	516,993.90
City Hall Maintenance	2840	3,190.00	2,142.50	2,137.68	0.00	3,194.82
Senior Comm. Ctr. Maint.	2841	0.00	4,675.00	4,146.46	0.00	528.54
Total Revolving Funds		<u>\$1,000,852.72</u>	<u>\$1,348,272.92</u>	<u>\$1,046,477.82</u>	<u>\$0.00</u>	<u>\$1,302,647.82</u>

June 13, 2016

THAT, The CITY COUNCIL of the City of Newburyport accepts a gift of a 25' center console Dusky boat with a Honda 225 horsepower, four stroke engine and load rite trailer offered to the City of Newburyport by the Town of Salisbury to be used by the Newburyport Harbormaster in accordance with M.G.L. Chapter 44, Section 53A1/2.

Councillor Charles F. Tontar
Chair, Budget & Finance Committee

PLANNING & DEVELOPMENT COMMITTEE ITEMS

Comm005_01_11_16 Letter to Council re Econ Development

Comm020_02_08_16 Memo re hiring process for Building Commissioner

Ordr025_04_11_16 Gloria Braunhardt Little River Bike Trail

Ordr041_05_31_16 Taking on 1 Pasture Road-Sewer Lift Station

pad

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

To: City Councilor Ed Cameron

Subject: Economic Development Concept for the Business Park and surrounding area

2016 JAN -5 P 2:43

Dear Councilor Cameron,

It seems to us that there may be a significant opportunity to creatively look at what has been "The Industrial Park" for many years and is now the Business Park. The opportunities relate to the assets of the park, the branding and positioning of the park that would reinforce and build on the positive growth of the Greater Newburyport area, the general sensitivity of this area to protect/enhance our natural resources and the strength of the companies in the park.

It is important that future initiatives would protect current and future jobs, foster new opportunities for growth and ensure the real estate tax base is protected from significant risks.

In terms of risks, we are very pleased that the resiliency ad-hoc committee that has recently been set up will be addressing the flooding of the park and that there are many considerations to be addressed. In the interest of reinforcing what could be outlined, we note that there could be a short term and longer term approach to A) Protecting the Park from flood damage and B) Enhancing its value for citizens and Park owners.

In the short term, we understand that the Conservation Commission is planning to use Ethan Cohen's drone to review sections of the city. This is excellent as with drone video footage, stakeholders could better visualize a few key issues, several of which are already known. We believe this will help set the stage to address and deal with 'too small' culverts, and "too heavy" storm water runoff from Turkey Hill boundary as well as any other issues that may be revealed. Such interventions may include structural improvements or repositioning to i.e. culverts, storm drains, etc. They could also include "natural" steps such as tree planting, selective ponding, and low tech, low energy water movement via for example small wind devices. Given renewed Federal and State interest in flood proofing coastal areas taking such an approach may help the City find grant monies to aid in securing the Park's future.

In the longer term, there is an opportunity to establish a planning framework for the Park, by minimizing the risks, to become a unique example of an eco-friendly Park. This could enhance the economic impact of the Park on a local and regional level.

This information provides a context for this concept:

[**https://en.wikipedia.org/wiki/Eco-industrial_park**](https://en.wikipedia.org/wiki/Eco-industrial_park)

[**<http://www.brathensbusinesspark.com/index.html>**](<http://www.brathensbusinesspark.com/index.html>)

[**<http://www.greenerideal.com/building/1210-two-key-concepts-alter-city-landscapes/>**](<http://www.greenerideal.com/building/1210-two-key-concepts-alter-city-landscapes/>)

Focusing on the assets of the area would allow for working with the plants, waters, and landform unique to our area to both protect the park and offer neighborly passive enjoyment.

A well-developed plan could improve the funds flow to the Park owners while adding a natural open space overlay which would benefit all citizens. The proposed water management approaches would, in addition to current and future buildings involve some of its existing natural areas for passive recreation. Such enhancements as a roadside bike rack with a picnic table or granite seating, bird and bat houses at the end of short sheltered paths, and berms around buildings specifically for flood protection but doing double duty as "wander ways".

Needless to say, these would be located in places that work for all stakeholders and do not interfere with the needs of Park owners.

Working collaboratively with the owners of the properties or their representatives and such organizations as Essex County Green Belt and Coastal Trails, perhaps an economic development focused task team could work with the conclusions of the ad hoc committee to develop a longer term win-win-win initiative.

This could include such opportunities as devising a planning or zoning overlay that allows for donation or long term easements of the marginally useful or wetter edges of the owner's land to a new nonprofit entity in such a manner that the owners would receive significant tax benefits from the donation. The City would see a patch work of natural micro-park spots slowly emerge both in the Park itself and its edges. The Park would become a recognized resiliency model of doing good business by better adapting to natural processes and at the same time opening up a natural area for passive recreation. Its achievement would help to 'brand' Newburyport as business friendly thus aiding our local businesses, their employees and the community overall.

We hope that you and your City Council colleagues may add this to your list of possible action items for the coming year. We are willing to serve on such a task force to ensure that it can be a private-public initiative.

We look forward to hearing from you about how we can be of assistance.

