

**CITY COUNCIL MEETING AGENDA v.1**  
**CITY COUNCIL CHAMBERS**  
**October 13, 2015**

**7:30 PM**

(Name Plates & Sound Check)

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

**CONSENT AGENDA**

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

**7. APPROVAL OF MINUTES**

September 28, 2015

(Approve)

**8. TRANSFERS**

1. Mayor/Planning & Dev. Gen'l Fd Free Cash \$40,000 to Master Plan Update

(B&F)

**9. COMMUNICATIONS - None**

**10. APPOINTMENTS – First Reading**

**APPOINTMENTS**

- |                      |                   |                                      |             |
|----------------------|-------------------|--------------------------------------|-------------|
| 1. Stephen B. Sawyer | 15 Collins Street | Community Preservation Act Committee | Nov.1, 2018 |
|----------------------|-------------------|--------------------------------------|-------------|

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

**11. COMMUNICATIONS**

1. Block Party Application, Guild Street, October 17, 2015
2. LATE FILE – Mayor's Communication

**12. APPOINTMENTS – 2<sup>nd</sup> Reading**

**APPOINTMENTS**

- |                   |                  |  |               |
|-------------------|------------------|--|---------------|
| 2. Ann Dykes      | 12 Munroe Street | Parks Commission                           | April 1, 2018 |
| 3. Sarah M. White | 349 High Street  | CPA Committee representing Historical Com. | Oct.1, 2018   |

**13. ORDERS**

1. Accept Gift of \$5,000 from the Nbpt Mothers and Families Club for Inn St. Fountain Restoration
2. Loan Order intermodal transit parking facility \$630,300
3. Loan Order for remodeling of former Central Fire Station \$400,000

**14. ORDINANCES**

1. Pending Publication 2<sup>nd</sup> Reading Amend ORD 15-32 Taxi Licenses
2. Amend ORD Ch. 13-168 Parking restricted on certain streets
3. Amend ORD Ch. 13 Div 5 Turning Lanes
4. Amend ORD Ch. 13 Div 6 Stopping, Standing and Parking Add Section 166
5. Amend ORD Ch. 13 Div 4 Stop Intersections Add Sections 136-138
6. Amend ORD Ch. 9-158 Business prohibited between certain hours

**15. COMMITTEE ITEMS**

**Budget & Finance**

*In Committee:*

1. Order Home Rule Petition- supplementing education budget (COTW)
2. Amend ORD Ch. 2 Section 2-45 City Council Salary

\*05/12/2014

\*05/12/2014

- |   |             |
|---|-------------|
| 3. Amend ORD Ch. 2 Section 2-61A School Committee Salary                                    | *05/12/2014 |
| 4. Letter from Hope Church regarding Master Box fee   | *11/10/2014 |
| 5. Statement re: Human Resources Dependent Audit  | *08/10/2015 |
| 6. Accept Sec. 15B of Ch. 60 MGL authorizing establishment tax title collection revolv fund | *09/28/2015 |
| 7. \$14,000 Net premium paid to the City be appropriated to pay costs and reduce premium    | *09/28/2015 |
| 8. \$5,000 Net premium paid to the City be appropriated to pay costs and reduce premium     | *09/28/2015 |
| 9. \$20,000 Net premium paid to the City be appropriated to pay costs and reduce premium    | *09/28/2015 |
| 10. Special Municipal Employees Community Preservation Commission (CPC)                     | *09/28/2015 |
| 11. Declaration of rental space at the Senior Community Center                              | *09/28/2015 |

### **General Government**

#### *In Committee:*

- |   |             |
|---|-------------|
| 1. Letter re: Health Insurance Benefit                      | *05/11/2015 |
| 2. Changes to City Hall Rental Application and Rules of Use | *09/15/2015 |
| 3. Create Ch. 2-2.5 City Flag                               | *09/15/2015 |

### **Joint Education**

#### *In Committee:*

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

### **License & Permits**

#### *In Committee:*

- |  |             |
|--|-------------|
| 1. Movable Sign Application Newburyport Brewing Company    | *02/10/2014 |
| 2. Amend ORD Sec. 9-114 Transient Vendors Restricted Areas | *04/28/2014 |
| 3. Letter regarding transient vendor licensing             | *06/30/2014 |
| 4. Regulations   | *08/10/2015 |
| 5. Application for Moveable Sign Avita of Newburyport      | *09/28/2015 |

### **Neighborhoods and City Services**

#### *In Committee:*

- |  |             |
|--|-------------|
| 1. Temple Street sidewalk repair                                   | *04/27/2015 |
| 2. Letter re: sidewalks and bike paths to Hale Street and West End | *05/11/2015 |
| 3. Letter regarding Emerald Ash Borer                              | *05/26/2015 |
| 4. City-Wide Sidewalk Specifications                               | *06/08/2015 |
| 5. Amend Ch11 Parks and Recreation (COTW)                          | *08/10/2015 |
| 6. Amend Ch. 12-9 Maintenance of City Owned Sidewalks              | *09/15/2015 |
| 7. Amend Ch. 12-181 Protection of Public Trees                     | *09/15/2015 |
| 8. Order Discontinue portion of Belcher's Street                   | *09/28/2015 |
| 9. Access Easement Way off Spofford Street                         | *09/28/2015 |

### **Planning & Development**

#### *In Committee:*

- |   |             |
|---|-------------|
| 1. Letter from Newburyport Preservation Trust                                     | *03/31/2014 |
| 2. First Refusal to Purchase Lot 8 Low Street                                     | *01/12/2015 |
| 3. Amend ORD Zoning Map Sec. III-C "Back Bay Area Zoning Map Change"              | *01/12/2015 |
| 4. Amend Zoning VIII-D Sign regulations   | *09/15/2015 |
| 5. Amend Zoning XI-I Glare  | *09/15/2015 |
| 6. Amend Ch. 2-116 Planning Board Established, membership, appointment            | *09/15/2015 |
| 7. Amend Ch. 2-119 Planning Board Members to serve without pay; powers and duties | *09/15/2015 |

### **Public Safety**

#### *In Committee:*

- |  |             |
|--|-------------|
| 1. London Livery request for valet parking at 38 State Street      | *04/27/2015 |
| 2. Order regarding Signs   | *05/26/2015 |
| 3. Amend ORD Ch. 13 Article IV Div 6 Sec. 13-175 2 hr No. Atkinson | *06/29/2015 |
| 4. Letter regarding condition of Dove Street                       | *07/13/2015 |
| 5. Amend Ch. 3-2 Disposal of Animal Waste                          | *09/15/2015 |

- |  |             |
|--|-------------|
| 6. Amend Ch. 13-136 Designated Stop Intersections                        | *09/15/2015 |
| 7. Amend Ch. 13-168 Parking Restricted on Certain Streets                | *09/15/2015 |
| 8. Amend Ch. 13-180 Resident Parking                                     | *09/15/2015 |
| 9. Amend Ch. 13-168 Parking Restricted on Pauline Street                 | *09/15/2015 |
| 10. Special Event Application Loco Sports, Inc. ½ marathon Nov. 15, 2015 | *09/28/2015 |
| 11. Special Event Application Ladies Night out Run Dec. 12, 2015         | *09/28/2015 |
| 12. Amend ORD Ch. 13-181 Parking Lots Waterfront Trust Lot               | *09/28/2015 |
| 13. Amend ORD Ch. 13-181 Parking Lots Green Street Lot Police Vehicles   | *09/28/2015 |

**Public Utilities Committee**

***In Committee:***

- |  |             |
|--|-------------|
| 1. Sum. Rep. from Environmental Ptners on Wastewater Trtmnt Fac. & Odor Controls & COW | *09/28/2015 |
|--|-------------|

**Rules Committee**

**16. GOOD OF THE ORDER**

**17. ADJOURNMENT**

**CITY COUNCIL MEETING MINUTES - VERSION 1**  
**September 28, 2015**

**7:30 PM**

Council President O'Brien called the meeting to order at 7:30 pm. A moment of silence was held. This was followed by the Pledge of Allegiance. He then instructed the City Clerk to call the roll. The following Councillors answered present: Cameron, Connell, Cronin, Eigerman, Giunta, Heartquist, Herzog, Kinsey, Tontar, Vogel and O'Brien. 11 present.

- 1. LATE FILES** – Communication #7 Mayor's Update, revised order #2, appraisal, and screening committee communication.

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

**2. PUBLIC COMMENT**

1. David Galanek	4 Wallace Bashaw Jr, Way	Signage Permit
2. Alice Santarlaschi	34 Forrester St.	40 R
3. Cynthia Randall	140 State St.	40 R
4. Barbara Oswald	158 State St.	40 R
5. Andrew Morris	23 Cherry St.	40 R
6. Lyndi Lamphear	347 High St.	40 R
7. Tim Loring	26 Hill St.	40 R
8. Pat Daniels	234 Low St.	40 R
9. Richard Sullivan, Jr.	6 Lt. Leary Drive	40 R
10. Sean MacDonald	9 Farrell St.	40 R
11. Malcolm Carnwath	22 Strong St.	40 R
12. Kathleen French	1 Charles St.	40 R
13. Jeff Tomlinson	21 Hill St.	40 R
14. Doris Allen	25 Moseley Ave.	40 R
15. John DeWitt	12 Summit Place	40 R
16. Jeffrey Cook	49 Hill St.	40 R
17. Stephanie Niketic	93 High St.	40 R
18. Andrew Simpson	1 ½ Greenleaf St.	40 R
19. Madeline Nash	19 Arlington St.	40 R
20. Bonnie Sontag	10 Upland Rd.	Smart Growth
21. Aleksandra Gavin	8 Elizabeth Ln.	Smart Growth
22. Mary Anne Clancy	16 Neptune St.	40 R
23. Karen Wiener	7 Linder St.	40 R
24. Sheila Mullen	7 Parsons St.	40 R
25. Rob Germinara	2 Ashland St.	Sidewalks/NRA/40R

**3. MAYOR'S UPDATE**

**The Mayor gave an update.**

**CONSENT AGENDA**

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

**4. APPROVAL OF MINUTES**

September 15, 2015

(Approved)

**5. TRANSFERS - None**

**6. COMMUNICATIONS**

- |  |       |
|--|-------|
| 1. Whittier Regional Vocational Technical High School  | (R&F) |
| 2. Special Event Application Loco Sports, Inc. ½ marathon Nov. 15, 2015                        | (PS)  |
| 3. Application for Moveable Sign Avita of Newburyport  | (L&P) |
| 4. Special Event Application Ladies Night out Run Dec. 12, 2015                                | (PS)  |
| 5. Letter re: 40R Smart Growth Overlay Zoning District from Gregory Winter                     | (R&F) |
| 6. Summary Report from Environmental Partners on Wastewater Treatment Facility & Odor Controls | (PU)  |

**Removed by Councillor Herzog.**



## 7. APPOINTMENTS – First Reading

### APPOINTMENTS

1. Sarah M. White      349 High Street      CPA Committee representing Historical Com.      Oct.1, 2018

### END OF CONSENT AGENDA

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

### REGULAR AGENDA

## 8. COMMUNICATIONS

7. LATE FILE – Mayor's Communication

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

8. Summary Report from Environmental Partners on Wastewater Treatment Facility & Odor Controls (PU)

**Motion to refer to Public Utilities and Committee of the Whole by Councillor Herzog, seconded by Councillor Cameron. So voted.**

## 9. APPOINTMENTS - 2<sup>nd</sup> Reading

### APPOINTMENTS - TABLED

2. Ann Dykes      12 Munroe Street      Parks Commission      April 1, 2018

**Motion to remove from the table by Councillor Herzog, seconded by Councillor Heartquist. So voted. Motion to receive and file by Councillor Herzog, seconded by Councillor Heartquist. So voted.**

### APPOINTMENTS

3. Jane Niebling      45 Temple Street      Cultural Commission      Sept. 30, 2018  
4. Joanna Fernandes      29 Hill Street      Bartlet Mall Commission      Dec. 1, 2016  
5. Marian Leighton Levy      323 Merrimac Street      NRA      Oct. 30, 2020

### RE-APPOINTMENTS

6. Donald B. Notargiacomo      5B Zabriskie Dr      Constable for Civil Business      Sept. 1, 2017

**Motion to approve collectively 2<sup>nd</sup> reading by Councillor Connell, seconded by Councillor Cameron. So voted.**

## 10. ORDERS

1. TABLED Resolution to work collaboratively with Verizon to provide FIOS

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

2. Discontinue portion of Belcher's Street

**Motion to refer to Neighborhood and City Services by Councillor Connell, seconded by Councillor Herzog. So voted.**

3. Access Easement Way off Spofford Street

**Motion to refer to Neighborhood and City Services by Councillor Cronin, seconded by Councillor Connell. So voted.**

4. Accept Sec. 15B of Ch. 60 MGL authorizing establishment tax title collection revolv fund

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

5. \$14,000 Net premium paid to the City be appropriated to pay costs and reduce premium

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

6. \$5,000 Net premium paid to the City be appropriated to pay costs and reduce premium

**Motion to refer to Budget & Finance by Councillor Cronin, seconded by Councillor Tontar. So voted.**

7. \$20,000 Net premium paid to the City be appropriated to pay costs and reduce premium

**Motion to refer to Budget & Finance by Councillor Cronin, seconded by Councillor Tontar. So voted.**

8. Special Municipal Employees Community Preservation Commission (CPC)

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

9. Declaration of rental space at the Senior Community Center

**Motion to refer to Budget & Finance by Councillor Tontar, seconded by Councillor Giunta. So voted.**

## 13. ORDINANCES

1. 2<sup>nd</sup> Reading Amend Zoning ORD Appendix A Sec. XXIX Smart Growth District (SGOD)

**Motion to approve 2<sup>nd</sup> reading by Councillor Cameron, seconded by Councillor Vogel. Motion to amend by reducing the district to 1 Boston Way and no more than 80 (eighty) units by Councillor Cronin, seconded by Councillor Giunta. Roll call vote, 3 yes (Cronin, Giunta, O'Brien), 8 no. Motion failed. Motion to approve roll call vote, 8 yes, 3 no (Cronin, Giunta, O'Brien). So voted.**

2. Amend ORD Ch. 13-181 Parking Lots Waterfront Trust Lot

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

3. Amend ORD Ch. 13-181 Parking Lots Green Street Lot Police Vehicles

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

## **11. COMMITTEE ITEMS**

### **Budget & Finance**

#### *In Committee:*

1. Order Home Rule Petition- supplementing education budget (COTW) \*05/12/2014
2. Amend ORD Ch. 2 Section 2-45 City Council Salary \*05/12/2014
3. Amend ORD Ch. 2 Section 2-61A School Committee Salary \*05/12/2014
4. Letter from Hope Church regarding Master Box fee \*11/10/2014
5. Statement re: Human Resources Dependent Audit \*08/10/2015
6. FY2015 Year-End Financial Report \*09/15/2015

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

7. Accept Gift of \$228,500 from the Friends of the Newburyport Council on Aging for Sr Ctr \*09/15/2015

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

### **General Government**

#### *In Committee:*

1. Letter re: Health Insurance Benefit \*05/11/2015
2. Order Polling Place High Street \*07/13/2015

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

3. Required notice to establish screening committee for City Marshal \*09/15/2015

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

4. Changes to City Hall Rental Application and Rules of Use \*09/15/2015
5. Create Ch. 2-2.5 City Flag \*09/15/2015

### **Joint Education**

#### *In Committee:*

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

### **License & Permits**

#### *In Committee:*

1. Movable Sign Application Newburyport Brewing Company \*02/10/2014
2. Amend ORD Sec. 9-114 Transient Vendors Restricted Areas \*04/28/2014
3. Letter regarding transient vendor licensing \*06/30/2014
4. Amend ORD 15-32 Taxi Licenses \*06/29/2015

**Motion to remove by Councillor Heartquist, seconded by Councillor Herzog. So voted. Motion to approve 1<sup>st</sup> reading and order published by Councillor Heartquist, seconded by Councillor Herzog. Roll call vote, 11 yes. So voted.**

5. Regulations \*08/10/2015
6. Amend Ch 9-111 Transient Vendors Definitions \*08/10/2015

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

### **Neighborhoods and City Services**

Councillor Connell said he will have a N&CS meeting on October 8, 2015 at 7:00pm.

#### *In Committee:*

1. Temple Street sidewalk repair \*04/27/2015
2. Letter re: sidewalks and bike paths to Hale Street and West End \*05/11/2015
3. Letter regarding Emerald Ash Borer \*05/26/2015
4. City-Wide Sidewalk Specifications \*06/08/2015
5. Amend Ch11 Parks and Recreation (COTW) \*08/10/2015
6. Amend Ch. 12-9 Maintenance of City Owned Sidewalks \*09/15/2015
7. Amend Ch. 12-181 Protection of Public Trees \*09/15/2015

## Planning & Development

### *In Committee:*

1. Letter from Newburyport Preservation Trust \*03/31/2014
2. First Refusal to Purchase Lot 8 Low Street \*01/12/2015
3. Amend ORD Zoning Map Sec. III-C "Back Bay Area Zoning Map Change" \*01/12/2015
4. Request to present to City Council Essex Tech High School \*05/11/2015

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

5. NRA Ad Hoc (COTW) \*08/10/2015
6. Establish a Waterfront Committee (COTW) \*08/10/2015

Motion to remove #5 and #6 collectively by Councillor Cameron, seconded by Councillor Cronin. So voted. Motion to receive and file #5 and #6 collectively by Councillor Cameron, seconded by Councillor Cronin. So voted. The Planning & Development committee voted 3-0 to combine the two orders to the revised AD Hoc NRA Order. Motion to approve by Councillor Cameron, seconded by Councillor Cronin. So voted.