Sincerely,
Art Currier, 22 53rd Street, Newburyport, MA 01950
Ron Martino, 4 Moseley Place, Newburyport 01950
Dated 01.04.2016



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

COMM020_02_08_16

RECEIVED
CITY OF NEWBURYPORT
OFFICE OF THE MAYOR
NEWBURYPORT, MA

2016 FEB -2 P 1 31

TO: President and Members of the City Council

FROM: Donna D. Holaday

DATE: 2/2/16

RE: Hiring Process for the City's Next Building Commissioner

As most of you are aware, I will be commencing a hiring process in the next couple of months to fill a critical position within our local government—that of the City's Building Commissioner. With the impending retirement of a long-time, dedicated employee, I have asked our Human Resources Department to update the position's job description and draft a job advertisement.

Given that a key part of serving in this role requires coordination and communication with many boards, commissions, employees, developers and members of the public, I wish to inform you of my intention to convene a search committee to review resumes of qualified applicants, conduct interviews and make recommendations of not fewer than three (3) final candidates to me.

The Search Committee will have ten (10) members consisting of the Chief Administrative Officer who shall serve as chair; the Human Resources Director; a representative from the Planning Department; a representative from the Fire Department; the Health Department Director; one member each from the City Council, Planning Board, Zoning Board of Appeals, and Historical Commission or Newburyport Preservation Trust, each of whom shall be named by the President/Chair of those bodies; and one member of the public chosen by me.

It is my intention to start this process by the end of this month.

April 11, 2016

THAT The CITY COUNCIL of the City of Newburyport hereby names the trail currently known as "The Little River Way" as the "Gloria Braunhardt Little River Bike Trail". Said trail is shown on the map attached hereto and incorporated herewith and marked as Attachment "A".

Councillor Larry G. Giunta

In City Council Meeting April 11, 2016:

Motion to refer to Planning & Development by Councillor Connell, seconded by Councillor Giunta, So Voted.

CITY OF NEWBURYPORT



IN CITY COUNCIL

May 31, 2016

ORDERED:

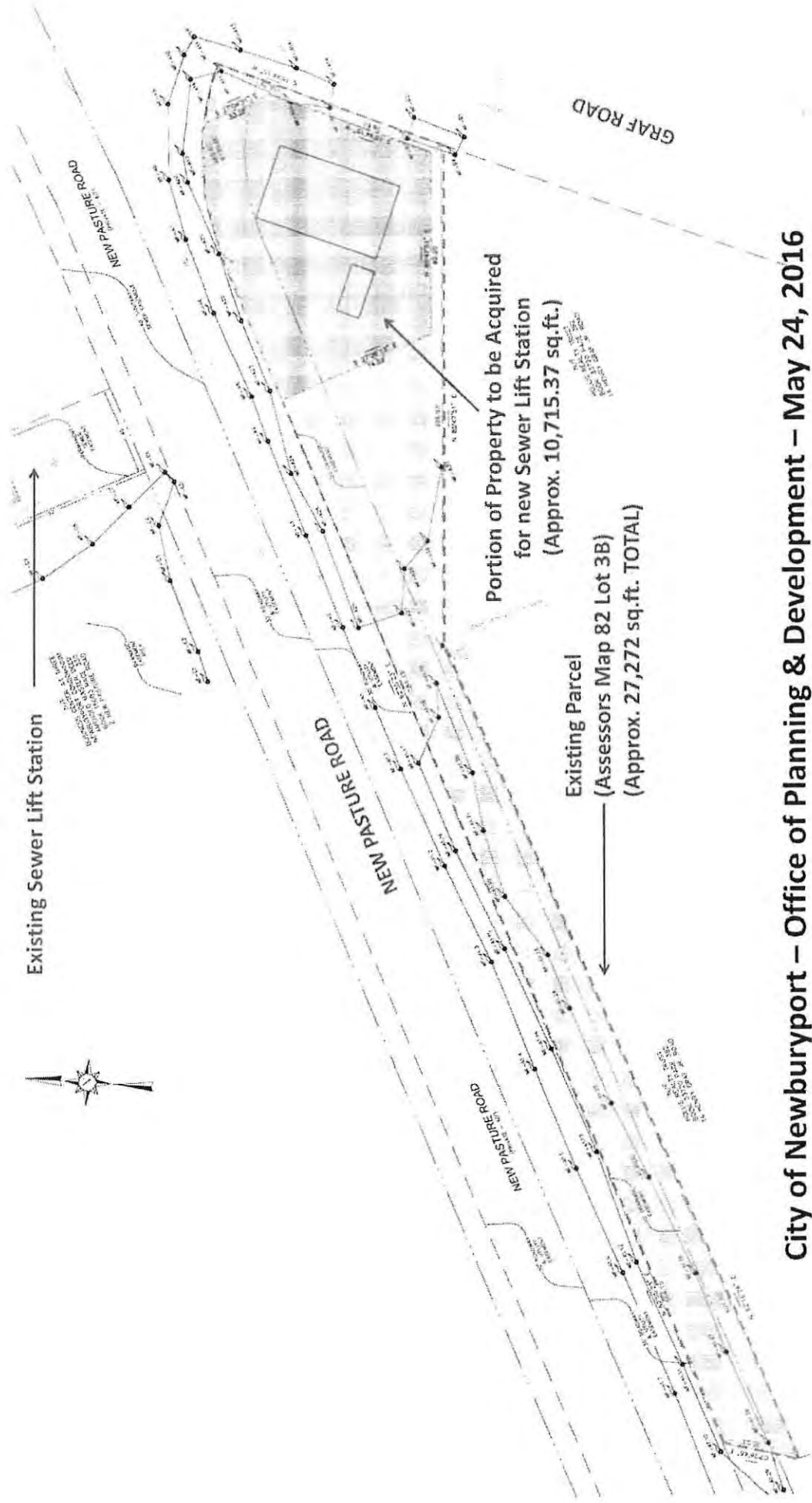
Be it ordained by the City Council of the City of Newburyport as follows:

THAT the City Council of the City of Newburyport hereby 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)

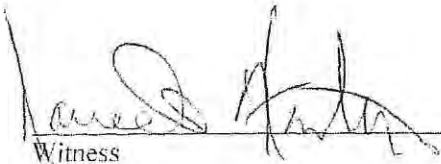
CITY OF NEWBURYPORT, MASSACHUSETTS

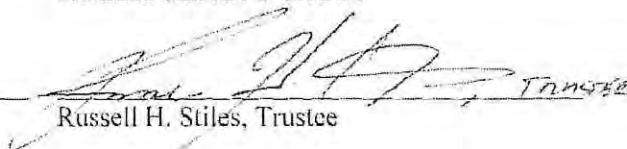
Waiver of Appraisal and Damages

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

PUBLIC SAFETY COMMITTEE ITEMS

Public Safety

In Committee:

- **ORDR023_04_11_16** Parking Restrictions, Simmons Drive
- **ORDR024_04_11_16** Parking Restrictions, Golden Drive
- **COMM050_05_09_16** Coast to the Cure Bike Ride Sept 10, 2016
- **COMM058_05_31_16** Bed Race Event Application
- **ORDR044_06_13_16** No Parking Simmons Drive Walkway Entrance



CITY OF NEWBURYPORT

CITY COUNCIL

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

IN CITY COUNCIL:

ORDERED:

Date: April 11, 2016

THAT the City Council of the City of Newburyport hereby orders, pursuant to Code Section 13-166, that no person shall park any vehicle on the following streets or portions thereof as follows:

Street: Simmons Drive

Restriction: On the notherly side for a distance of 6 feet at the end of certain pathways as determined by the Newburyport Housing Authority. Said restricted areas to be marked appropriately on the road surface.

Furthermore, the City Clerk shall add this restriction to the public list available in the Clerk's office. This list shall be updated and posted on the City of Newburyport website.

Councillor Larry G. Giunta

P3
LG/EC
SV



CITY OF NEWBURYPORT

CITY COUNCIL

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

IN CITY COUNCIL:

ORDERED:

Date: April 11, 2016

THAT the City Council of the City of Newburyport hereby orders, pursuant to Code Section 13-166, that no person shall park any vehicle on the following streets or portions thereof as follows:

Street: Golden Drive

Restriction: On the either side for a distance of 6 feet at the end of certain pathways as determined by the Newburyport Housing Authority. Said restricted areas to be marked appropriately on the road surface.

Furthermore, the City Clerk shall add this restriction to the public list available in the Clerk's office. This list shall be updated and posted on the City of Newburyport website.

Councillor Larry G. Giunta

RECEIVED
PS
LG
166
5/



9 Bedford Street ~ Burlington, MA 01803
 781-272-9936 ~ info@nfincne.org
 www.nfincne.org

Committee

Ben Buttrick &
 Kevin McKelvey
 Co-Chairpersons

Jeff Capobianco
 Alex Cellucci
 Michelle Donovan
 John Duff
 Kate Duff
 Megan Duff
 Jill Tozza Feeney
 Peter Gentile
 Chanda McKee
 Elaine Powers
 John Roy
 Steve Shelgren

April 29, 2016

Richard Jones
 City Clerk
 City of Newburyport
 60 Pleasant Street
 Newburyport, MA 01950

Dear Mr. Jones,

On behalf of Neurofibromatosis Northeast, I am seeking permission once again to include your city in our route for the upcoming 6th Annual Coast to the Cure bike ride. Coast to the Cure takes place on Saturday, September 10, 2016. The ride starts and finishes from Stage Fort Park in Gloucester. The event consists of three prescribed routes (24, 66 and 100 miles) encompassing 18 communities: Beverly, Ipswich, Wenham, Hamilton, Essex, Manchester, Georgetown, Groveland, North Andover, Boxford, Middleton, Topsfield, Rowley, Haverhill, Amesbury, Merrimac, Newbury and Newburyport.

I can assure you that all participants will wear helmets, travel in an organized fashion on public roads, never on private property, and will obey the rules of the road. We anticipate approximately 50 participants biking through the city over a four hour period.

The route through Newburyport involves the following roads: Cross Chain Bridge, left on Merrimack Street, right on Kent Street, stop at rest stop, turn around, right on Kent Street, right on Merrimack Street/Water Street, right on Ocean Street.

Attached please find a special events application in need of your final signature, route map and turn-by-turn course.

Proceeds from the event benefit Neurofibromatosis Northeast and support our mission of finding a cure and treatment for neurofibromatosis by promoting scientific research, creating awareness, and supporting those who are affected by NF.

Thanks so much for your consideration.

Sincerely,

Diana Flahive
 Director of Special Events

NEWBURYPORT SPECIAL EVENT APPLICATION

Tel.

Fax.