7. Amend Zoning VIII-D Sign regulations \*09/15/2015
8. Amend Zoning XI-I Glare \*09/15/2015
9. Amend Ch. 2-116 Planning Board Established, membership, appointment \*09/15/2015
10. Amend Ch. 2-119 Planning Board Members to serve without pay; powers and duties \*09/15/2015

## Public Safety

### *In Committee:*

1. London Livery request for valet parking at 38 State Street \*04/27/2015
2. Order regarding Signs \*05/26/2015
3. Amend ORD Ch. 13 Article IV Div 6 Sec. 13-175 2 hr No. Atkinson \*06/29/2015
4. Letter regarding condition of Dove Street \*07/13/2015
5. Special Event Application Green Strides Half Marathon October 25, 2015 \*09/15/2015

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

6. 3<sup>rd</sup> Annual Pumpkin Patch Fun Run event \*09/15/2015

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

7. River Relay for Real Lives \*09/15/2015

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

8. Revising the Location of the EV Charging Station \*09/15/2015

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

9. Amend Ch. 3-2 Disposal of Animal Waste \*09/15/2015
10. Amend Ch. 13-136 Designated Stop Intersections \*09/15/2015
11. Amend Ch. 13-168 Parking Restricted on Certain Streets \*09/15/2015
12. Amend Ch. 13-180 Resident Parking \*09/15/2015
13. Amend Ch. 13-168 Parking Restricted on Pauline Street \*09/15/2015

## Public Utilities Committee

### *In Committee:*

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

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

## Rules Committee

### 12. GOOD OF THE ORDER

Council President O'Brien announced the appointment of members to the ad hoc committee. They are Council President O'Brien, Councillor Jared J. Eigerman, Chair, Councillor Robert J. Cronin, Councillor Edward C. Cameron, Councillor Ari B. Herzog, William Harris, a member of the Waterfront Trust, a member of the Harbor Commission, Tom Salemi of the NRA, Chamber of Commerce President Ann Ormond or her designee and E.J. Heath of the Committee for an Open Waterfront.

### 13. ADJOURNMENT

Councillor Cameron moved to adjourn, seconded by Councillor Kinsey, at 9:17 pm. So voted.

## **CONSENT AGENDA**

## TRANSFERS



**City of Newburyport**  
FY 2016  
**BUDGET TRANSFER REQUEST**

RECEIVED  
CITY CLERK'S OFFICE  
NEWBURYPORT, MA

2015 OCT -6 P 3:55

**Department:** Mayor's Office / Office of Planning & Development  
**Submitted by:** Donna D. Holaday **Date Submitted:** 10/6/2015

**Transfer From:**

Account Name	General Fund - Free Cash	YTD Bal:	\$ -
Account Number:	01-35910	Trans In:	\$ -
Amount:	\$40,000.00	Trans Out:	\$ -
Why are Funds Available:	<i>The Massachusetts Department of Revenue is expected to certify the City's Free Cash balance in the next several weeks. Once certified, these funds are available for any legal expenditure with the approval of the Mayor and a majority vote of the City Council. Free Cash must be certified before the Council approves the requested appropriation.</i>		

**Transfer To:**

Account Name	Master Plan Update	YTD Bal:	\$ -
Account Number:	3602-49700	Trans In:	\$ -
Amount:	\$40,000.00	Trans Out:	\$ -
Why are Funds Required:	<i>The Master Plan is a key policy-level guidance document for the City. Although the Office of Planning &amp; Development has been able to complete a good portion of the work involved in a city-wide Master Plan update, limited time and resources (including a staff planner out on maternity leave, and the simultaneous undertaking of a Comprehensive Zoning Rewrite) necessitates the assistance of a consulting firm to complete this project.</i>		

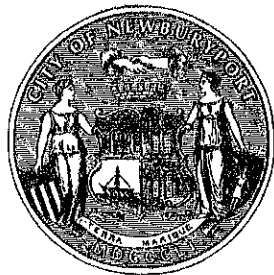
Donna D. Holaday, Mayor  
Ethan R. Manning, Auditor  
City Council Approval: (Stamp)

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

Date: 10/6/15  
Date: 10/6/15

**APPOINTMENTS  
FIRST READING**

Appointment #1  
October 13, 2015



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

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

978-465-4413 PHONE

978-465-4402 FAX

RECEIVED  
CITY CLERK'S OFFICE  
NEWBURYPORT, MA  
2015 OCT -6 A 10:30

To: President and Members of the City Council  
From: Donna D. Holaday, Mayor  
Date: October 6, 2015  
Subject: Appointment

I hereby appoint, subject to your approval, the following named individual as a member of the Community Preservation Act Committee representing the Parks Commission. This term will expire on November 1, 2018.

Stephen B. Sawyer, P.E.  
15 Collins Street  
Newburyport, MA 01950



**STEPHEN B. SAWYER, P.E.**  
**Director of Engineering**  
**Design Consultants, Inc.**

**SUMMARY**

Steve has more than 25 years of civil engineering experience, including planning, design, permitting and construction phase experience on projects ranging in size from small single-family residential projects to the complete development of a 200-plus-acre site. His experience includes work on various municipal infrastructure projects, to which he brings a broad perspective within the civil engineering industry. Steve's work also includes several recreational projects including parks, athletic fields, and bicycle/walking trails.

In addition to leading the engineering department in Somerville, Steve is the manager of DCI's North Shore office in Newburyport. Steve volunteers his time as a Newburyport Parks Commissioner.

**RECENT EXPERIENCE**

**Project Manager, 181 Washington Street, Somerville, MA.** This project for the Somerville Community Corporation (SCC) will be a mixed use development with ground floor commercial space, and 35 rental units of workforce and affordable housing. The SCC purchased the vacant and structurally poor 22,309 sf brick building from the Boys and Girls Clubs of Middlesex County. The property offers a unique opportunity to maintain affordability for existing Somerville residents who might otherwise find themselves priced out of the city. DCI's services for this new housing project include: survey, concept design, traffic and parking analysis, as well as community meeting and permitting assistance, construction documents, and construction administration.

**Project Advisor, East Broadway Reconstruction, Somerville, MA.** Steve helped shepherd and oversee the completion of this important East Broadway project. Working with DCI's engineering staff, Steve moved the project along, particularly with guidance on civil engineering, drainage, grading and storm water management.

**Project Manager/Engineer, Chuckie Harris Park, Cross Street, Somerville, MA.** This \$950K park project was designed to provide more greenspace to the neighborhood and to reduce air pollution exposure as the park abuts route I-93. This engineering scope included drainage, utilities and stormwater management design. DCI coordinated all utility and drainage design with a proposed landscape layout and grading ensuring a compatible design from subsurface utilities up to the above grade park features. Design included low impact design techniques that involved the harvesting the water runoff from the spray park feature for subsurface irrigation of street trees along East Cross Street, as well as rain gardens to capture, treat and infiltrate stormwater runoff from the park.

**Project Manager/Engineer, Kelleher Park, Newburyport, MA.** The project consisted of planning and design of a new pocket playground and half-court basketball court for the Newburyport Housing Authority. Responsible for all aspects of the design from the initial survey/planning through detail design, bid documents, bidding and construction of the new playground. This park was provided for the residents of the Kelleher Park Housing Complex.

**Project Manager/Engineer, Symphony Park, Somerville, MA.** Symphony Park is located between Florence and Pearl Streets in East Somerville, and is part of Somerville's long-term goal of creating 125 acres of open space. The park is meant to serve as recreational space for the neighboring community, a

**STEPHEN B. SAWYER, PE**  
**Resume - Page 2**  
**Design Consultants, Inc.**

quiet green space built according to a low impact, sustainable design plan. DCI provided civil engineering services including drainage and utility design for the park. The park is still under construction and will be complete in late summer 2015.

**Project Advisor, South Bay Harbor Trail, Boston, MA.** Provided grading and drainage consultation for this 3.5-mile multi-use, multi-modal trail linking the Ruggles Street MBTA station to the Boston Harbor Waterfront at Fan Pier.

**Project Engineer, Ball Fields, Malden, MA.** Project involved two ball fields for the Malden Redevelopment Authority. Pine Banks Park, reconstruction of 90-foot baseball diamond; included sports field lighting system, irrigation system, fencing, player benches, etc. Construction of Maplewood Park—a new 90-foot baseball diamond and multi-use overlay in outfield— included drainage and sub-drainage system, sprinkler system, sports field lighting system, 30-car parking lot, in accordance with requirements for construction on contaminated site.

**Project Engineer, New Athletic Fields at Broadway Plaza, Malden, MA.** As lead project engineer, Steve was responsible for all elements of a multi-use athletic facility including baseball, football, and soccer with tot lots in Malden. His work also included initial site planning and program development; prepared construction documents, layout grading, drainage, irrigation systems, lighting, and landscape. Also, he coordinated hazardous materials remediation, action plans, contingency plans.

**Project Engineer, Warren Conference Center Expansion, Northeastern University, Ashland, MA.** Responsible for site development and site engineering to support a 2-phase, 150 unit residential facility. Responsible for access; parking; on-site circulation; all site utilities including sewer, water, drainage, storm water management, gas, electric, telephone, and CATV; and design of underground communication and electrical systems. Five hundred feet of communication and 1000 feet of electrical to serve a 50-room hotel style building with conference rooms. The team obtained environmental permits as well.

**Project Manager/Engineer, Acura of Peabody, Peabody, MA.** Project consisted of the redevelopment of three acre site for new dealership, service garage and carwash. Contracted with the design/build contractor for all site civil design aspects of this project. Project designed, permitted and constructed within a 14 month time span. Project required quick resolution of site design modifications due to the compressed project schedule.

**Project Manager/Engineer, Mini of Peabody, Danvers, MA.** Project consisted of the building renovation and site redevelopment of existing car dealership. This project presented challenging grading design with the reconfiguration of building access and steep topography around the building.

**Project Engineer, Panera Bread, Newburyport, MA.** Design and permitting for site redevelopment for new Panera Bread Restaurant with Drive Thru. Due to recent court judgment against this parcel design included on site stormwater infiltration of 100 year rain event. Permitting included Planning Board, Zoning Board of Appeals and Massachusetts DOT access permit.

**Project Manager/Engineer, Jefferson Union, Lexington, MA.** Project consisted of the conversion of manufacturing facility into 17 residential condominium units. Challenging site topography and compact site constraints where overcome on this project. Special permit required from the Lexington Planning Board and approval from the Conservation Commission for compliance with local conservation By-law.

**STEPHEN B. SAWYER, PE**  
**Resume - Page 3**  
**Design Consultants, Inc.**

**Project Manager/Engineer, Bridge Street, Salisbury, MA.** Project involved full site design and permitting for proposed 7000-square-foot commercial building. Design included Proposed building use is retail and bank with one drive-through. Site plan review and Conservation Commission approvals required. Building located in flood zone with special consideration for flood proof design.

**Project Manager/Engineer, Brown Street Subdivision, Newburyport, MA.** Project involved full site design and permitting for proposed 4 new homes and 300 feet of roadway. Implemented Open Space Residential Design for of this project. Special Permit approval required from planning board.

**Project Manager/Engineer, Miscellaneous Residential, Plum Island, Newburyport, MA.** Design and permitting of new home and remodel residential projects. Zoning Board of Appeals and Conservation Commission approvals required for these projects.

**Project Manager, Engineer, The Village at West Gloucester, Gloucester, MA.** Project consisted of 34 duplex housing units serviced by 3,000 feet of roadway, utilities, on-site sewage disposal facility and stormwater detention and treatment facilities. Responsible for design of access road, all site utilities including sewer, water, drainage, and stormwater management. Presented project to Planning Board and Conservation Commission and successfully gained approval from both boards for this highly controversial project, as it was the first project approved under the Cluster Zoning Special Permit in the City of Gloucester.

**Project Engineer, ID/IQ Services, Expanded MEP and POV Parking, U.S. Army Reserve Center, Warwick, RI.** Project Engineer. Prepared plans, specifications, design reports for 50 additional parking spaces required for privately owned vehicles (POV), as well as 18,000 square feet of a new military equipment parking (MEP) area. Other improvements included expanding drainage to serve new parking, security lighting, fencing, and rehabilitation of existing paved surfaces.

**Project Engineer, MacMillan Pier, Provincetown, MA.** Responsible for design of onshore stormwater drainage system improvements to mitigate existing stormwater contaminants. Used state-of-the-art swirl particle separators because of high ground water and other site constraints.

**REGISTRATIONS:** 1995, Massachusetts,  
Professional Engineer #38800

**EDUCATION:** Northeastern University, Boston, Massachusetts  
Bachelor of Science, Civil Engineering, 1984

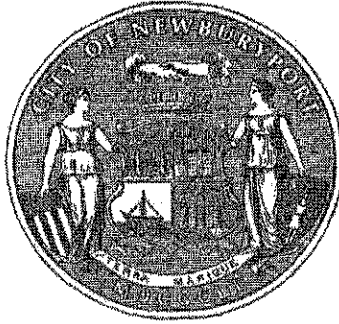
**BOARDS &  
COMMISSIONS:** Newburyport Parks Commission

**AFFILIATIONS:** American Society of Civil Engineers (ASCE)  
Boston Society of Civil Engineers (BSCES)

**END OF CONSENT AGENDA**

**BEGINNING OF REGULAR AGENDA**

## COMMUNICATIONS



RECEIVED  
CITY CLERK'S OFFICE  
NEWBURYPORT, MA

2015 SEP 30 A 9 34

CITY OF NEWBURYPORT  
60 PLEASANT STREET  
NEWBURYPORT, MA 01950

## BLOCK PARTY APPLICATION

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

DATE OF REQUEST:

~~9/25/15~~ October 17, 2015

### CONTACT INFORMATION

FIRST AND LAST NAMES:

Jennifer Guild

MAILING ADDRESS:

9 Guild St Newburyport, MA

PHONE NUMBER:

617-901-0014

E-MAIL ADDRESS:

jguild@comcast.net

### BLOCK PARTY INFORMATION

BLOCK PARTY DATE:

2pm to 6pm

DESIRED STREET CLOSING LOCATION:

Guild Street

Please indicate cross streets when requesting the closing of street sections

STREET TO BE BARRICADED:

Guild

DESIRED STREET CLOSING TIME:

1:30 to 6pm

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: \_\_\_\_\_

9/29/15

### APPROVAL SIGNATURES REQUIRED FOR STREET CLOSURE

*chief*  
*5294 let.*  
*Murray*  
**CITY MARSHALL**

4 Green Street

*Brackburg*  
**FIRE CHIEF**

Greenleaf Street

*Tony*  
**DEPUTY DIRECTOR**

1 Perry Way

*Richard*  
**CITY CLERK**

60 Pleasant Street

*[Signature]*

9/29/15

*[Signature]*  
**Deputy SIB**

9/30/15

*[Signature]*  
**DPB Director**

City use only: \_\_\_\_\_

Approved \_\_\_\_\_

Denied \_\_\_\_\_

Date \_\_\_\_\_

**APPOINTMENTS  
SECOND READING**



**MAYOR'S APPOINTMENTS**  
**October 13, 2015**  
**SECOND READING**

**APPOINTMENTS**

2. Ann Dykes                      12 Munroe Street                      Parks Commission                      April 1, 2018

**In City Council September 28, 2015**

Motion to remove from the table by Councillor Herzog, seconded by Councillor Heartquist. So voted.  
Motion to receive and file by Councillor Herzog, seconded by Councillor Heartquist. So voted.

3. Sarah M. White                      349 High Street                      CPA Committee representing Historical Com.                      Oct.1, 2018

**In City Council September 28, 2015**

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

# ORDERS

# CITY OF NEWBURYPORT



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IN CITY COUNCIL

**ORDERED:**

October 13, 2015

**THAT, The CITY COUNCIL of the City of Newburyport** accepts with gratitude a gift from the Greater Newburyport Mothers and Families Club in the amount of \$5,000.00 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.

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Councillor Charles F. Tontar  
Chair, Budget & Finance Committee

# CITY OF NEWBURYPORT



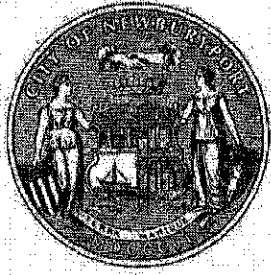
\_\_\_\_\_  
IN CITY COUNCIL

**ORDERED:**

October 13, 2015

**THAT**, \$630,300 is appropriated to pay planning and design costs of an intermodal transit parking facility, including the payment of all costs incidental and related thereto and that to meet this appropriation, the Treasurer with the approval of the Mayor, is authorized to borrow \$630,300 under and pursuant to M.G.L. c.44, s.7(21) of the General Laws, or pursuant to any other enabling authority, and to issue bonds or notes of the City therefor. While all notes and bonds issued under this loan order shall be general obligations of the City, it is the intent that the debt service on such notes and bonds be paid from Downtown Parking Program revenues.

\_\_\_\_\_  
Councillor Charles F. Tontar  
Chair, Budget & Finance Committee



CITY OF NEWBURYPORT  
OFFICE OF PLANNING AND DEVELOPMENT  
60 PLEASANT STREET • P.O. BOX 550  
NEWBURYPORT, MA 01950  
(978) 465-4400 • (978) 465-4452 (FAX)

**MEMORANDUM**

**TO:** Honorable members of the City Council

**FROM:** Andrew Port, Director of Planning & Development

**CC:** Donna D. Holaday, Mayor  
Heather Rowe, Chief Administrative Officer  
Ethan Manning, Finance Director

**RE:** Loan Order - Intermodal Transit & Parking Facility - Design Services

**DATE:** October 6<sup>th</sup>, 2015

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As you know, the Mayor and Office of Planning & Development have been working with the Merrimack Valley Regional Transit Authority (MVRTA) on the design of an Intermodal Transit & Parking Facility in Downtown Newburyport, at the so-called Titcomb Street Site. At this time we are exploring several design and configuration options for the facility that will maximize available parking (*approximately 340-360 spaces*), reduce the overall cost-per-space, and address a number of contextual design issues including facade detailing and streetscape compatibility. A meeting has been scheduled next week with direct abutters to hear questions and concerns from the immediate neighborhood.