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

- NAME OF EVENT: Coast to the Cure NF Bike Ride
- Date: 9/10/16 Time: from 7AM to 4PM
- Rain Date: n/a Time: from _____ to _____
2. Location: starts & ends at Stage Fort Park, Gloucester. Route goes through Newburyport
3. Description of Property: public roads in Newburyport Public ☒ Private ☐
4. Name of Organizer: Neurofibromatosis Northeast City Sponsored Event: Yes ☐ No ☒
- Contact Person Diana Flahive, Director of Special Events
- Address: 9 Bedford St. Burlington Telephone: 781-272-9936
- E-Mail: dflahive@nfnne.org Cell Phone: 617-777-5397
- Day of Event Contact & Phone: Diana Flahive, 617 777 5397
5. Number of Attendees Expected: 50 people riding over 4 hour period
6. MA Tax Number: 04-3013709 (EIN)
7. Is the Event Being Advertised? yes Where? Facebook, radio 104.9, posters
8. What Age Group is the Event Targeted to? 25-50
9. Have You Notified Neighborhood Groups or Abutters? Yes ☒ No ☐ Who? We've reached out to all 18 communities the ride goes through.

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

- A. Vending: Food _____ Beverages _____ Alcohol _____ Goods _____ Total # of Vendors _____
- B. Entertainment: (Subject to City's Noise Ordinance.) Live Music _____ DJ _____ Radio/CD _____
Performers _____ Dancing _____ Amplified Sound _____ Stage _____
- C. Games /Rides: Adult Rides _____ Kiddie Rides _____ Games _____ Raffle _____
Other _____ Total # _____
Name of Carnival Operator: _____
Address: _____
Telephone: _____
- D. 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 ☐ No ☒ n/a

If yes:

- a) How many trash receptacles will you be providing? _____
- b) How many recycling receptacles will you be providing? _____
- c) Will you be contracting for disposal of : **Trash** Yes _____ No _____ **Recycling** Yes _____ No _____
- i. If yes, size of dumpster(s): **Trash** _____ **Recycling** _____
- ii. Name of disposal company: **Trash** _____ **Recycling** _____
- iii. If no, will you remove trash & recycling with organizers' cars or trucks? Yes _____ No _____
- iv. If no, where will the trash & recycling be disposed ? _____

If no:

- a) # of trash container(s) to be provided by DPS _____
- b) # of recycling container(s) to be provided by Recycling Office _____
- c) \$45.00/hr/DPS employee charge must be paid by the organizer to DPS in advance of the event (Fee for Special Events). The hours required for the event will be determined by DPS.

All fees must be paid prior to the event. Check or money order is payable to the City of Newburyport.

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

_____ Standard # _____ ADA accessible

Name of company providing the portable toilets: _____

FOR PARADE, ROAD RACE AND WALKATHON EVENTS ONLY

PARADE _____

ROAD RACE _____

WALKATHON _____
Bike Ride ☒

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

New England Bio Labs - main sponsor
INF Northeast

2. Name, Address & Daytime Phone Number of Organizer: Neurofibromatosis Northeast,
9 Bedford St, Burlington, MA 01803, 617 7775397

3. Name, Address & 24/7 Telephone Number of Person Responsible for Clean Up Diana Flahive
11 11

4. Date of Event: 9/10/16 Expected Number of Participants: 50

5. Start Time: 8 AM Expected End Time: 4 PM

6. Road Race, Parade or Walkathon Route: (List street names & attach map of route): CROSS
chain bridge, Merrimack, Kent, water, ocean

7. Locations of Water Stops (if any): n/a

8. Will Detours for Motor Vehicles Be Required? NO If so, where? _____

9. Formation Location & Time for Participants: Start/finish Stage Fort Park, Gloucester

10. Dismissal Location & Time for Participants: ride should be over by 4 PM

11. Additional Parade Information: n/a

• 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] 0 Greenleaf St.
DEPUTY DIRECTOR [Signature] 16A Perry Way CITY CLERK [Signature] 60 Pleasant St.

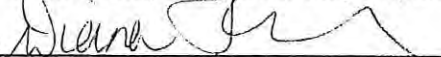
DEPARTMENT APPROVAL (for Committee Member use only):

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

Approval
Required

Date: 4/25/16

Signature



1. Special Events: _____
2. Police: _____
Is Police Detail Required: _____ # of Details Assigned: _____
3. Traffic, Parking & Transportation: _____
4. ISD/Health: _____
5. Recycling: _____
6. ISD/Building: _____
7. Electrical: _____
8. Fire: _____
Is Fire Detail Required: _____ # of Details Assigned: _____
9. Public Works: *Fee for Special Events: \$45/hr/DPS employee for trash handling/staging etc. may apply*
☐ Yes: \$ _____ due on _____ ☐ No Fee for Special Events applies
Other requirements/instructions per DPS _____
10. Recreation Department: _____
11. License Commission _____

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

Limitations

- (a) "Procedure" All road racing, walkathon, bicycle, or swimming events shall, through that event's organizer, board of directors, charity foundation or designee apply for authorization to hold the event through the Office of the City Clerk. The City Clerk upon review of the completed form will place the application on the regular City Council agenda. Upon following the procedures of the Council, as deemed appropriated in the sole judgment of the Council, the application will be considered approved if the Council votes favorably by majority. The event will name one person responsible on the application and shall provide contact information to include name, address and telephone number.
- (b) "Exemptions" Each event organizer or organization shall comply with this ordinance and no exemptions will be permitted.
- (c) "Course map", All applications shall be accompanied by a course map showing the event route, water stops, refreshment stops, and so-called "porta-potties". The course map shall also include any road closures, detours and parking areas. The course map shall be approved by Police, Fire, Department of Public Services, Parks Commission and Harbormasters Departments prior to submission to the City Clerk.
- (d) "Electronic Amplifier" Electronic amplifiers, loudspeakers and bullhorn use shall be requested at time of application. Under no circumstances will they be used for public address announcements or music before 8:00 A.M. except for Sundays when electronic amplifiers, loud speakers or bullhorns will be used for public address announcements or music before 9:00 AM. This shall be deemed a requirement for all permitted events regardless of type or location.