Earlier this year MVRTA contracted for project management and design services necessary to bring this project to shovel-ready construction. However, the MVRTA's available funding for this work is limited to those funds designated specifically for design work by the Federal Transit Administration (FTA). The balance of FTA funding earmarked for this project is designated for construction services only. In addition, the recent \$5 Million commitment from the Commonwealth of Massachusetts (*through MassDOT*) is also designated for construction services, once full design plans and specifications are ready for contractor bids. Consistent with discussion at the September 9<sup>th</sup>, 2015 public meeting, it is our expectation that any gap in project funding (*beyond that secured through MassDOT and the FTA*) will be bonded and paid for through Downtown Parking Program revenues. MVRTA's design contracts for project management and design services extend through 30% design (*schematic design plans and construction cost estimates*), which is expected to be complete by the end of this year. The attached Loan Order of \$630,300 represents the remainder of funding necessary to bring the 30% design plans through to a complete design and drawing package with specifications suitable for construction bidding in 2016.

It is important that this transfer be approved by the Council in the coming weeks so that the City and MVRTA can proceed with 100% design for the facility which will allow it to be "shovel-ready" in 2016. Failure to appropriate the remaining design funds and keep this project on schedule could result in the loss of \$2 Million set aside by the FTA for this project next year as well as the \$5 Million commitment from the Commonwealth. Newburyport's taxpayers will see no property tax increase as a result of this loan since it will be paid for using a portion of yearly Downtown Parking Program revenues.

We respectfully request that the attached Order be forwarded to the Budget & Finance Committee, and ultimately back to the full City Council for approval. At this time we are planning to hold another public meeting regarding the Intermodal Transit & Parking Facility in November. Although we had originally planned on an interim public meeting in October, there does not appear to be sufficient information regarding the preferred facility orientation and design to warrant such a meeting. We expect this information to be available from the design team in November and will confirm our anticipated meeting date shortly.

Thank you in advance for your timely consideration of the attached Order. Please do not hesitate to contact me if you have any questions regarding this, or any other, planning projects.

# CITY OF NEWBURYPORT



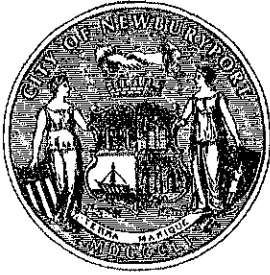
\_\_\_\_\_  
IN CITY COUNCIL

**ORDERED:**

October 13, 2015

**THAT**, \$400,000 is appropriated to pay costs of remodeling the former Central Fire Station, including the payment of all costs incidental and related thereto, and that to meet this appropriation, the Treasurer with the approval of the Mayor, is authorized to borrow \$400,000 under and pursuant to M.G.L. c.44, s.7(3A) of the General Laws, or pursuant to any other enabling authority, and to issue bonds or notes of the City therefor. No amounts shall be borrowed or expended hereunder until the City shall have entered into a repayment agreement with the Society for the Development of Arts and Humanities of Greater Newburyport, Inc. (the "Society"), pursuant to which the Society agrees to reimburse the City for all costs associated with any borrowing obtained pursuant to this order.

\_\_\_\_\_  
Councillor Charles F. Tontar  
Chair, Budget & Finance Committee



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

60 PLEASANT STREET - P.O. Box 500  
NEWBURYPORT, MA 01950  
978-465-4413 PHONE  
978-465-4402 FAX

To: President and Members of the City Council  
From: Donna D. Holaday, Mayor  
Date: October 13, 2015  
Subject: Firehouse Center Loan Order

*Donna D. Holaday*

RECEIVED  
CITY CLERK'S OFFICE  
NEWBURYPORT, MA  
2015 OCT - 6 P 3:21

In September of 1990 the City of Newburyport entered into a 99 year/\$1 lease with the Society for the Development of Arts and Humanities of Greater Newburyport, allowing for the creation of the Firehouse Center for the Arts, in what was once the City's Central Fire Station. While the building is still owned by the City, per the lease agreement, the Firehouse is responsible for all maintenance and upkeep of this downtown focal point.

As an important asset of the City, there was very little hesitation on my part when approached by the Board regarding the possibility of making a loan to the Firehouse to carry out much-needed updates to the building, which comes as no surprise for a historical building that received its last major facelift nearly twenty five years ago. The proposed loan of \$400,000 would supplement funds raised by the Firehouse to make the improvements as detailed in the attached letter from Executive Director Beth Falconer.

We have conferred with bond counsel on the process of lending funds to a 501(c)(3) organization, which includes approving the enclosed loan order in normal fashion, followed by conducting an advertised public hearing prior to the issuance of the bonds or notes. The federal tax code treats these bonds as "qualified 501(c)(3) bonds," even though the security for the bonds and the City's obligation to pay them is the same as any other borrowing by the City (i.e. backed by the full faith and credit of the taxpayers).

Enclosed you will find the proposed repayment agreement detailing the terms by which the Firehouse will repay the City over the twenty-year life of the bonds. If the loan order is approved by the City Council, this repayment agreement will be included as a lease amendment. The Firehouse Center for the Arts is a prime community asset and I am confident that the revenue from our tenants coupled with the continued solid leadership of the Society for the Development of Arts and Humanities of Greater Newburyport, can support the debt service on this bond over the twenty-year term.

I ask for your support of the proposed loan order.



=====

REPAYMENT AGREEMENT

=====

AGREEMENT, dated the \_\_\_\_ day of \_\_\_\_\_, 2015, between the City of Newburyport, Massachusetts (the "City") and the Society for the Development of Arts and Humanities of Greater Newburyport, Inc. (the "Society"), with respect to the making and financing of improvements to the City's former Central Fire Station (the "Firehouse"), now subject to a Lease Agreement between the City and the Society, dated as of August \_\_, 1990 (the "Lease"):

WITNESSETH:

WHEREAS, the Society and the City have determined that certain improvements to the Firehouse in order to maintain the Firehouse in good working order (the "Improvements"); and

WHEREAS, pursuant to the Lease, the Society is responsible for the costs of the Improvements over the term of the Lease; and

WHEREAS, the City has approved the borrowing of \$400,000 to pay a portion of the costs of the Improvements, and has determined that the Society will undertake the making of the Improvements in accordance with the terms of the Lease; and

WHEREAS, the Society has agreed to reimburse the City for all costs associated with the borrowing of funds to undertake the Improvements,

NOW, THEREFORE, the parties agree:

1. The City hereby agrees to borrow the funds necessary to pay costs of the improvements, and shall pay, to the extent of the availability of a lawful appropriation therefor, the costs of the improvements, such payments to be made within 30 days of the receipt of invoices associated with the improvements.

2. The Society hereby agrees to pay any and all costs incurred by the City to borrow the funds necessary to pay costs of the improvements, including all issuance costs associated therewith. Such amounts shall be paid monthly, commencing on \_\_\_\_\_ in accordance with the amounts set forth on Exhibit A attached hereto. Such amounts shall be payable on or before the 15th day of each month, until all such amounts shall have been paid in full. Such payments shall be paid by check or wire transfer, at the address set forth below:

3. The Society represents that it has adopted all necessary votes and resolutions and has taken all proceedings required by law to enable it to enter into this Repayment Agreement

4. This Repayment Agreement may be executed in one or more counterparts, any of which shall be regarded for all purposes as an original and all of which constitute but one and the same instrument. Each party agrees that it will execute any and all documents or other instruments, and take such other actions as may be necessary to give effect to the terms of this Repayment Agreement.

5. This Repayment Agreement merges and supersedes all prior negotiations, representations, and agreements between the parties hereto relating to the subject matter hereof and constitutes the entire agreement between the parties hereto in respect hereof.

IN WITNESS WHEREOF, the parties hereto have executed this agreement the day and year first above written.

**CITY OF NEWBURYPORT, MASSACHUSETTS**

By \_\_\_\_\_  
Mayor

(CITY SEAL)

By \_\_\_\_\_  
City Clerk

\*\*\*\*\*

**SOCIETY FOR THE DEVELOPMENT OF THE  
ARTS AND HUMANITIES OF GREATER  
NEWBURYPORT, MASSACHUSETTS 01950**

By \_\_\_\_\_

By \_\_\_\_\_

By \_\_\_\_\_

**EXHIBIT A**  
**REPAYMENT SCHEDULE**

AM 55065088.1

**Firehouse Center for  
the Arts**

**Board of Directors**

**Officers**

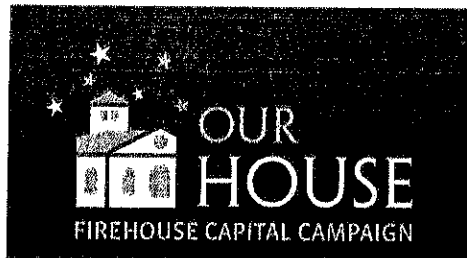
Louis Rubinfeld  
*President*  
Lois Monegger  
*Vice President*  
Peter Kelly  
*Treasurer*  
Maureen Daley  
*Secretary*

**Members**

Victor Atkins  
Ronna Caras  
Jared Eigerman  
George Ellison  
David E. Gompers  
Esther Sayer  
Anne Easter Smith  
Susan Thomas  
Ray Tiezzi  
Lisa Wetenkamp

**Staff**

James Atkins  
Laurie Contrino  
Beth Falconer  
Judith Hallberg  
Evelyn Kovach  
Nancy Ogasapian  
Pete Van Amburgh  
Kimm Wilkinson



September 28, 2015

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

On behalf of the Firehouse Center for the Arts Board and Staff, please accept my sincere thanks for your past support of the Firehouse Center for the Arts and for your consideration of this proposal.

As you know, the Firehouse Center for the Arts launched the *Our House Capital Campaign* in 2014 to raise funds needed to protect the integrity of a valuable community asset. The campaign was bolstered by gifts from the Massachusetts Cultural Council's (MCC) Cultural Facility Fund grant (\$140,000), matching funds from local businesses, foundations, and individuals, as well as by a recent award from the City of Newburyport's Community Preservation Funds (CPC). To date, the Firehouse Center for the Arts has raised \$430,000.00 to invest in our facility, owned by the City of Newburyport.

On Tuesday, September 22, the Firehouse Center for the Arts Board of Directors voted to increase our public campaign goal from \$500,000.00 to \$900,000.00, making a commitment to address immediate facility needs outlined by CBI Consulting, our architect and engineering firm. While we will continue our campaign to raise the necessary funds, we must meet timeline requirements set forth by the MCC and the CPC. Therefore, we respectfully request an addendum to our existing lease with the City of Newburyport, allowing us to borrow \$400,000.00 (to be paid back over twenty years). This will allow us to put the project out to bid on the public register in January 2016 and begin construction in the spring.

Additional details about the proposed project are included here. We welcome the opportunity to address City Council on Tuesday, October 13, and thank you for your consideration.

**Firehouse Center for the Arts Mission**

The mission of the Firehouse Center for the Arts (*Society for the Development of Arts and Humanities*) is to advance the arts and humanities in the Greater Newburyport region by:

Replacement Plan study in 2013. Those items include; flat roof, sloped roof, emergency exit doors, interior doors, brick repointing, a building management system, the Lennox HVAC units, the split system units, fire safety and electrical, heating and cooling distribution, bath fan ventilation, exterior lighting over the theater entry doors, sewage pumps, ground water pumps and fire pump and related repairs to the theatre lobby ceiling. CBI Consulting Inc. (CBI) worked with BLW Engineering Inc., (BLW) for mechanical, electrical, plumbing, and fire protection engineers and Cardno ATC (ATC) for hazardous material consultants to prepare a more thorough existing conditions report. This report was delivered on May 21, 2015.

Most recently, CBI Consulting, Inc. presented a schematic cost estimate to our Board of Directors, and outlined over \$1,000,000 in construction costs to address our most immediate needs. After considering how best to prioritize projects and our own capacity to raise the funds needed to address this ambitious project, we have raised our public fundraising goal from \$500,000.00 to \$900,000.00. We anticipate putting the final project out for bid in January 2016 and beginning construction in the spring.

### **Financial Progress to Date**

The Firehouse Center for the Arts has raised \$430,000.00 in support of the Our House Capital Campaign. This includes funding from the MCC Cultural Facilities Fund, Newburyport Community Preservation Committee funds, local bank and foundation support, and the support of Board Members and individuals. For a small non-profit with a primarily part-time staff, this is quite an accomplishment. However, it is not sufficient for us to address the repairs needed to retain the integrity of our facility and sustainability of our arts programs.

### **Economic Context**

The Firehouse Center for the Arts has provided uninterrupted access to quality arts programming for 24 years. We see this achievement as made possible by the combination of the following three factors:

1. The commitment of our generous donors, volunteers and audience members;
2. Responsible fiscal oversight; and
3. Quality programming that provides a diverse mix of music, theater, dance, film, arts education programs, and lectures that appeal to our audience.

Still, adequate funding remains a challenge. Ticket sales alone cover only 35% of our operating expenses, which includes the honor and responsibility of caring for our historic building. Addressing our Capital Improvement needs is critical to the health of our operating budget and mission related services.

### **Request**

The Firehouse Center for the Arts respectfully requests that the Newburyport City Council approves the loan order authorizing the City of Newburyport to borrow \$400,000 for this much-needed capital project, to be paid back over the next twenty years with repayment terms to be memorialized via an addendum to the lease agreement dated September 12, 1990.

By FHCFTA

By CBI Consulting 10/2/15

Budget Item/Description of Work	Funding Scenarios			Tot. Project @ \$ 1,200,000	Current Fund Scenario		Notes:
	\$ 425,000	\$ 625,000	\$ 825,000		\$ 825,000		
A/E Services (CBI)	\$ 56,500	\$ 56,500	\$ 56,500	\$ 56,500	\$ 67,500		
By Owner:							
Integrated Tech Equipment							
Lighting Dimmers	\$ 41,000	\$ 41,000	\$ 41,000	\$ 41,000	\$ 41,000		
Lighting Console	\$ 12,000	\$ 12,000	\$ 12,000	\$ 12,000	\$ 12,000		
Clerk of the works					\$ 20,000		
Administrative Fees					\$ 8,000		
Total Budget Available for Construction	\$ 315,500	\$ 515,500	\$ 715,500	\$ 1,090,500	\$ 676,500		
New Roof							
Asbestos Abatement	\$ 4,100	\$ 4,100	\$ 4,100	\$ 4,100	\$ 4,100		
B1020 Roof Construction	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000		
B3010 Roof Coverings	\$ 130,400	\$ 130,400	\$ 130,400	\$ 130,400	\$ 126,800		1., 4.
Building Envelope							
B2010 Exterior Walls	\$ 104,300	\$ 104,300	\$ 104,300	\$ 104,300	\$ 21,700		9.
B2020 Windows/Curtainwall (Brick Tower)	\$ 8,000	\$ 8,000	\$ 8,000	\$ 8,000	\$ 1,000		
B2030 Exterior Doors		\$ 18,300	\$ 18,300	\$ 18,300	\$ 18,300		
Interior Construction							
C1010 Partitions		\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000		
C1020 Interior Doors		\$ 40,400	\$ 40,400	\$ 40,400	\$ 40,400		
Interior Finishes							
C3010 Wall Finishes		\$ 2,000	\$ 2,000	\$ 2,000	\$ 2,000		
C3030 Ceiling Finishes		\$ 21,300	\$ 21,300	\$ 21,300	\$ 2,750		
Fire Protection							
D40 Fire Protection		\$ 29,500	\$ 29,500	\$ 29,500	\$ 29,500		
Selective Building Demolition							
F2010 Building Elements Demolition		\$ 50,900	\$ 50,900	\$ 50,900	\$ 42,660		6.
Electrical							
D5010 Electrical Systems			\$ 131,000	\$ 131,000	\$ 120,420		2., 7., 10.
Plumbing				\$ 40,300	\$ 40,300		3.
HVAC				\$ 209,800	\$ 1,200		5., 8.
Subtotal Trade Costs	\$ 251,800	\$ 419,200	\$ 550,200	\$ 800,300	\$ 461,130		
plus Overhead & Profit @ 21.25%	\$ 53,500	\$ 89,100	\$ 116,900	\$ 170,100	\$ 98,000		
plus Design & Estimating Contingency @ 10%	\$ 30,500	\$ 50,800	\$ 66,700	\$ 97,000	\$ 55,900		
Construction Contingency 10%					\$ 61,470		
Total Construction Cost	\$ 335,800	\$ 559,100	\$ 733,800	\$ 1,067,400	\$ 676,500		

## Notes:

- Does not include B30, 83, 86, 103-108
- Tenant pays for +/- 6k of fire alarm for the restaurant upgrades, the 6k is included in this spread sheet.
- Some savings no theatre lobby ceiling demolition, just patch and paint.
- Some savings in roof work, no dormer for new supply, see line item 103 PM&C estimate.
- HVAC includes Exhaust fan only, see line item 205 PM&C estimate.
- Demolition does not include ceiling work, see line item 272 PM&C estimate.
- No exterior lighting.
- No new Theatre HVAC.
- B2010 Estimated work for bottom 9'-0" of tower, all four sides.
- Electrical includes D5010 line 228 and 229, D5030 line 227, and D5040 line 229 PM&C Estimate



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PRINCIPALS

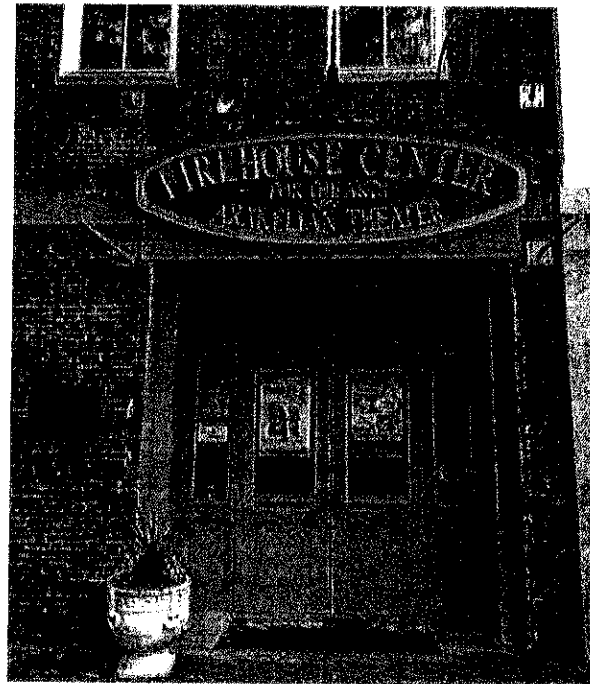
CRAIG E. BARNES  
MICHAEL S. TELLER  
WAYNE R. LAWSON

SENIOR ASSOCIATE

ROBERT G. WILKIN

ASSOCIATE

MITCHELL H. LOWE



**A&E Services  
For  
Newburyport Firehouse Center for the Arts  
Investigation and Existing Conditions Report**

**May 21, 2015**

Prepared for:

Newburyport Firehouse Center for the Arts  
Newburyport, Massachusetts

Phone: 617.552.9977  
Fax: 617.552.9977  
cbi@cbiconsulting.com



CBI CONSULTING INC.