- (e) *"Road Closure"* No ways, public or private, boat ramps or parking lots controlled or patrolled by the city shall be closed without authorization. Authorization shall be considered granted only if said closure(s) are contained in the approved permit. It is the sole responsibility of the race organizers to notify residents ten (10) days in advance that neighborhood roads will be closed if no alternate route is available to those residents.
- (f) *"Insurance"* All events shall have an insurance policy or rider in effect for the event naming the "City of Newburyport" as an insured. The policy shall be no less than two million dollars (\$2,000,000.00).
- (g) *"Event termination"* If in the judgment of the City Marshal, Fire Chief or Department of Public Services (DPS) Director or designees thereof determine that an event is unsafe due to existing conditions, that event may be stopped, terminated or suspended. In the case of a multidiscipline event such as a triathlon, the Harbormaster or his/her designee may likewise stop, terminate or suspend the swimming portion for cause.
- (h) *"Event and traffic Security"* The City Marshal, Fire Chief, DPS Director or in the case of a triathlon, the Harbormaster can require special duty personnel to oversee the safety and security of the event. All special duty assignments will be paid by the event organizers.
- (i) *"Clean-up"* The event organizers shall be responsible for post event trash collection, removal of signage, directional arrows, advertisements or other promotional material associated with the event.

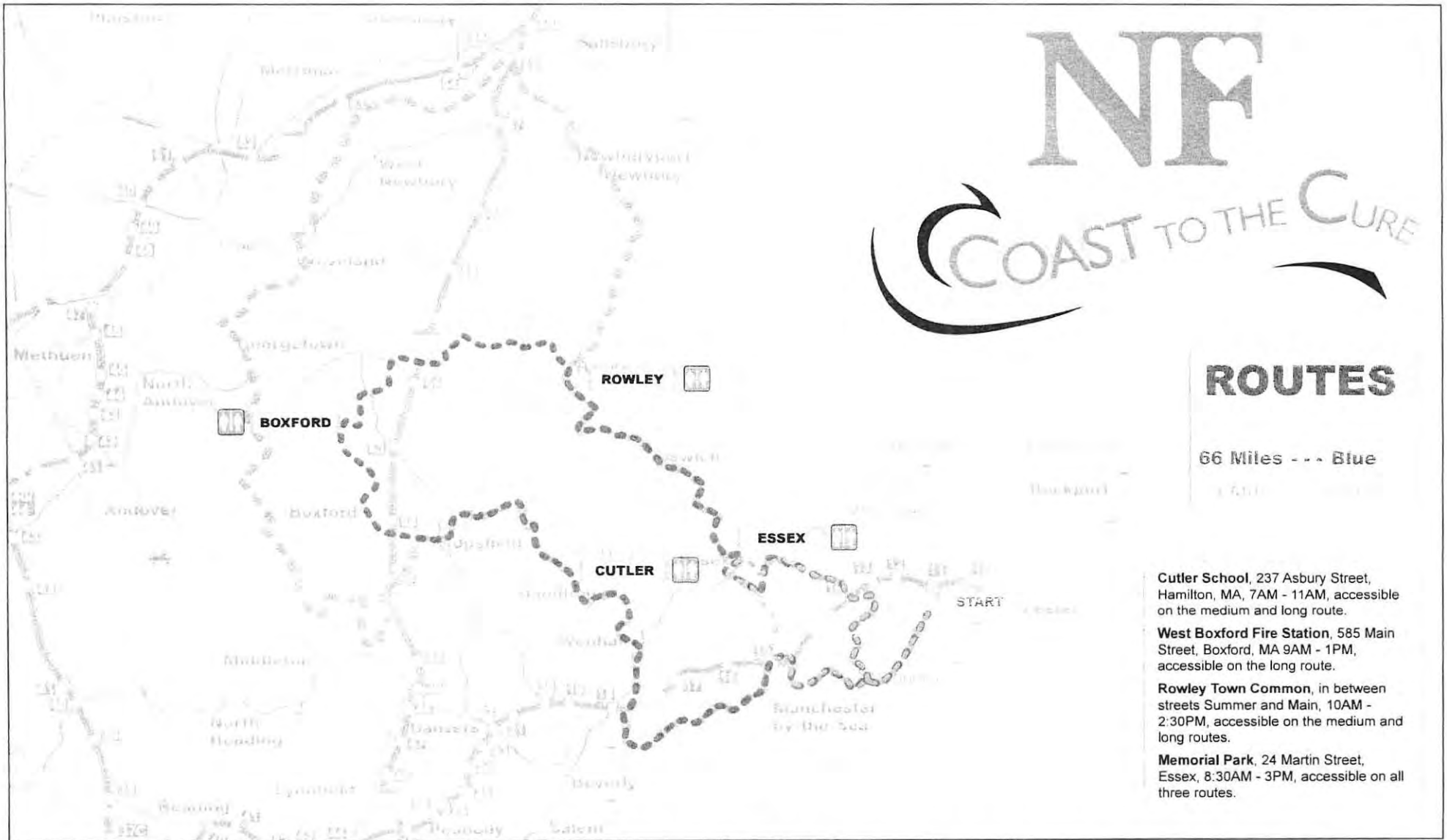
13-101 Enforcement

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

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

Signed: 