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ASSOCIATE

ROBERT G. WILKIN

May 21, 2015

Mrs. Beth Falconer  
Firehouse Center for the Arts  
Market Place  
Newburyport, MA 01950

Tel: 978-499-9931  
Email: devdir@firehouse.org

Proj. Firehouse Center for the Arts, Newburyport, MA  
Re: Fee Proposal - Renovations  
CBI Proposal No.: 150083

Dear Mrs. Falconer:

CBI Consulting Inc. was engaged by the Newburyport Firehouse Center for the Arts to provide Architectural and Engineering Services for portions of specific scope items identified by an SRP study in 2013, those items include; flat roof, sloped roof, emergency exit doors, interior doors, brick repointing, a building management system, the Lennox HVAC units, the split system units, heating and cooling distribution, bath fan ventilation, exterior lighting over the theater entry doors, sewage pumps, ground water pumps and fire pump and related repairs to the theatre lobby ceiling. The following report summarizes our preliminary findings and provides recommendations that will serve as a spring board from which we will develop the schematic design solutions. CBI Consulting Inc. (CBI) worked with BLW Engineering Inc., (BLW) for mechanical, electrical, plumbing, and fire protection engineers and Cardno ATC (ATC) for hazardous material consultants to prepare this report.

Very truly yours,  
CBI Consulting Inc.

Andrea M. Willett, AIA, LEED AP BD+C  
awillett@cbiconsultinginc.com

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AMW  
O:\CBI PROJECTS\2015\15083\MSWORD\LETTERS\Draft Report\15083 L001 Executive Summary.docx





### Project Summary:

**PRINCIPALS**

**CRAIG E. BARNES**

**MICHAEL S. TELLER**

**WAYNE R. LAWSON**

**SENIOR ASSOCIATE**

**ROBERT G. WILKIN**

**ASSOCIATE**

**MITCHELL H. LOWE**

The Newburyport Firehouse Center for the Arts (FHCFTA) is a non-profit institution that leases a building from the Town of Newburyport, Massachusetts at One Market Place. The FHCFTA is located in the Market Square Historic District and the Newbury Historic District. The building is situated at a prominent location on Market Place in down town Newburyport. The west side and the north side of the building overlooks Waterfront Park and The Merrimack River. The building consists of an original masonry firehouse with a masonry tower and an aluminum siding and curtain wall addition facing the water designed by Schwartz / Silver Architects of Boston Massachusetts, completed in 1991.

The renovation and addition which brought the existing building up to code at the time and houses the entry lobby, front of the commercial space, and theatre on the second floor. The addition provided space for the theatre support areas such as back stage area, dressing rooms, theatre lobby and out-door deck overlooking the Waterfront Park and the Merrimack River, a valuable potential asset to the FHCFTA.

The Newburyport Firehouse Center for the Arts has occupied the building since 1991. The FHCFTA runs the nonprofit theatre and rents the commercial space to Not Your Average Joe's restaurant. The commercial rental space provides income to the theatre nonprofit, however the theatre is responsible for the maintenance and upkeep of the entire building infrastructure. The Newburyport Center for the Arts is located in a prominent location in the town, and because it is a public facility, the restrooms are available for tourist to use. The summer tourist season takes a toll on the use of the building, the doors, the elevator, and the restrooms which are all in constant use.

The Newburyport Center for Arts commissioned a Systems Replacement Plan (SRP), prepared by Nonprofit Finance Fund, in 2013. The SRP is a study of existing conditions of the building elements and systems. FHCFTA used the SRP and an elevator study by Stanley Elevator to create a prioritized scope of work for updating the elements and systems. This report addresses the investigation of the existing conditions of the roofs, doors and the mechanical, electrical, fire alarm and suppression, and plumbing systems and describes recommendations for solutions to be further studied during the schematic phase of the project.

The key findings in the report are:

1. The flat roof is recommended to be replaced. The flat roof has very active leaks. The roof has to be installed to slope to all roof drains, and roof top equipment will be replaced as recommended by the MEP Engineers. The Lennox 20-ton roof top unit will be replaced and the 5-Ton roof top unit will remain. The bathroom fan unit is recommended to be serviced and left in place.

Issues that will be taken into consideration regarding the new roof solution, are the sloped roof and flat roof shall retain original design elements, as the building is in two historic districts; and

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[www.cbiinc.com](http://www.cbiinc.com)



**Architectural/Engineering Services for  
Building Improvements at  
Firehouse Center for the Arts  
Newburyport, Massachusetts**

**PROJECT SCHEDULE**

---

PRINCIPALS

**CRAIG E. BARNES  
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WAYNE R. LAWSON**

SENIOR ASSOCIATE

**ROBERT G. WILKIN**

ASSOCIATE

**MITCHELL H. LOWE**

BUILDING RENOVATIONS	
<b>Phase I</b>	
Site Investigation:	<i>May 11, 2015</i>
Existing Conditions Report with Recommendations	<i>May 15, 2015</i>
Base Drawings To Engineers	<i>May 19, 2015</i>
Progress Schematic Design Coordination	<i>June 5, 2015</i>
Preliminary Design Complete & Meeting with Owner	<i>June 10, 2015</i>
<b>Phase II</b>	
80% Construction Documents & Meeting with Owner:	<i>June 24, 2015</i>
<b>Phase III</b>	
100% Construction Documents Complete & Owner Review/Meeting with Owner:	<i>July 10, 2015</i>
Advertise in Central Register:	<i>July 18, 2015</i>
Plans Available:	<i>July 20, 2015</i>
Bids Due	<i>August 8, 2015</i>

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## PRINCIPALS

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ALBERT F. PEREZ

## ASSOCIATE

ROBERT G. WILKIN

## Section 2 Architectural Existing Conditions

### I Roofs:

#### Flat Roofs

The existing roof system is an existing fully adhered EPDM roofing membrane over mechanically fastened 3" thick, non-tapered isocyanurate insulation, fully adhered to the rigid insulation. Below the rigid insulation is a single layer of 5/8" gypsum wall board, installed to act as fireproofing for the roofing membrane. The gypsum wall board sits on a three inch metal pan roof structure. The metal pan structure appears to slope to drain to the edge of the roof. There are three roof drains in line approximately twelve feet away from the sloped roof edge. The flat roof was new construction and built as part of the addition built in 1990. There is also a sloped roof which has asphalt shingles on plywood deck which was installed as part of the renovation of the existing firehouse in 1991.

The existing insulation is compressed at areas where roof top mechanical units and dunnage are sitting. There are high and low points across the roof plane, therefore water is ponding at those locations. The existing roof drains are still serving the purpose of draining off water during an event, but quantities of water are ponding in the depressed areas. There also appears to be some sort of structural member that has telegraphed through the insulation which blocks off the final layer of water that would get to the roof drains, no sloped crickets were installed in the roofing system, exacerbating the issue of water flow to drains.

The settling of the rigid insulation is the result of the age of the roof, and the fact that the roof system is passed its useful life cycle. The depression of the rigid insulation is also the result of the loading up of mechanical equipment onto the roof. The existing mechanical equipment includes the two (2) air handler units and their associated condensers, a bathroom exhaust fan, an elevator head house and smoke vent, a boiler vent, a goose neck vent, and vent cap, and the associated electrical conduit, condensate and coolant lines.

The leasing entity, Not Your Average Joe's, has installed a vent for the tankless water heaters, as well as power and refrigerant lines for five (5) condensers for their freezers, and a cook vent and drip pan to catch grease.

The flat roof replacement is critical at this time because there are very active leaks into the theatre lobby ceiling and the elevator core which are a costly and worrisome maintenance problem for the FHCRTA. Although there are no signs of leaks contributed to the sloped roof the buildup of ice at valleys and gutters is significant problem and a public safety issue.

The photographs and narratives below describe the current existing conditions visible to the eye and visible where test cuts at a flashing conditions and at a typical flat roof condition, see Section 3 for recommendations for repairs.

OFFICE

BOSTON

MIAMI

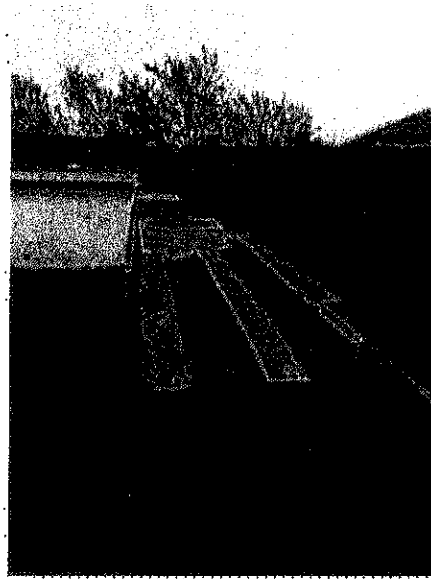
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**Flat Roof C:**

Water is likely entering into the sheet metal ducts where the exposed duct flanges connect. Water is likely running into the ducting and down through seams into the wall below. The water materializes at the door from the theatre to the lobby.



**Flat Roof D:**

There is visible water damage in the theatre lobby ceiling that is adjacent to the elevator core. Water has poured through the ceiling and migrated across the ceiling plane to adjacent light fixtures and fire alarm equipment. The fire alarm system has been triggered by the leaks.

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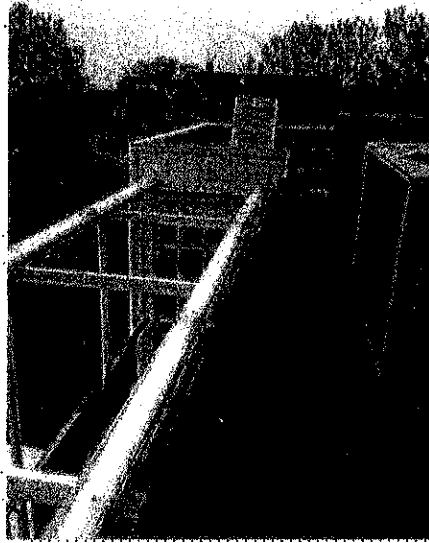
Newburyport Firehouse Center for the Arts

Newburyport, Massachusetts

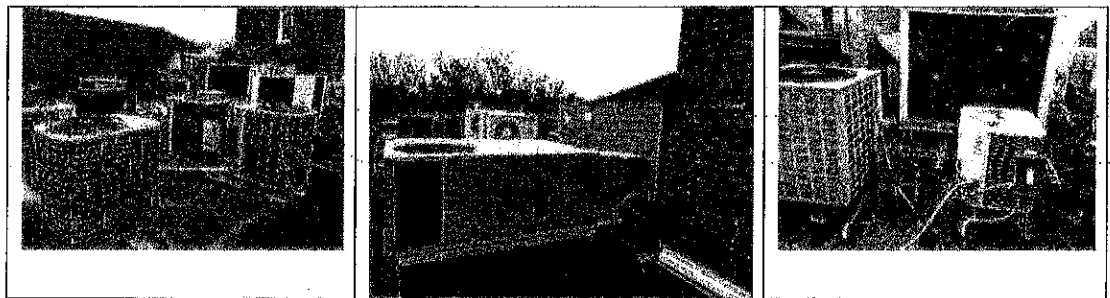
CBI Job No.: 15083

May 21, 2015

CBI

**Flat Roof G:**

The edge condition of the EPDM roof appears to be in satisfactory condition, there are no visible breaks in the seam between the aluminum wall panel and the EPDM membrane. However water leaks that migrate to central locations of the theatre lobby ceiling may be wind-blown through the connection of the curtain wall to the roof and/or where the EPDM meets the building edge.

**Flat Roof H:**

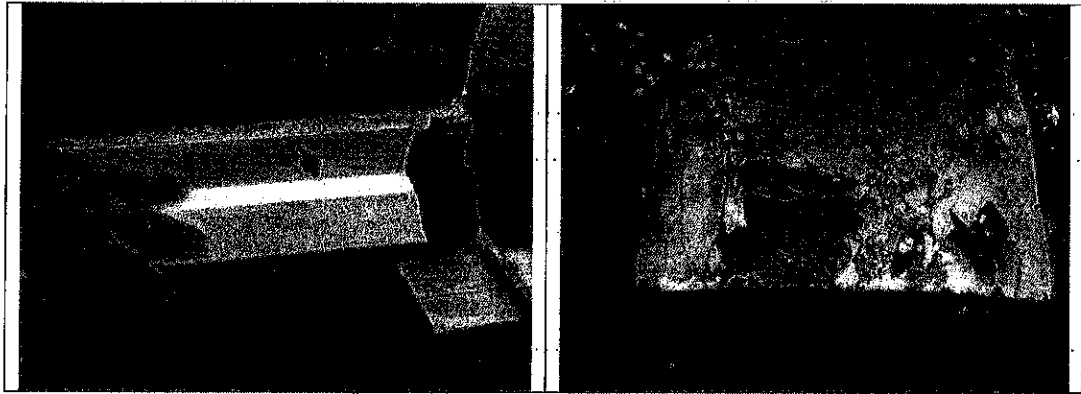
The rooftop air handler units, condensers, mini-splits, associated dunnage and built up curbs have been in place for twenty five years without much planning, condensers have been replaced as needed and mini-splits have been added to the roof as heating and cooling demands increased. Therefor water ponds around the dunnage carrying the condensers. The ponding does not appear to be contributing to the leaks seen in the theatre lobby, but contributes to the roof deterioration, and it is an indication that the roof does not properly drain.



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The FHCFTA's satellite system is anchored to the roof with concrete masonry units, a dangerous situation in very high winds.

There is a vent cover that appears to be capping a chase through the building. The cover was rusted and screwed shut.

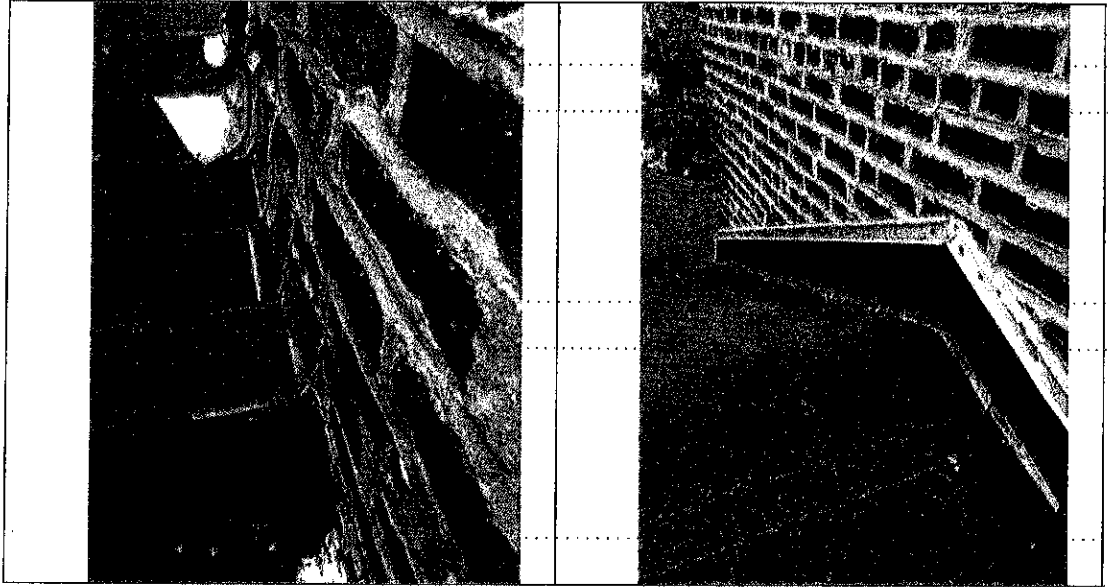


#### **Flat Roof K:**

Test Cuts revealed that the roof installed in 1991 followed the details drawn in the Schwartz/Silver Architect's drawings. The metal pan roof deck is three inches deep and has a layer of 5/8" fire code gypsum wall board on top of it. The three inches of rigid insulation is adhered to the gypsum board. The EPDM is fully adhered to the rigid insulation which is mechanically attached to the deck. It appears that the metal deck slopes from the sloped roof wall to the edge of the addition, to drain water to the roof drains.

The test cut at the roof flashing to the masonry tower revealed wet plywood behind the EPDM fastened to the brick wall. Water appears to be entering at the sealant between the masonry and the metal counter flashing. The top of the flashing is eight inches above the roof plane.

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#### **Sloped Roof M:**

The roof area above the stained ceiling and theatre door has several existing conditions that are contributing to the leaks at that location. The existing stepped flashing is loose and can be peeled away from the masonry. The lead flashing appears to have no continuous sealant to bind the lead, masonry and asphalt. The cricket roof flashing into the masonry tower wall is not integrated into the masonry wall and relies heavily on the sealant, which is most probably 25 years old, brittle and de-bonded.



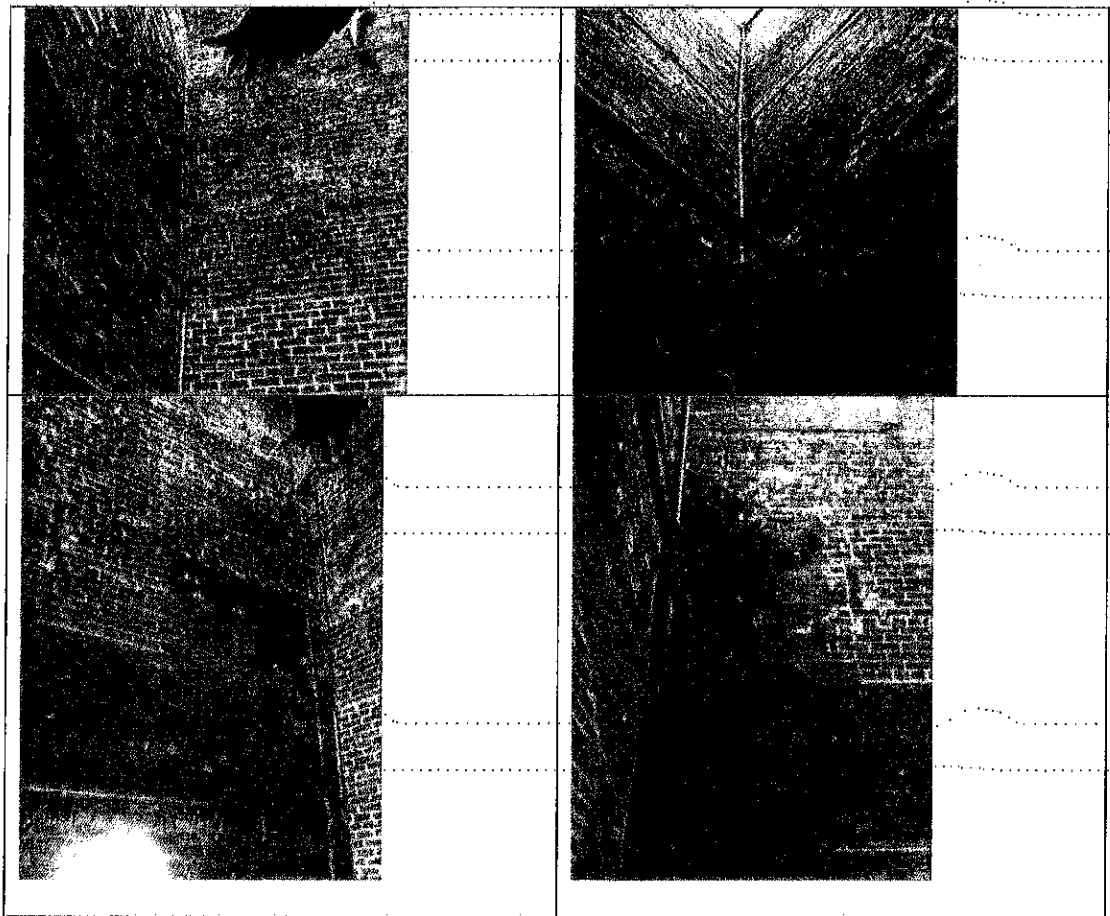
#### **Sloped Roof N:**

The asphalt shingle sloped roof is twenty-five years old and has surpassed its useful life. Existing shingles are brittle, cracked and alligatored.

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## II Masonry:

The brick masonry is in reasonably sound condition structurally but is allowing water into the system. There are rusted lintels above windows in the bricks that are located above the roof. The rust buildup is jacking up the masonry, causing cracks, which are minor (at this time) and mostly on the east elevation. We did not see a large quantity of rust jacking at eye level, but there may be more at the window lintels higher up the tower and should be accounted for.



### Interior Masonry A:

The interior of the brick tower is exposed brick and mortar. The mortar quality and condition vary. Water has leaked through the mortar over the years. Some of the mortar is calcified and there are areas of efflorescence. The wet locations, seen in the photo above, are adjacent to the loose stepped flashing where the pitched roof meets the flat roof, and where the sealant at the flat roof flashing has come away from the brick as described in the roof section of this report.





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source of water penetrating the masonry opening, the brick and leaking to the theatre lobby below.

### **III Doors:**

The emergency egress doors consist of one (1) rear exterior stage door, three (3) wood framed dividied lite doors and twelve (12) interior doors. The doors also consist of a pair of storefront doors, six (6) hollow metal doors door. The doors have surpassed their useful life. In general all the doors show visible signs aof wear and tear. The door hardware for most of the doors are showing signs of over use, doors are not always plumb in opeings, closers don't always complete the closing action.

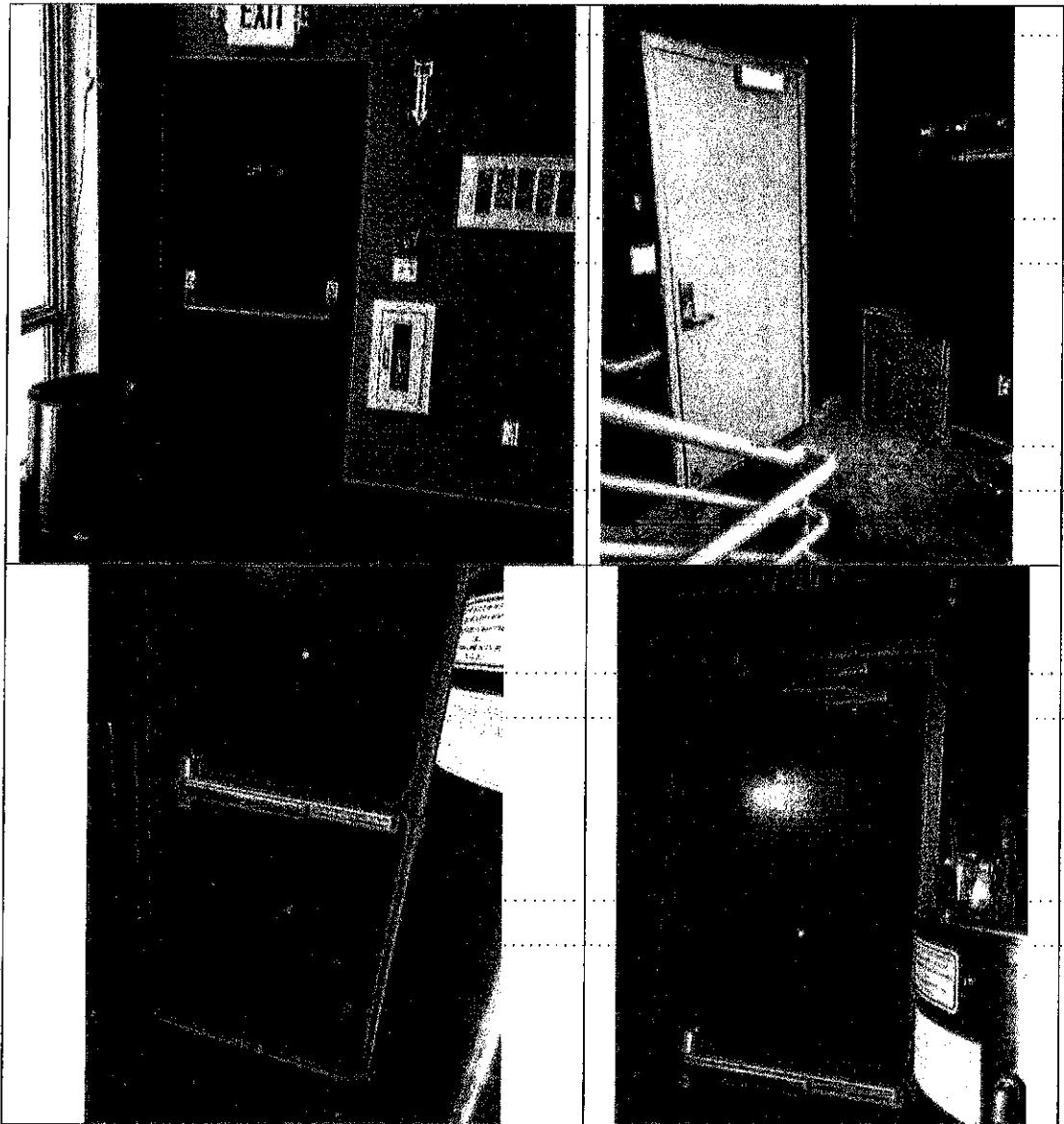


#### **Doors A: Pair of Storefront Doors**

The existing pair of storefront doors are the main doors used by patrons of the theatre. It connects the entry looby and main stair to the theatre lobby. The doors hang unevenly, the door hinges are not performing their job to hold the doors square and in place. There is no door closer on the doors and no slide bolts at the astragal or or panic hardware, therefore the two door panels move when they are closed and when they are locked.



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#### **Doors D: Wood Egress Doors**

The wood egress doors with panic hardware are showing varying degrees of wear and tear. The door at the first floor level egress stair is demonstrating the worse case scenario for wear and tear. It is very banged up, hangs unevenly, and the door closer is worn out. The door from the stair to the exterior is a very tall door, it too is very banged up and shows signs of a lot of wear and tear. These doors are heavily used by the theatre programming and the commercial space.

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**Exterior Lighting B:**

The lighting appears to be in good working order and the fixtures work aesthetically with the building. This project presents an opportunity to upgrade the lighting, which is twenty-five years old, and improve the quantity and quality of light. It is also an opportunity to reduce energy consumption.

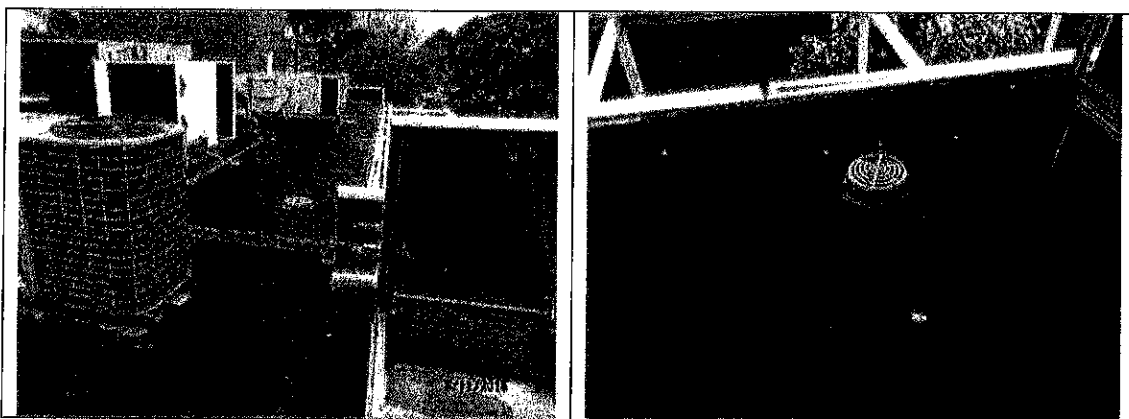


## Section 3 Architectural Recommendations

### I. Roofs:

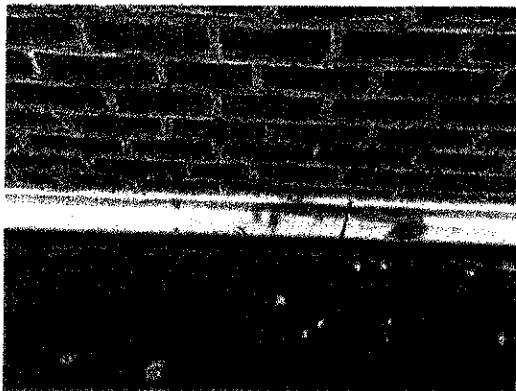
#### Flat Roofs

The flat roofs have exceeded their usable life, and have numerous deficiencies. They should all be replaced with 60 Mil EPDM fully adhered to new rigid polyisocyanurate insulation mechanically attached to the metal roof deck.



#### Flat Roof A:

The new tapered insulation solution should include 4" of rigid insulation at the roof drains and sump to drain. The 4" of rigid insulation is the thickness of insulation required for energy code compliance.



#### Flat Roof B:

We recommend at where the roofing meets the brick tower, the new roof material should be counter flashed with a through-wall flashing through one course of brick, continuously around the masonry tower where the pitched roof cricket meets the masonry tower wall on the south face of the tower, a through the wall "step flashing" should be installed for this particular condition.

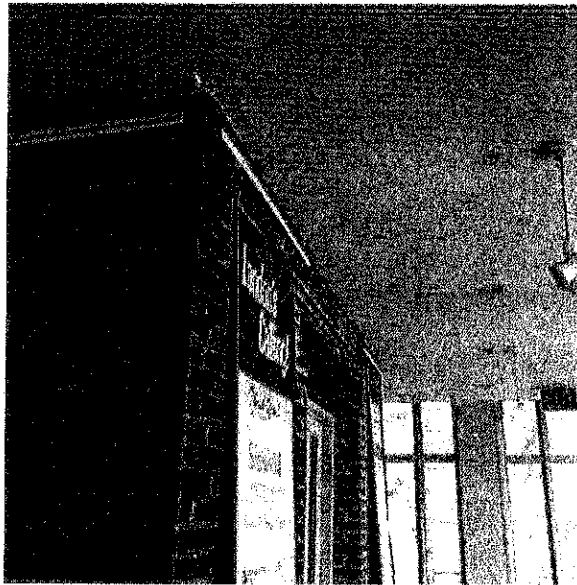


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#### **Flat Roof E:**

Walk pads to be installed on new roof to protect the new roof surface from maintenance equipment, shoes and boots, and shovels that are used to clear areas around equipment submerged in snow.....

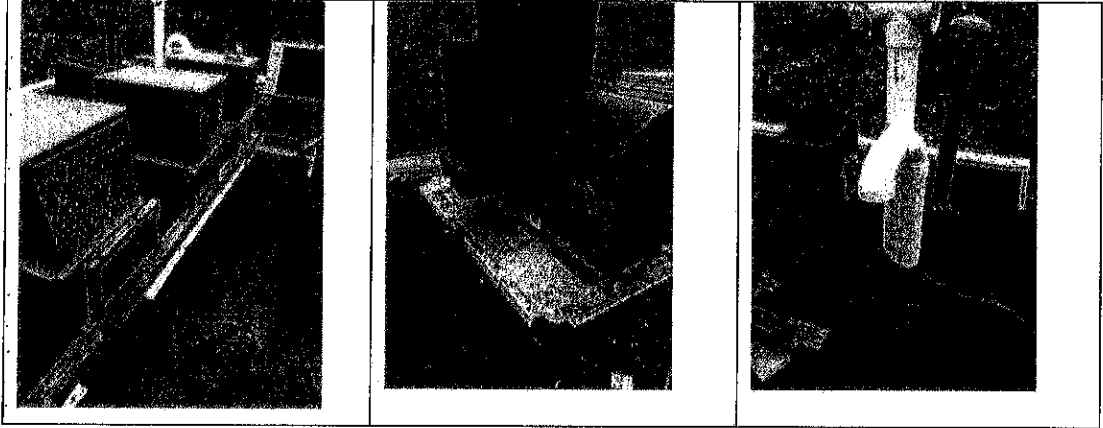


#### **Flat Roof F:**

The flashing between the roofing and the tower should be replaced before the ceiling is repaired. The ceiling should be repaired as the water damage is pervasive at where the ceiling meets brick walls and where water has migrated inward from points of access. Lighting, HVAC and fire alarm elements in the ceiling will be replaced or re-installed depending on the condition of the system and recommendation of the MEP Engineers, and whether water has effected the operation or the finish of the fixture.



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#### **Flat Roof I:**

The new roof system will call for the existing equipment to remain or to be replaced. We recommend that the cooktop vent be updated with vibration isolators and a new grease drip pan be installed for example. The condensers are to be installed on new dunnage and new vibration isolators installed. We strongly recommend that Not Your Average Joe's maintain their equipment on a regular basis and that they be given roofing standards to maintain.



#### **Flat Roof J:**

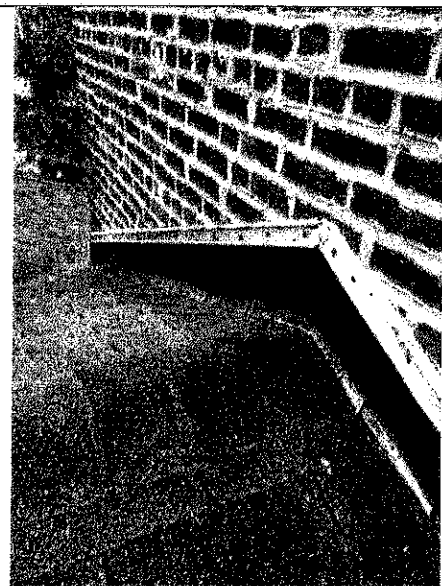
A new smoke vent configuration will be proposed, most likely it will be a vertical surface to provide better protection from the elements.



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intent. The EPDM membrane should be adhered to the parapet wall, and over the parapet wall with a termination bar to attach the membrane to the outside facing wall.

#### Sloped Roofing



#### Sloped Roof M:

We recommend installing stepped flashing through the first course of masonry to create a weather resistant flashing system. A less costly option to explore is to install copper step flashing into a reglet into the masonry held in place with lead wedges with sealant over the joint.