Date: 4/25/16



ESSEX WATER STOP CLOSURES AT 3 PM
PLAN ACCORDINGLY

94.7 miles

Leg	Dir	Type	Notes	Total
	←	Left	Turn left onto Western Ave	0.2
0.8	←	Left	Turn left onto Hesperus Ave	1.0
1.7	↑	Straight	Continue onto Norman Ave	2.6
0.4	↑	Straight	Continue onto Raymond St	3.0
0.5	←	Left	Turn left onto MA-127 S	3.5
2.0	→	Right	Turn right onto Forest St	5.5
0.1	←	Left	Slight left to stay on Forest St	5.6
0.6	←	Left	Turn left onto Mill St	6.2
0.7	←	Left	Turn left onto School St	6.9
1.0	→	Right	Turn right onto MA-127 S	7.9
2.7	←	Left	Slight left onto Hale St	10.5
2.3	→	Right	Turn right onto Boyles St	12.9
0.6	→	Right	Turn right to stay on Boyles	13.4
0.2	→	Right	Turn right onto Foster St	13.6
0.2	↑	Straight	Continue onto Standley St	13.8
0.8	→	Right	Slight right onto MA-22 N/Essex St	14.7
0.2	←	Left	Turn left to stay on MA-22N/Essex St	14.8
1.2	←	Left	Turn left onto Grapevine Rd	16.1
0.7	→	Right	Turn right onto Larch Row	16.8
0.6	←	Left	Turn left onto Miles River Rd	17.3
0.7	←	Left	Turn left onto Bridge St	18.0
0.4	←	Left	Turn left onto MA-1A S	18.4
0.9	→	Right	Turn right onto Asbury St	19.3
1.0	→	Right	Turn right onto Highland St	20.3
0.1	←	Left	Take quick left onto Asbury St	20.4
2.9	←	Left	Turn left onto Ipswich Rd	23.3
1.3	↑	Straight	Cross Rte. 1 (BE CAREFUL)	24.5
0.8	←	Left	Turn left onto Main St/ Rte. 97	25.4
0.3	→	Right	Turn right onto Washington St	25.7
0.8	←	Left	Turn left to stay on Washington St	26.5
0.9	↑	Straight	Continue onto Endicott Rd	27.4
0.9	↑	Straight	Continue onto East St/Middleton Rd	28.3
2.0	→	Right	Turn right onto MA-62 W	30.3
0.4	→	Right	Turn right onto Liberty St	30.8
0.6	→	Right	Turn right onto Mill St	31.4
1.0	←	Left	Turn left onto Peabody St	32.4
0.4	→	Right	Turn right onto Liberty St	32.8
0.5	←	Left	Turn left onto School St	33.2
0.8	→	Right	Turn right onto Essex St	34.0
2.0	↑	Straight	Continue onto Salem St	36.1
1.2	→	Right	Turn right onto Ingalls St	37.2
0.5	←	Left	Turn left onto Forest St	37.7
1.3	←	Left	Turn left onto Boxford St	39.1
0.2	→	Right	Turn right onto Foster St	39.3
1.3	↑	Straight	Turn left onto Winter St	40.5

1.4	→	Right	Turn right onto Dale St	41.9
0.1	←	Left	Turn left onto Glendale Rd	42.0
0.7	←	Left	Turn left onto Main St	42.7
0.3	↑	Straight	Cross Washington Street	43.0
2.2	→	Right	Turn right onto Lilly Pond Rd	45.2
0.7	↑	Straight	Continue onto Barker St	45.9
0.1	↑	Straight	Continue onto Boxford Rd	46.0
0.4	→	Right	Slight right onto S Cross Rd	46.5
0.7	↑	Straight	Continue onto Lawrence Rd	47.2
0.4	↑	Straight	Continue onto Main St	47.6
0.7	↑	Straight	Continue onto Gardner St	48.3
0.4	←	Left	Turn left onto MA-97 N	48.7
0.5	→	Right	Turn right onto Orchard Ave	49.1
0.0	←	Left	Turn left onto Old Ferry Rd	49.2
0.5	→	Right	Turn right onto E Broadway	49.7
4.4	↑	Straight	Turn left onto River Rd	54.1
1.2	↑	Straight	Continue onto Middle Rd	55.3
0.4	→	Right	Turn right onto Skunk Rd	55.7
0.4	↑	Straight	Continue onto Pleasant Valley Rd	56.1
2.7	↑	Straight	Continue onto Merrimac St	58.7
0.4	→	Right	Turn right onto Main St	59.2
1.2	→	Right	Bear right and cross chain bridge	60.3
0.2	↑	Straight	Continue onto Spofford St	60.5
0.2	↑	Straight	At the traffic circle, take the 4th exit onto Merrimac St	60.7
1.8	→	Right	Turn right onto Kent St	62.5
0.3	←	Left	Turn left onto High St	62.9
5.0	↑	Straight	Continue onto MA-1A S/Main St	67.9
5.1	→	Right	Turn right onto Mile Ln	73.0
0.8	←	Left	Turn left onto Linebrook Rd	73.8
1.8	→	Right	Turn right on Central St/1-A S	75.6
0.4	↑	Straight	Continue onto S Main St	76.0
0.3	→	Right	Turn right onto MA 1-A S	76.3
0.1	←	Left	Turn left onto Argilla Rd	76.4
1.8	→	Right	Turn right onto Northgate Rd	78.2
0.7	←	Left	Turn left onto MA-133 E	78.9
0.7	→	Right	Turn right onto Choate St	79.6
0.3	←	Left	Turn left onto Belcher St	79.9
1.2	←	Left	Turn left onto Story St	81.1
0.3	↑	Straight	Continue onto Winthrop St	81.5
0.3	→	Right	Turn right onto Martin St	81.7
0.0	←	Left	Turn left onto Shepard Dr	81.8
0.1	←	Left	Turn left onto Martin St	81.8
0.7	←	Left	Turn left onto Apple St	82.5
1.3	←	Left	Turn left onto Southern Ave	83.9
0.8	→	Right	Turn right onto School St	84.6
0.2	←	Left	Turn left onto Grove St	84.8
0.1	→	Right	Turn right onto Eastern Ave/ MA-133	84.9
4.0	→	Right	Turn right onto Magnolia Ave	88.9