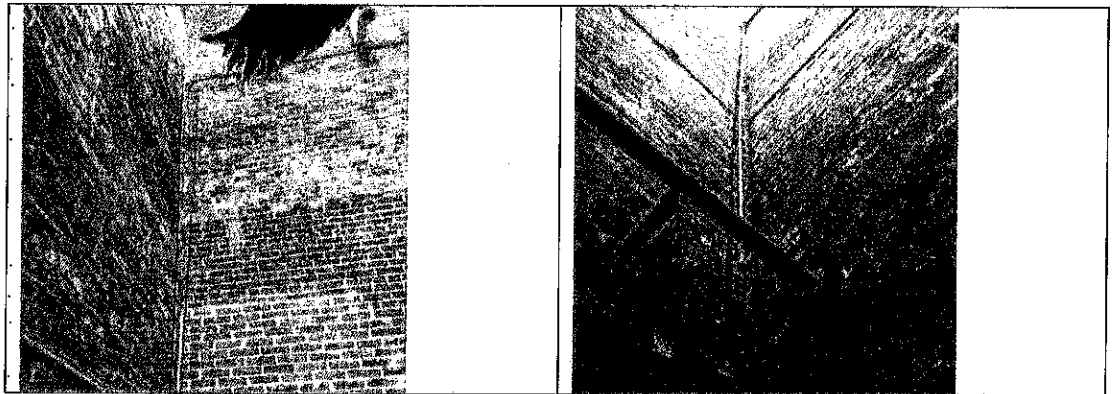
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#### Sloped Roof P:

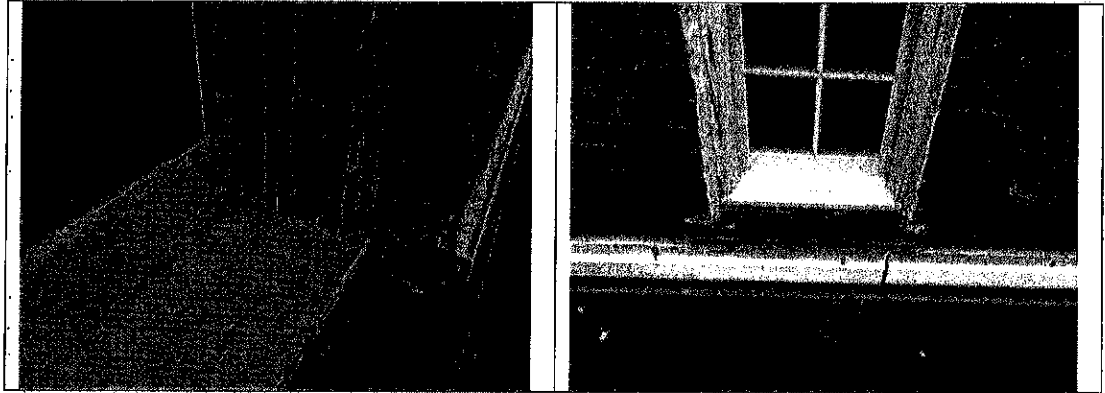
The ice may be building up at this location because this side of the building is facing south. Combined with the valley conditions created by the gable roof, ice and snow melts in the warm sun and freezes at night, building up icicles on the gutter, roof and masonry wall. The existing roof trim and gutter do not provide room for soffit venting. The installation of heat tracers at the roof valley may assist in decreasing the size of ice build ups.

#### II Masonry:





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#### **Masonry C:**

Window trim is to be removed, roof flashing to be installed below new pan flashing, creating a sill pan. All wood trim to be reinstalled, properly prepped, painted, with backer rod and sealant installed. All window sills shall have old sealant cut out, debris removed, backer rod installed and sealant installed.

### **III Doors:**

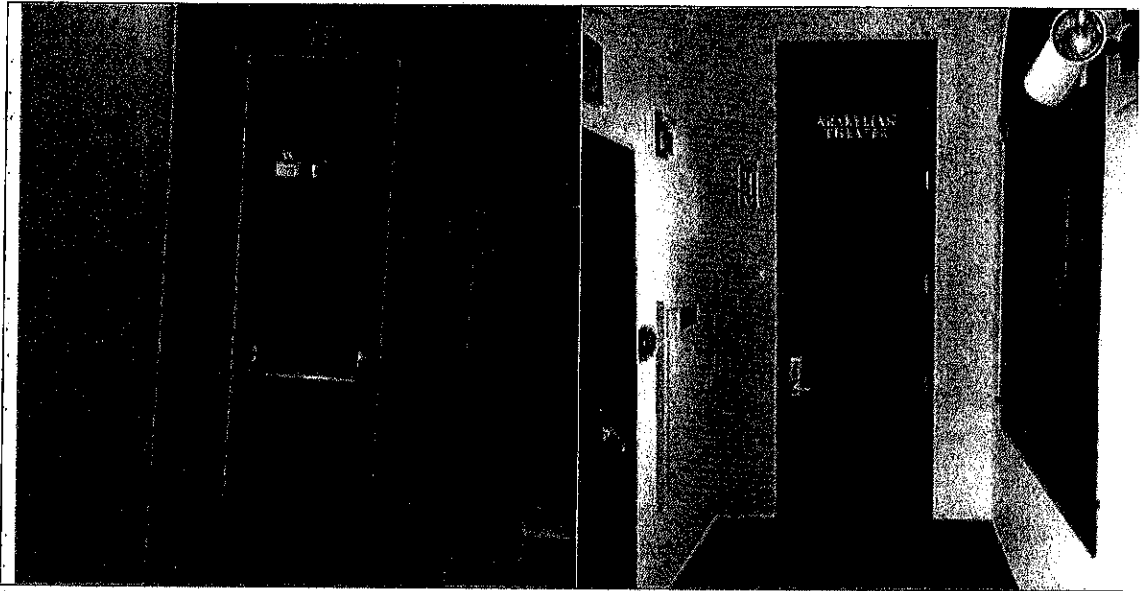
Emergency egress doors will be replaced in kind and to current code. The doors will be replaced in kind to be consistent with the original design by Schwartz/Silver Architects.



#### **Doors A:**

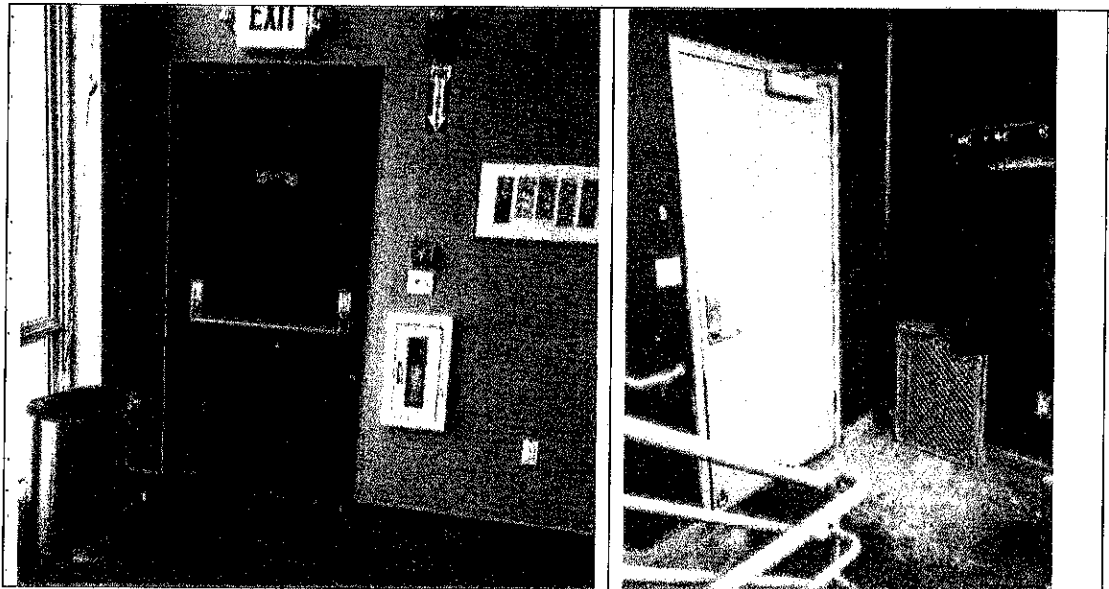
The storefront entry door requires replacement and should be replaced in kind to match the aesthetic of the original design. Glazing with white aluminum storefront match the exterior aluminum panels and curtain wall. Panic hardware is to be installed to meet code.

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#### Doors C:

The wood entry and exit doors are extremely worn and are to be replaced in kind so that all the hardware and door operations is brought up to code and operates properly. The doors should be specified with the same size and finish.



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#### IV Lighting:



##### Interior Lighting A:

The ceiling repair portion of the work will have to be selective and mindful of the architectural details of the ceiling. We recommend that the light fixtures remain, and that the coffer detail remain, but the plaster be repaired, and prepped, primed and painted.



##### Exterior Lighting B:

The Newburyport Firehouse Center for the Arts building is located in two historic districts, the Market Square Historic District and Newbury Historic District. The new lighting that is to be considered and potentially installed at the theatre lobby entry doors will most likely be reviewed by the Planning Department and the Historic Commission at the Town of Newburyport. The advantage of replacing the exterior light fixtures to the FHCFTA facility is the new fixtures with LED lamps should save energy and require less maintenance.

**Firehouse Center for the  
Arts**

**Newburyport, MA**

**2015**

## **MEPFP Systems Evaluation**

***Prepared For:***

**CBI Consultants  
250 Dorchester Ave.  
Boston, MA 02127**

***Prepared By:***

**BLW Engineers, Inc.  
311 Grant Road  
P.O. Box 1551**

**Littleton, MA 01460**

**03/15/2015**

Masterbox No. 3521, located outside front of the building, a zoned Fire Alarm Control Panel (Model Alarm Systems Inc.) located in the main electrical room, a remote annunciator (located at the main entrance), manual pull stations at all exits on all floors, smoke and heat detectors in mechanical spaces, horn/strobe devices in common areas. There is one sprinkler alarm bell located on the side of the building.

Horn/strobe coverage is inadequate. There are strobes required in bathrooms that do not exist. There is inadequate horn/strobe coverage in the mechanical room, boiler room or electrical room. There are sprinkler tamper and flow switches in the fire pump room, as well as on the sprinkler risers in the stairwells. The fire alarm system is a zoned system, passed its expected life. It appears the fire alarm devices in the restaurant section of the building are tied into the common fire alarm control panel.

#### **End of Section**

The lobby lighting shall be replaced if architect deems new lighting is required in the lobby area.

**End of Report**

**TAT** (circle one)  
 2 Days 3 Days 4-5 Days Other  
 TAT is bus. days - lab started required turn-out analysis

**PASI Batch #**  
 346793

**Requisition By:** 6802  
**Date:** 05/13/15

**Received By:** Thompson  
**Date:** 5/15/15

**# of Samples:** 24  
**Analyzed:** 24

**Results:** email fax verbal  
**By:**

**Stop on first positive:** (Yes) No

**Client:** Carding ATC  
**Address:** 600 West Cummings Park, Suite 5450 Woburn, MA 01801  
**Project #:**  
**Project Site:** Newburyport Firehouse Arts Center  
**Contact:** Bryan Thompson  
**Tel / Fax #:** 781-932-9400 / 781-932-6211  
**Email:** bryan.thompson@carding.com

**Chain of Custody**  
 ver 4.2 Updated 8/2011

**Analyst / Date:** Bryan Thompson 05/13/15  
**Specs / Instructions:** Kyle Green 5/13/15

Sample ID	Date Sampled	Description / Location	SNAP	Color	Humidity	Texture	Friction	Manipulation	Extinction	Sign of Phagocytosis	Phagocytosis	Circle Type	Chrysotile	Amosite	Crocidolite	Tremolite	Anthophyllite	Actinolite	Fiber Type	Mineral Wool	Cellulose	Hair	Synthetic	Other	Non-Fibrous
021	5/13/15	Back room 1st floor	Q	Q	Q	Q	Q	Q	Q	Q	Q	Q	Q	Q	Q	Q	Q	Q	Q	Q	Q	Q	Q	Q	Q
022	5/13/15	Back room 1st floor	Q	Q	Q	Q	Q	Q	Q	Q	Q	Q	Q	Q	Q	Q	Q	Q	Q	Q	Q	Q	Q	Q	Q
023	5/13/15	Back room 1st floor	Q	Q	Q	Q	Q	Q	Q	Q	Q	Q	Q	Q	Q	Q	Q	Q	Q	Q	Q	Q	Q	Q	Q
024	5/13/15	Back room 1st floor	Q	Q	Q	Q	Q	Q	Q	Q	Q	Q	Q	Q	Q	Q	Q	Q	Q	Q	Q	Q	Q	Q	Q
025	5/13/15	Back room 1st floor	Q	Q	Q	Q	Q	Q	Q	Q	Q	Q	Q	Q	Q	Q	Q	Q	Q	Q	Q	Q	Q	Q	Q







CBI CONSULTING INC.

PRINCIPALS

**CRAIG E. BARNES**  
**MICHAEL S. TELLER**  
**WAYNE R. LAWSON**

SENIOR ASSOCIATE

**ROBERT G. WILKIN**

ASSOCIATE

**MITCHELL H. LOWE**

**Existing Conditions Report**  
**Newburyport Center for the Arts**  
**Newburyport, Massachusetts**

**Section 6**

**Masonry Inspection**

TEL: 617-461-0001

FAX: 617-461-0001

[www.cbiinc.com](http://www.cbiinc.com)

3. Replace individual deteriorated or cracked bricks at the tower at locations directed by the Architect.
4. Pressure water clean the existing masonry tower walls with detergent. Test pressures in order not to damage material. Spot clean efflorescence, grime, paint, oil, rust stains, grease, and green moss in advance. Provide test samples.
5. Apply two coats of a breathable penetrating clear water repellant sealer on the entire exterior of the tower after all other wall work is complete.
6. Reseal the entire perimeter of all joints at all existing windows within the tower.
7. See Unit Cost Schedule for base quantities of repairs.

#### 1.03 RELATED WORK UNDER OTHER SECTIONS

- A. The following items of related work are specified and included in other Sections of the Specifications:
  1. Section 02070 – Selective Demolition.
  2. Section 06100 – Rough Carpentry.
  3. Section 07620 – Sheet Metal Flashing and Trim.
  4. Section 07920 – Sealants and Caulking.

#### 1.04 QUALITY ASSURANCE

- A. Obtain materials from approved individual sources in sufficient quantities to complete each portion of the work.
- B. Brick masonry units shall be of uniform quality, texture and color or a uniform blend within the ranges accepted for these characteristics to match existing.
- C. Mortar ingredients shall be of uniform quality, texture and color within each pier to match existing.
- D. Referenced Standards: Conform to State and Local Governing laws, Massachusetts or State Building Code, and the following standards:
  1. Brick Institute of America.

3. Store cementitious materials off the ground, under weather tight covers or indoors, and kept clean and dry.
4. Store aggregates where grading and other required characteristics can be maintained.
5. Store masonry accessories including metal items to prevent deterioration by corrosion and accumulation of dirt.

## 1.07 PROJECT/SITE CONDITIONS

### A. Protection of Work:

1. During erection, cover top of masonry element with waterproof sheeting at end of each day's Work.
2. Cover partially completed structures when Work is not in progress.

### B. Staining:

1. Prevent grout, mortar or soil from staining the face of masonry to be left exposed.
2. Remove immediately grout or mortar in contact with such masonry.
3. Protect sills, ledges, and projections from droppings of mortar.

### C. Cold Weather:

1. No masonry work will be performed in temperatures lower than 40 degrees F and no material will be allowed to freeze within 48 hours of installation.

## PART 2 - PRODUCTS

### 2.01 MATERIALS

#### A. Brick

1. New brick shall match existing brick in color, size and texture.
2. Brick shall be hard burned, water struck, sand molded, or wire cut clay brick conforming to ASTM C216, Grade SW, Type FBS, except that compressive strength shall not be less than 6,000 psi (individual) nor 8,000 psi (average of five) nor shall water absorption exceed 10%

2. Carlisle CCW – Clear Penetrating Sealer
3. ProSoCo – Weatherseal Siloxane WB

The sealer shall be compatible to the façade joint sealant material. Protect all existing surfaces during installation. Provide a ten (10) year warranty from the manufacturer on the clear sealer. Install as per the manufacturer's recommendations.

G. Through-Wall Flashing Materials

1. New through-wall flashing pans shall be continuous 16oz. zinc coated copper, with fully soldered seams.
2. New Self Adhering through-wall flashing membrane within the wall masonry shall be PermaBarrier by W R Grace, Blue-Skin by Henry Company, or approved equal.

- H. Woven inserts for weephole slots shall be as manufactured by CavClear or Mortar Net, or approved equal, color to match mortar and filling opening to restrict insect access.

### PART 3 - EXECUTION

#### 3.01 MASONRY CONSTRUCTION, GENERAL

- A. Masonry work shall be done by skilled workmen, fully instructed as to the requirements of this specification, and adequately supervised during the work.
- B. Cold Weather Masonry:
1. Do no masonry work when outdoor temperatures are less than 40 degrees F. unless provisions are made to adequately protect the masonry materials and finished work from frost by heating materials, enclosing the work, and heating the enclosed spaces.
  2. Antifreeze admixtures will not be allowed in the mortar. No frozen work shall be built upon. No masonry unit having a film of frost on its surface shall be laid in the work. Any completed work found to be affected by frost shall be taken down and rebuilt.
- C. Lay masonry plumb; true to line; with level courses; straight, clean, uniform joints; dry surfaces; and straight, plumb corners. Maintain vertical alignment of joints as required to match existing bond patterns. Align horizontal joints with tops of openings, as indicated. Lay units in solid partitions in manner to provide same evenness of surface on each side.

### 3.03 ADJUSTING AND CLEANING

#### A. Damaged or Defective Masonry:

1. Remove and replace masonry units which are loose, chipped, broken, stained, or otherwise damaged or, if units do not match adjoining units as intended.
2. Provide new units to match adjoining units and install in fresh mortar pointed to eliminate evidence of replacement.

### 3.04 REPOINTING

#### A. Remove all mortar from all joints to a **minimum** depth of 3/4", including any additional loose mortar behind the 3/4".

1. Saturate the opened brick masonry joints to prevent premature drying of the mortar by absorption of the masonry.
2. During the tooling of joints, enlarge any voids or holes and completely fill with mortar.
3. Point up all joints including corners, openings, and adjacent Work to provide a neat, uniform appearance, prepared for application of sealants.
4. Hand chisel ends of vertical joints, or utilize mortar routing equipment, to minimize damage to the edges of the brick from saw cutting.
5. Replace mortar with a minimum of two lifts of mortar with the second following the initial set of the first lift.

#### B. New mortar shall match the original mortar.

### 3.05 FINAL CLEANING

#### A. General:

1. After mortar is thoroughly set and cured, clean masonry.
2. Remove large mortar particles by hand with wooden paddles and nonmetallic scrape hoes or chisels.
3. Test cleaning methods on sample wall panel; leave 1/2 panel unclean for comparison purposes.
4. Obtain approval of CBI for sample cleaning before proceeding with cleaning of masonry.

- D. Do not apply materials until the masonry and air temperatures are above 50 degrees F. Temperatures must remain above 50 degrees during curing.
- E. Meet with Owner and Engineer to review existing cleanliness of exterior glass and metal surfaces. Perform sample cleaning, for approval, to demonstrate technique and materials to be used for cleaning. The approved cleaned glass and metal surfaces shall then become the standard for all cleaning required following completion of sealer application.
- F. Clean all surfaces to receive sealer with a medium pressure water blast. Remove all grease, mildew, oil, and other deleterious material in accordance with the sealer Manufacturer's written recommendations. Provide written recommendations from Manufacturer for surface preparation, application method and application rate for Engineer's approval. The washing of facade surfaces prior to application of sealer may be eliminated if approved in writing by the Manufacturer. All mildew and other visible contaminants shall however be removed to the satisfaction of the Engineer.
- G. Prior to commencement of sealer application, the manufacturer and installer of the sealer shall check the facade surfaces to verify that they are suitable for sealer application. Advise the engineer, in writing before application, that masonry surfaces are suitable for sealer application.

Apply sealer only when there has been no rain showers for at least 48 hours prior to application and none expected for next 48 hours.
- H. Apply two coats of the product at a rate recommended by the manufacturer of the sealer but not more than 100 square feet per gallon. Apply sealer from top to bottom of vertical surfaces ensuring full coverage and overlap of all areas, and to provide the proper run down of the sealer on the masonry as required by the manufacturer. Apply a second coat immediately following the first coat of sealer.
- I. Clean all metal and glass surfaces in required, within 24 hours of sealer application to approved standards. The cleaning shall be performed with an approved wet cleaner and cotton cloth to the satisfaction of the Owner and may have to be repeated until the Engineer and Owner are satisfied that all sealer stains on exterior glass and metal surfaces have been removed.

END OF SECTION

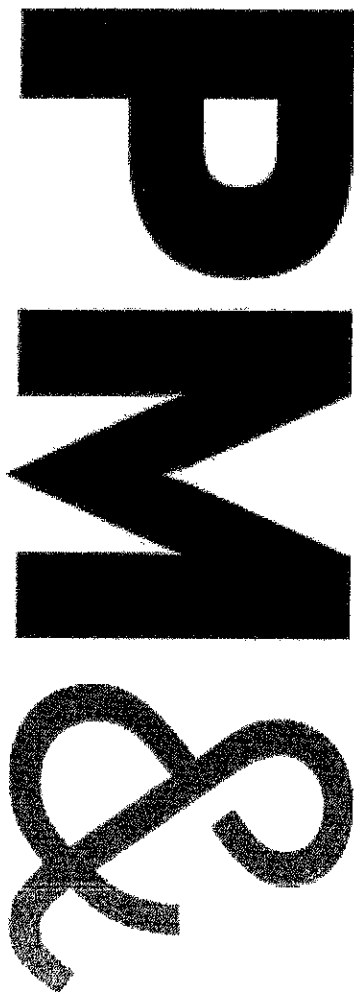
Firehouse Center for the Arts  
Budget to Actual

	2015 Budget	2014 Budget	2014 Y/E	2014 YTD	2015 YTD	AUG 2015
<b>Income</b>						
<b>Arts Education Programs</b>						
Glee Club Ticket Sales	\$ 1,800	\$ 12,000	\$ 532	\$ 532	\$ 1,265	\$ 405
Glee Club Tuition	\$ 13,680	\$ -	\$ 6,245	\$ 6,380	\$ 13,196	\$ 3,915
School Show Ticket Sales	\$ 20,000	\$ 20,000	\$ 18,111	\$ 5,820	\$ 4,776	\$ 832
Senior Readers' Donations	\$ -	\$ -	\$ -	\$ -	\$ 148	\$ -
Senior Readers' Tuition	\$ 3,600	\$ -	\$ 2,980	\$ 1,550	\$ 2,790	\$ 225
<b>Total Arts Education Programs</b>	<b>\$ 39,080</b>	<b>\$ 32,000</b>	<b>\$ 27,868</b>	<b>\$ 14,282</b>	<b>\$ 22,175</b>	<b>\$ 5,377</b>
<b>Contribution Income</b>						
Annual Appeal	\$ 22,000	\$ 27,500	\$ 39,648	\$ 18,520	\$ 11,402	\$ 82
Building Improvements (Restricted Funds)	\$ -	\$ -	\$ 36,672	\$ 33,110	\$ -	\$ -
Capital Campaign	\$ -	\$ -	\$ -	\$ -	\$ 32,628	\$ -
Capital Campaign - Admin.	\$ 13,000	\$ -	\$ -	\$ -	\$ 2,326	\$ -
Corporate	\$ 20,000	\$ 20,000	\$ 19,000	\$ 19,000	\$ 17,500	\$ -
Foundation	\$ 25,000	\$ 27,000	\$ 31,800	\$ 18,500	\$ 13,593	\$ -
Membership	\$ 25,000	\$ 20,000	\$ 17,990	\$ 8,330	\$ 9,520	\$ 1,910
Special Event / Spring Fundraiser	\$ 55,000	\$ 45,000	\$ 53,670	\$ 50,170	\$ 66,978	\$ -
State Funding (MCC)	\$ 6,000	\$ -	\$ -	\$ -	\$ 1,200	\$ -
<b>Total Contribution Income</b>	<b>\$ 166,000</b>	<b>\$ 139,500</b>	<b>\$ 198,780</b>	<b>\$ 147,630</b>	<b>\$ 155,148</b>	<b>\$ 1,992</b>
<b>Earned Revenue</b>						
Art Sales	\$ 10,000	\$ 8,000	\$ 9,687	\$ 8,822	\$ 9,745	\$ 225
Concessions	\$ 2,000	\$ 4,000	\$ 3,382	\$ 1,291	\$ 1,100	\$ -
Gallery Entrance Fees	\$ 550	\$ 550	\$ 380	\$ 380	\$ 400	\$ -
Playbill Ad Sales	\$ 15,000	\$ 15,000	\$ 15,200	\$ 8,100	\$ 20,550	\$ 11,150
<b>Total Earned Revenue</b>	<b>\$ 27,550</b>	<b>\$ 27,550</b>	<b>\$ 28,649</b>	<b>\$ 18,593</b>	<b>\$ 31,795</b>	<b>\$ 11,375</b>
<b>Misc. Income</b>						
Box Office Processing Fee	\$ 12,000	\$ 12,000	\$ 16,619	\$ 7,898	\$ 7,650	\$ 601
Equipment Rental	\$ -	\$ -	\$ 461	\$ 191	\$ -	\$ -
Interest Income	\$ 750	\$ 750	\$ 422	\$ 268	\$ 544	\$ 69
<b>Total Misc. Income'</b>	<b>\$ 12,750</b>	<b>\$ 12,750</b>	<b>\$ 17,502</b>	<b>\$ 8,357</b>	<b>\$ 8,194</b>	<b>\$ 670</b>
<b>Reimbursed Expenses</b>						
Common Area	\$ 9,000	\$ 5,000	\$ 9,057	\$ 9,057	\$ -	\$ -
Credit Card Fees	\$ 4,000	\$ 3,000	\$ 5,613	\$ 2,484	\$ 1,536	\$ 74
House Manager	\$ 2,000	\$ 2,000	\$ 2,570	\$ 1,200	\$ 625	\$ -
Tech	\$ 4,000	\$ 3,600	\$ 5,563	\$ 2,625	\$ 1,294	\$ 225
<b>Total Reimbursed Expenses</b>	<b>\$ 19,000</b>	<b>\$ 13,600</b>	<b>\$ 22,802</b>	<b>\$ 15,366</b>	<b>\$ 3,454</b>	<b>\$ 299</b>
<b>Rent Income</b>						
Nbpt Waterfront Trust 20% Park Rental	\$ -	\$ -	\$ -	\$ -	\$ 1,182	\$ -
Restaurant	\$ 133,000	\$ 103,200	\$ 119,428	\$ 75,286	\$ 79,043	\$ 10,375
Theatre	\$ 20,000	\$ 15,000	\$ 20,444	\$ 8,300	\$ 8,671	\$ 670
<b>Total Rent Income</b>	<b>\$ 153,000</b>	<b>\$ 118,200</b>	<b>\$ 139,871</b>	<b>\$ 83,586</b>	<b>\$ 88,896</b>	<b>\$ 11,045</b>
<b>Ticket Sale Income</b>						
Firehouse	\$ 160,000	\$ 159,000	\$ 175,411	\$ 93,006	\$ 112,657	\$ 9,686
Renter	\$ 55,000	\$ 40,000	\$ 70,854	\$ 31,532	\$ 21,067	\$ 1,075
<b>Total Ticket Sale Income</b>	<b>\$ 215,000</b>	<b>\$ 199,000</b>	<b>\$ 246,265</b>	<b>\$ 124,538</b>	<b>\$ 133,724</b>	<b>\$ 10,761</b>
<b>Gross Profit</b>	<b>\$ 632,380</b>	<b>\$ 542,600</b>	<b>\$ 681,737</b>	<b>\$ 412,352</b>	<b>\$ 443,386</b>	<b>\$ 41,520</b>

Firehouse Center for the Arts  
Budget to Actual

	<u>2015 Budget</u>	<u>2014 Budget</u>	<u>2014 Y/E</u>	<u>2014 YTD</u>	<u>2015 YTD</u>	<u>AUG 2015</u>
<b>Professional Fees</b>						
Accounting	\$ 3,500	\$ 3,500	\$ 4,750	\$ 335	\$ 50	\$ 50
Bookkeeping	\$ 12,000	\$ 12,000	\$ 14,411	\$ 9,336	\$ 9,937	\$ 998
<b>Total Professional Fees</b>	<u>\$ 15,500</u>	<u>\$ 15,500</u>	<u>\$ 19,161</u>	<u>\$ 9,671</u>	<u>\$ 9,987</u>	<u>\$ 1,048</u>
<b>Rent Expense</b>						
Admin. Office (Merrimac Street)	\$ 10,800	\$ 10,800	\$ 10,800	\$ 7,200	\$ 7,200	\$ 900
Storage	\$ 2,000	\$ -	\$ 1,953	\$ 1,297	\$ 1,386	\$ 180
Waterfront Trust	\$ 6,500	\$ 5,500	\$ 5,806	\$ 3,590	\$ 6,647	\$ -
<b>Total Rent</b>	<u>\$ 19,300</u>	<u>\$ 16,300</u>	<u>\$ 18,559</u>	<u>\$ 12,087</u>	<u>\$ 15,233</u>	<u>\$ 1,080</u>
<b>Repairs and Maintenance</b>						
Building Repairs / Maintenance	\$ 2,300	\$ 4,300	\$ 2,722	\$ 1,849	\$ 6,200	\$ -
Computer / Copier	\$ 2,000	\$ 2,000	\$ 1,695	\$ 1,490	\$ 1,965	\$ -
Elevator Repair & Maintenance	\$ 6,000	\$ 5,000	\$ 10,146	\$ 7,540	\$ 6,065	\$ 1,711
Septic Pump Repairs / Other Plumbing	\$ 2,000	\$ 4,000	\$ 1,292	\$ 1,292	\$ 2,230	\$ 857
<b>Total Repair Expense</b>	<u>\$ 12,300</u>	<u>\$ 15,300</u>	<u>\$ 15,855</u>	<u>\$ 12,171</u>	<u>\$ 16,459</u>	<u>\$ 2,568</u>
<b>Salary</b>						
Administrative	\$ 178,616	\$ 135,000	\$ 165,507	\$ 106,250	\$ 125,998	\$ 13,846
Box Office	\$ 26,308	\$ 15,000	\$ 13,450	\$ 8,163	\$ 8,247	\$ 1,260
House Management	\$ 23,343	\$ 23,000	\$ 21,345	\$ 13,289	\$ 12,133	\$ 1,717
Maintenance	\$ 14,824	\$ 20,000	\$ 12,713	\$ 7,918	\$ 8,696	\$ 1,158
Technical	\$ 30,148	\$ 15,000	\$ 28,968	\$ 15,629	\$ 16,132	\$ 1,744
<b>Total Salary</b>	<u>\$ 273,239</u>	<u>\$ 208,000</u>	<u>\$ 241,983</u>	<u>\$ 151,249</u>	<u>\$ 171,205</u>	<u>\$ 19,725</u>
<b>Supplies</b>						
Admin. Office	\$ 1,500	\$ 3,400	\$ 1,958	\$ 1,139	\$ 1,980	\$ 306
Box Office	\$ 565	\$ 565	\$ 619	\$ 409	\$ 329	\$ 84
Building	\$ 1,500	\$ 1,000	\$ 2,224	\$ 1,222	\$ 1,370	\$ 113
Theatre	\$ 1,000	\$ 1,000	\$ 1,758	\$ 284	\$ 350	\$ 6
<b>Total Supplies</b>	<u>\$ 4,565</u>	<u>\$ 5,965</u>	<u>\$ 6,559</u>	<u>\$ 3,053</u>	<u>\$ 4,030</u>	<u>\$ 510</u>
<b>Taxes</b>						
MA Health Contrib.	\$ -	\$ 84	\$ 178	\$ 178	\$ 331	\$ -
Medicare	\$ 3,000	\$ 2,500	\$ 3,432	\$ 2,168	\$ 2,454	\$ 281
Social Security	\$ 15,000	\$ 10,500	\$ 14,836	\$ 9,270	\$ 10,484	\$ 1,195
SUTA	\$ 6,000	\$ 9,000	\$ 3,693	\$ 3,098	\$ 1,990	\$ 126
<b>Total Taxes</b>	<u>\$ 24,000</u>	<u>\$ 22,084</u>	<u>\$ 22,139</u>	<u>\$ 14,714</u>	<u>\$ 15,259</u>	<u>\$ 1,602</u>
<b>Telephone / Internet</b>						
Admin. Phone	\$ 2,000	\$ 3,000	\$ 2,963	\$ 1,261	\$ 1,325	\$ 69
Box Office Phone	\$ 1,000	\$ 1,000	\$ -	\$ 698	\$ 842	\$ 162
Internet	\$ 1,750	\$ 1,750	\$ 1,691	\$ 1,192	\$ 1,652	\$ 309
<b>Total Telephone / Internet</b>	<u>\$ 4,750</u>	<u>\$ 5,750</u>	<u>\$ 4,654</u>	<u>\$ 3,151</u>	<u>\$ 3,819</u>	<u>\$ 539</u>
<b>Unbudgeted Capital Expense</b>						
Unbudgeted Capital Expense	\$ -	\$ -	\$ -	\$ -	\$ 4,185	\$ -
<b>Total Unbudgeted Capital Expense</b>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 4,185</u>	<u>\$ -</u>
<b>Utilities</b>						
Electric - Building	\$ 15,000	\$ 15,000	\$ 15,727	\$ 11,372	\$ 15,670	\$ 1,181
Electric - Theatre	\$ 3,000	\$ 2,000	\$ 3,374	\$ 1,870	\$ 2,356	\$ 167
Gas - Theatre	\$ 9,000	\$ 7,500	\$ 8,936	\$ 7,744	\$ 5,294	\$ 21
<b>Total Utilities</b>	<u>\$ 27,000</u>	<u>\$ 24,500</u>	<u>\$ 28,038</u>	<u>\$ 20,986</u>	<u>\$ 23,320</u>	<u>\$ 1,370</u>
<b>Total Expense</b>	<u>\$ 640,754</u>	<u>\$ 550,499</u>	<u>\$ 680,816</u>	<u>\$ 414,174</u>	<u>\$ 478,472</u>	<u>\$ 50,187</u>
<b>Net Income / (Loss)</b>	<u>\$ (8,374)</u>	<u>\$ (7,899)</u>	<u>\$ 921</u>	<u>\$ (1,821)</u>	<u>\$ (35,085)</u>	<u>\$ (8,667)</u>





**Schematic Estimate**

**Newburyport Firehouse Center for the Arts**

**Building Envelope, Doors, MEP  
and Fire Suppression  
Renovations**

Newburyport, MA

**PM&C LLC**  
20 Downer Ave, Suite 1C  
Hingham, MA 02043  
(T) 781-740-8007  
(F) 781-740-1012

Prepared for:

**CBI Consulting Inc.**

June 22, 2015



**Newburyport Firehouse Center for the Arts**  
Building Envelope, Doors, MEP and Fire Suppression Renovations  
Newburyport, MA

22-Jun-15

### **Schematic Estimate**

This Schematic Design cost estimate was produced from drawings and other documentation prepared by CBI consulting Inc. and their design team date June 12, 2015. Design and engineering changes occurring subsequent to the issue of these documents have not been incorporated in this estimate.