2.2	↑	Straight	Stay straight across 127 and stay on Magnolia Ave.	91.1
0.6	←	Left	Turn left onto Norman Ave	91.7
0.4	↑	Straight	Continue straight onto Hesperus Ave	92.1
1.7	→	Right	Turn right onto Western Ave	93.7
0.8	→	Right	Turn right onto Hough Ave	94.5

Ride With GPS - <https://ridewithgps.com>



MELROSE INS. GROUP

FAX: 7816658703

Jun 22 2015 12:48

P005/008

DATE (MM/DD/YYYY)

06/19/15

CERTIFICATE OF LIABILITY INSURANCE

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 T F Ward Insurance Agency, Inc. 403 Franklin Street Melrose, MA 02176 Thomas Ward Insurance		Phone: 781-665-2990 Fax: 781-665-8703	CONTACT NAME: PHONE (A/C, No, Ext): E-MAIL ADDRESS:	FAX (A/C, No):
INSURED NEUROFIBROMATOSIS, INC. Karen Peluso 9 Bedford St Burlington, MA 01803		INSURER(S) AFFORDING COVERAGE INSURER A: The Hartford INSURER B: Foremost Insurance Company INSURER C: Travelers INSURER D: INSURER E: INSURER F:		
		NAIC # 40282		

COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

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

INSR. LTR.	TYPE OF INSURANCE	ADDL. SUBR. INSR. WVD	POLICY NUMBER	POLICY EFF. (MM/DD/YYYY)	POLICY EXP. (MM/DD/YYYY)	LIMITS
B	GENERAL LIABILITY	X	PPS40720634	06/27/15	06/27/16	EACH OCCURRENCE \$ 2,000,000
	<input type="checkbox"/> COMMERCIAL GENERAL LIABILITY					DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 2,000,000
	<input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> OCCUR					MED EXP (Any one person) \$ 10,000
	<input checked="" type="checkbox"/> Business Owners					PERSONAL & ADV INJURY \$ 2,000,000
GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input type="checkbox"/> LOC						GENERAL AGGREGATE \$ 4,000,000
						PRODUCTS - COMP/OP AGG \$ 4,000,000
						\$
	AUTOMOBILE LIABILITY					COMBINED SINGLE LIMIT (Ea accident) \$
	<input type="checkbox"/> ANY AUTO					BODILY INJURY (Per person) \$
	<input type="checkbox"/> ALL OWNED AUTOS	<input type="checkbox"/> SCHEDULED AUTOS				BODILY INJURY (Per accident) \$
	<input type="checkbox"/> HIRED AUTOS	<input type="checkbox"/> NON-OWNED AUTOS				PROPERTY DAMAGE (Per accident) \$
B	UMBRELLA LIAB	X	PPS40720634	06/27/15	06/27/16	EACH OCCURRENCE \$ 1,000,000
	<input type="checkbox"/> EXCESS LIAB					AGGREGATE \$
	<input type="checkbox"/> CLAIMS-MADE					\$
	<input checked="" type="checkbox"/> DED <input checked="" type="checkbox"/> RETENTION \$ 0					\$
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY	N/A	08WECKH3323	06/27/15	06/27/16	WC STATU- TORY LIMITS \$
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory In NH) <input type="checkbox"/> Y/N					E.L. EACH ACCIDENT \$ 1,000,000
	If yes, describe under DESCRIPTION OF OPERATIONS below					E.L. DISEASE - EA EMPLOYEE \$ 1,000,000
						E.L. DISEASE - POLICY LIMIT \$ 1,000,000
C	Directors/Officers		106101201	05/13/15	05/13/16	1,000,000

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

City of Newburyport is listed as additional insured.
Coast to the Cure Bike Ride 9/12/2015

CERTIFICATE HOLDER

CANCELLATION

NEWBURY

Town of Newburyport
60 Pleasant Street
Newburyport, MA 01950

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

AUTHORIZED REPRESENTATIVE

© 1988-2010 ACORD CORPORATION. All rights reserved.

NEWBURYPORT SPECIAL EVENT APPLICATION

Tel.

Fax.

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

NAME OF EVENT:

BED RACEDate: August 4 2016 Time: from 6pm to 7:15pmRain Date: August 5 2016 Time: from 6pm to 7:15pm2. Location: Federal Street3. Description of Property: Federal Street Public ☒ Private ☐4. Name of Organizer: Newburyport Lions Club City Sponsored Event: Yes ☐ No ☒Contact Person Chad McDonaldAddress: 33 Low St Newburyport Telephone: 978-462-2020E-Mail: chadmcdonald@verizon.net Cell Phone: 978-314-9000Day of Event Contact & Phone: 978-314-90005. Number of Attendees Expected: ≈ 100 participants ≈ 1000+ spectators6. MA Tax Number: 51-02301847. Is the Event Being Advertised? Yes Where? Yukkee Homecoming Website/Programbook8. What Age Group is the Event Targeted to? 18+ participants / All age groups spectators9. 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: N/A Beverages Alcohol Goods Total # of Vendors B. Entertainment: (Subject to City's Noise Ordinance.) Live Music DJ Radio/CD Performers ☒ Dancing Amplified Sound Stage C. Games /Rides: Adult Rides Kiddie Rides Games Raffle Other: N/A Total # Name of Carnival Operator: Address: N/ATelephone:

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 ☒ 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 BEDS Floats: ~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

[Signature]

4 Green St.

FIRE CHIEF

[Signature]

0 Greenleaf St.

DEPUTY DIRECTOR

[Signature]

16A Perry Way

CITY CLERK

[Signature]

60 Pleasant St.

- (e) *"Road Closure"* No ways, public or private, boat ramps or parking lots controlled or patrolled by the city shall be closed without authorization. Authorization shall be considered granted only if said closure(s) are contained in the approved permit. It is the sole responsibility of the race organizers to notify residents ten (10) days in advance that neighborhood roads will be closed if no alternate route is available to those residents.
- (f) *"Insurance"* All events shall have an insurance policy or rider in effect for the event naming the "City of Newburyport" as an insured. The policy shall be no less than two million dollars (\$2,000,000.00).
- (g) *"Event termination"* If in the judgment of the City Marshal, Fire Chief or Department of Public Services (DPS) Director or designees thereof determine that an event is unsafe due to existing conditions, that event may be stopped, terminated or suspended. In the case of a multidiscipline event such as a triathlon, the Harbormaster or his/her designee may likewise stop, terminate or suspend the swimming portion for cause.
- (h) *"Event and traffic Security"* The City Marshal, Fire Chief, DPS Director or in the case of a triathlon, the Harbormaster can require special duty personnel to oversee the safety and security of the event. All special duty assignments will be paid by the event organizers.
- (i) *"Clean-up"* The event organizers shall be responsible for post event trash collection, removal of signage, directional arrows, advertisements or other promotional material associated with the event.

13-101 Enforcement

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

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

Signed: _____

Date: _____



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

DSP Insurance
1900 E. Golf Road, Suite 650
Schaumburg, IL 60173

CONTACT

NAME: John Adams

PHONE (A/C, No, Ext): 1-800-316-6705

FAX (A/C, No): 1-888-467-2371

E-MAIL ADDRESS: lionsclubs@dspins.com

INSURER(S) AFFORDING COVERAGE**NAIC #**

INSURER A: ACE American Insurance Company

22667

INSURER B:

INSURER C:

INSURER D:

INSURER E:

INSURER F:

INSURED

Newburyport Lions Club
Newburyport Massachusetts

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
	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY						DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 1,000,000
	<input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR						MED EXP (Any one person) \$ 5,000
	<input checked="" type="checkbox"/> Agg. Per Named Insured						PERSONAL & ADV INJURY \$ 1,000,000
	is \$2,000,000						GENERAL AGGREGATE \$ 10,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER:						PRODUCTS - COM/OP AGG \$ 2,000,000
	<input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input type="checkbox"/> LOC						\$
A	AUTOMOBILE LIABILITY			ISAH08858354	09/01/2015	09/01/2016	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000
	<input type="checkbox"/> ANY AUTO						BODILY INJURY (Per person) \$
	<input type="checkbox"/> ALL OWNED AUTOS						BODILY INJURY (Per accident) \$
	<input checked="" type="checkbox"/> HIRED AUTOS						PROPERTY DAMAGE (Per accident) \$
	<input type="checkbox"/> SCHEDULED AUTOS						\$
	<input checked="" type="checkbox"/> NON-OWNED AUTOS						
	UMBRELLA LIAB						EACH OCCURRENCE \$
	EXCESS LIAB						AGGREGATE \$
	<input type="checkbox"/> OCCUR						\$
	<input type="checkbox"/> CLAIMS-MADE						
	DED						
	RETENTIONS						
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY						WC STATUTORY LIMITS
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)	Y/N	N/A				OTH-ER
	If yes, describe under DESCRIPTION OF OPERATIONS below						E L EACH ACCIDENT \$
							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

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

June 13, 2016

THAT the City Council of the City of Newburyport hereby orders, pursuant to Code Section 13-166, that no person shall park any vehicle on the following streets or portions thereof as follows:

Street: Simmons Drive

Restriction: On the northerly side starting at a point 574 feet from North Atkinson Street running in an easterly direction for a distance of 10 feet. Meaning and intending to restrict parking in front of the walkway to 13 Simmons Drive.

Furthermore, the City Clerk shall add this restriction to the public list available in the Clerk's office. This list shall be updated and posted on the City of Newburyport website.

Councillor Larry G. Giunta