This estimate includes all direct construction costs, general contractors overhead and profit and design contingency. Cost escalation assumes start dates indicated above.

Bidding conditions are expected to be public bidding under C.149 to qualified contractors, open bidding for sub-contractors, open specifications for materials and manufacturers.

The estimate is based on prevailing wage rates for construction in this market and represents a reasonable opinion of cost. It is not a prediction of the successful bid from a contractor as bids will vary due to fluctuating market conditions, errors and omissions, proprietary specifications, lack or surplus of bidders, perception of risk, etc. Consequently the estimate is expected to fall within the range of bids from a number of competitive contractors or subcontractors, however we do not warrant that bids or negotiated prices will not vary from the final construction cost estimate.

### **ITEMS NOT INCLUDED IN THIS ESTIMATE**

Items not included in this estimate are:

- All professional fees and insurance
- Site or existing conditions surveys investigations costs, including to determine subsoil conditions
- Items identified in the design as Not In Contract (NIC)
- Items identified in the design as by others
- Owner supplied and/or installed items (e.g. technology, furniture and equipment, etc.)
- Rock excavation; special foundations (unless indicated by design engineers)
- Utility company back charges, including work required off-site
- Work to City streets and sidewalks, (except as noted in this estimate)



Newburyport Firehouse Center for the Arts  
Building Envelope, Doors, MEP and Fire Suppression Renovations  
Newburyport, MA

22-Jun-15

Schematic Estimate

GFA 14,540

### CONSTRUCTION COST SUMMARY

BUILDING SYSTEM		SUB-TOTAL	TOTAL	\$/SF	%
<b>RENOVATION</b>					
<b>D50 ELECTRICAL</b>					
D5010	Electrical Systems	\$130,972	<b>\$130,972</b>	\$9.01	16.5%
<b>E10 EQUIPMENT</b>					
E10	Equipment	\$0	<b>\$0</b>	\$0.00	0.0%
<b>E20 FURNISHINGS</b>					
E2010	Fixed Furnishings	\$0			
E2020	Movable Furnishings	\$0	<b>\$0</b>	\$0.00	0.0%
<b>F10 SPECIAL CONSTRUCTION</b>					
F10	Special Construction	\$0	<b>\$0</b>	\$0.00	0.0%
<b>F20 SELECTIVE BUILDING DEMOLITION</b>					
F2010	Building Elements Demolition	\$50,810			
F2020	Hazardous Components Abatement	\$0	<b>\$50,810</b>	\$3.49	6.4%
<b>TOTAL DIRECT COST (Trade Costs)</b>			<b>\$795,828</b>	<b>\$54.73</b>	<b>100.0%</b>



**Newburyport Firehouse Center for the Arts**  
**Building Envelope, Doors, MEP and Fire Suppression Renovations**  
 Newburyport, MA

22-JUN-15

**Schematic Estimate**

GFA

14,540

CSI CODE	DESCRIPTION	QTY	UNIT	UNIT COST	EST'D COST	SUB TOTAL	TOTAL COST
<b>RENOVATION</b>							
56	Cut and point all brick masonry joints, 100% on entire exterior of tower	1,500	sf	30.00	45,000		
57	Remove and replace as necessary, individual deteriorated or cracked bricks at tower - allowance 15%	225	sf	90.00	20,250		
58	Pressure water clean the existing masonry tower walls with detergent	1,500	sf	4.00	6,000		
59	Apply two coats of breathable penetrating clear water repellent sealer on entire exterior of tower after all work complete	1,500	sf	7.00	10,500		
60	Staging to exterior wall	1,500	sf	15.00	22,500		
61	SUBTOTAL					104,250	
62							
63	<b>B2020 WINDOWS/CURTAINWALL</b>						
64	Remove window trim, replace to match existing (15#) @ Tower	162	lf	40.00	6,480		
65	Reseal, install new backer rod & sealant entire perimeter of all joints at all existing windows at Tower	162	lf	9.00	1,458		
66	SUBTOTAL					7,938	
67							
68	<b>B2030 EXTERIOR DOORS</b>						
69	Type B, Wood door, single leaf, 3'-0"x7', ETR frame, hardware including panic closer	1	ea	4500.00	4,500		
70	Type B, Glass door, single leaf, 3'-0"x7', ETR frame, hardware including panic closer	1	ea	6000.00	6,000		
71	Type C, Glass door, single leaf, 3'-0"x7', ETR frame, hardware including panic closer	1	ea	4000.00	4,000		
72	Type D, Metal door, single leaf, ETR frame, hardware including panic closer	1	ea	1800.00	1,800		
73	Allowance for work to ETR frames at new exterior doors	4	ea	500.00	2,000		
74	SUBTOTAL					18,300	
75							
76	<b>TOTAL - EXTERIOR CLOSURE</b>						<b>\$130,488</b>
77							
78							
79	<b>B30 ROOFING</b>						
80							
81	<b>B3010 ROOF COVERINGS</b>						
82	Demolition						
83	Note E; Remove and dispose of existing RTU curb (dtl 2/D4-01)	66	lf	15.00	990		
84	Note G; Remove and dispose of existing EPDM, rigid insulation, blocking and flashing	1,650	sf	3.00	4,950		
85	Note H; Remove and dispose of 3-tab asphalt shingles and building paper	3,847	sf	3.50	13,465		
86	Demo and remove existing dormer, complete (dtl 1/D4-01)	14	lf	30.00	420		
87	<u>New flat roofing</u>						
88	60 mil EPDM fully adhered to new 4" min rigid insulation mechanically attached to metal roof deck, apply tapered insulation as necessary at new MEP equipment (Note F, K & H)	1,650	sf	18.00	29,700		
89	1/2" Gypsum cover board at new flat roofing	1,650	sf	2.50	4,125		
90	Allowance to replace existing type X gypsum sheathing - 10% of area	165	sf	4.00	660		



Newburyport Firehouse Center for the Arts  
Building Envelope, Doors, MEP and Fire Suppression Renovations  
Newburyport, MA

22-Jun-15

Schematic Estimate

GFA 14,540

CSI CODE	DESCRIPTION	QTY	UNIT	UNIT COST	EST'D COST	SUB TOTAL	TOTAL COST
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**RENOVATION**

133	<u>Wood doors</u>						
134	Type E, Wood door @ Theater, single leaf, 3'-6"x7', ETR frame, hardware including panic closer	2	ea	1950.00	3,900		
135	Type F, Wood door, single leaf, 3'-0"x8', ETR frame, hardware including panic closer	2	ea	1950.00	3,900		
136	Type G, Wood door, single leaf, 3'-0"x7', ETR frame, hardware including panic closer	8	ea	1700.00	13,600		
137	<u>Hollow Metal doors</u>						
138	Type H, Metal door, single leaf, 3'-0"x7', ETR frame, hardware	6	ea	1200.00	7,200		
139	<u>Storefront</u>						
140	Type A, Metal/Glazed door, double leaf, 3'-0"x7', ETR frame, hardware, including panic closer	1	pr	7000.00	7,000		
141	Allowance for work at ETR frames at new interior doors	19	ea	250.00	4,750		
142	SUBTOTAL					40,350	

**C1030 SPECIALTIES / MILLWORK**

No items in this section

SUBTOTAL

**TOTAL - INTERIOR CONSTRUCTION**

**\$45,350**

**C20 STAIRCASES**

**C2010 STAIR CONSTRUCTION**

No items in this section

SUBTOTAL

**C2020 STAIR FINISHES**

No items in this section

SUBTOTAL

**TOTAL - STAIRCASES**

**C30 INTERIOR FINISHES**

**C3010 WALL FINISHES**

Allowance for painting at new doors/frames and areas disturbed by MEP and roof work

1 ls 2000.00 2,000

SUBTOTAL

2,000

**C3020 FLOOR FINISHES**

No items in this section

SUBTOTAL

**C3030 CEILING FINISHES**

Replace plaster ceiling in Lobby (Note F) - assume 100% replacement

815 sf 20.00 16,300

Allowance for ceiling repair/ replacement at areas disturbed by new work

1 ls 5000.00 5,000

SUBTOTAL

21,300

**TOTAL - INTERIOR FINISHES**

**\$23,300**

**D10 CONVEYING SYSTEMS**



Newburyport Firehouse Center for the Arts  
Building Envelope, Doors, MEP and Fire Suppression Renovations  
Newburyport, MA

22-Jun-15

Schematic Estimate

GFA 14,540

CSI CODE	DESCRIPTION	QTY	UNIT	UNIT COST	EST'D COST	SUB TOTAL	TOTAL COST
-------------	-------------	-----	------	--------------	---------------	--------------	---------------

RENOVATION

218	Piping insulation	300	lf	6.00	1,800		
219	<u>Controls (DDC)</u>						
220	Automatic temperature control	14,540	sf	3.00	43,620		
221	Relocated T-stat	2	ea	250.00	500		
222	<u>Balancing</u>						
223	System testing & balancing	14,540	sf	0.50	7,270		
224	<u>Miscellaneous</u>						
225	Demolition	1	ls	3,000.00	3,000		
226	Coordination & management	1	ls	3,800.00	3,800		
227	Coring, sleeves & fire stopping	1	ls	1,000.00	1,000		
228	Equipment start-up and inspection	1	ls	1,000.00	1,000		
229	Rigging & equipment rental	1	ls	5,000.00	5,000		
230	Vibration & seismic restraints	1	ls	2,000.00	2,000		
202	SUBTOTAL					209,793	

<b>TOTAL - HVAC</b>	<b>\$209,793</b>
---------------------	------------------

**D40 FIRE PROTECTION**

**D40 FIRE PROTECTION, GENERALLY**  
Equipment & Valves

211	Fire pump with accessories	1	ea	25,000.00	25,000		
212	<u>Piping</u>						
213	Main sprinkler piping with fittings & hangers	4	lf	60.00	240		
212	Connection to existing piping	2	ea	750.00	1,500		
213	<u>Miscellaneous</u>						
214	Demolition	1	ls	1,200.00	1,200		
215	Coordination & management	1	ls	1,000.00	1,000		
216	Fees & permits	1	ls	500.00	500		
210	SUBTOTAL					29,440	

<b>TOTAL - FIRE PROTECTION</b>	<b>\$29,440</b>
--------------------------------	-----------------

**D50 ELECTRICAL**

**D50 ELECTRICAL, GENERALLY**

**D5010 SERVICE & DISTRIBUTION**

Normal Power

Gear & Distribution

222	Existing panelboards & feeders	ETR	NIC				
223	125A circuit breaker added to existing panelboard	1	ls	1,200.00	1,200		

Equipment Wiring

225	EF connect existing feeder to new disconnect (by others)	1	ea	100.00	100		
226	EP 30A feed, connection, & 30A FSS	1	ea	1,900.00	1,900		
227	FC extend 20A feeder & TS	2	ea	1,105.00	2,210		
228	Fire alarm panel 20A feed & connection	3	ea	1,025.00	3,075		
229	Fire pump 225A feed & connection	1	ea	6,525.00	6,525		
230	HP extend 30A feeder & connect at new location	2	ea	850.00	1,700		
231	RTU connect existing feeder to new 200A FSS WP (by EC)	1	ea	2,310.00	2,310		
232	SP 30A feed, connection, & 30A FSS	1	ea	1,120.00	1,120		
233	Elevator Power	ETR	NIC				



Newburyport Firehouse Center for the Arts  
Building Envelope, Doors, MEP and Fire Suppression Renovations  
Newburyport, MA

22-Jun-15

Schematic Estimate

GFA 14,540

CSI CODE	DESCRIPTION	QTY	UNIT	UNIT COST	EST'D COST	SUB TOTAL	TOTAL COST
<b>RENOVATION</b>							
	<b>TOTAL - ELECTRICAL</b>						<b>\$130,972</b>
	<b>E10 EQUIPMENT</b>						
	<b>E10 EQUIPMENT, GENERALLY</b>						
	No items in this section						
	SUBTOTAL						
	<b>TOTAL - EQUIPMENT</b>						
	<b>E20 FURNISHINGS</b>						
	<b>E2010 FIXED FURNISHINGS</b>						
	No items in this section						
	SUBTOTAL						
	<b>E2020 MOVABLE FURNISHINGS</b>						
	No items in this section						
	SUBTOTAL						
	<b>TOTAL - FURNISHINGS</b>						
	<b>F10 SPECIAL CONSTRUCTION</b>						
	<b>F10 SPECIAL CONSTRUCTION</b>						
	No items in this section						
	SUBTOTAL						
	<b>TOTAL - SPECIAL CONSTRUCTION</b>						
	<b>F20 SELECTIVE BUILDING DEMOLITION</b>						
	<b>F2010 BUILDING ELEMENTS DEMOLITION</b>						
	Note 1; Remove pair storefront doors at stair 2	1	ls	300.00	300		
	Note 1/A; Remove and dispose of existing doors	14	ea	120.00	1,680		
	Note 2/A; Remove and dispose of existing doors (assumed frames to remain)	8	ea	200.00	1,600		
	Note C; Remove existing HVAC, plaster ceiling, all existing light fixtures and HVAC grilles to be salvaged and protection for re-installation	815	sf	10.00	8,150		
	Remove cut and capped MEP systems including rooftop equipment	14,540	sf	2.00	29,080		
	Temporary protection and dust control	1	ls	10000.00	10,000		
	SUBTOTAL					50,810	
	<b>F2020 HAZARDOUS COMPONENTS ABATEMENT</b>						
	See Summary						
	SUBTOTAL						
	<b>TOTAL - SELECTIVE BUILDING DEMOLITION</b>						<b>\$50,810</b>

Internal Revenue Service

Department of the Treasury

P. O. Box 2508  
Cincinnati, OH 45201

Date: March 4, 2002

Society for the Development of Arts and Humanities  
Of Greater Newburyport  
1 Market Square  
Newburyport, MA 01950-2517

Person to Contact:  
Mrs. Coghill 31-07426  
Customer Service Representative  
Toll Free Telephone Number:  
8:00 a.m. to 6:30 p.m. EST  
877-829-5500  
Fax Number:  
513-263-3756  
Federal Identification Number:  
04-2649373

Dear Sir or Madam:

This letter is in response to your request for a copy of your organization's determination letter. This letter will take the place of the copy you requested.

Our records indicate that a determination letter issued in September 1978, granted your organization exemption from federal income tax under section 501(c)(3) of the Internal Revenue Code. That letter is still in effect.

Based on information subsequently submitted, we classified your organization as one that is not a private foundation within the meaning of section 509(a) of the Code because it is an organization described in sections 509(a)(1) and 170(b)(1)(A)(vi).

This classification was based on the assumption that your organization's operations would continue as stated in the application. If your organization's sources of support, or its character, method of operations, or purposes have changed, please let us know so we can consider the effect of the change on the exempt status and foundation status of your organization.

Your organization is required to file Form 990, Return of Organization Exempt from Income Tax, only if its gross receipts each year are normally more than \$25,000. If a return is required, it must be filed by the 15th day of the fifth month after the end of the organization's annual accounting period. The law imposes a penalty of \$20 a day, up to a maximum of \$10,000, when a return is filed late, unless there is reasonable cause for the delay.

All exempt organizations (unless specifically excluded) are liable for taxes under the Federal Insurance Contributions Act (social security taxes) on remuneration of \$100 or more paid to each employee during a calendar year. Your organization is not liable for the tax imposed under the Federal Unemployment Tax Act (FUTA).

Organizations that are not private foundations are not subject to the excise taxes under Chapter 42 of the Code. However, these organizations are not automatically exempt from other federal excise taxes.

Donors may deduct contributions to your organization as provided in section 170 of the Code. Bequests, legacies, devises, transfers, or gifts to your organization or for its use are deductible for federal estate and gift tax purposes if they meet the applicable provisions of sections 2055, 2106, and 2522 of the Code.





## 2014 Highlights

In 2014, the Firehouse Center for the Arts:

- **Produced, co-produced, and/or presented over 150 presentations of music, dance, and theater in our intimate Arakelian Theater.** By producing work, rather than solely presenting work, we are best able to honor our mission to foster the growth and development of individual artists. *(Firehouse Produced events include our arts education programs, The New Works Festival, and full productions like All in the Timing, The 25th Annual Putnam County Spelling Bee and To Kill a Mockingbird).*
- **Supported Children and Schools through our School Show Series and Arts Education Programs (*Glee Club!*).** Our School Show Series presents 6 shows a year during the school day, and serves 1,500 students from all over the region. Our *Glee Club!* provides quality vocal instruction to youth from 2<sup>nd</sup> grade to 12<sup>th</sup> grade during school vacation weeks.
- **Served the Senior Population through our expanded Senior Readers' Theater program.** Due to popular demand, we doubled the sessions available and reduced class size. This allows for greater overall access and more individualized attention during classes. Not only does this program address issues of memorization and limited mobility, (by performing seated and with a script), but we also make a point of reaching beyond our stage by performing for Senior Centers and Assisted Living Centers in the area.
- **Fostered the Growth and Development of New England Artists with the annual Firehouse Produced New Works Festival, showcasing new plays written by regional playwrights and featuring local actors and directors.** We received over 190 submissions for our 2015 presentation and just closed submissions on Sunday for our 2016 NWF.
- **Installed assisted hearing devices to allow for greater access for the hearing impaired.**
- **Acted as careful stewards of our beloved Arakelian Theater** by replacing theater flooring and chairs through a generous grant from the Mary Alice Arakelian Foundation and securing funding through the Massachusetts Cultural Council's Cultural Facility Fund to support the Our House Capital Campaign in the amount of \$140,000.00.

## ORDINANCES

October 13, 2015

# CITY OF NEWBURYPORT



IN CITY COUNCIL

October 13, 2015

## ORDERED:

AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED TRAFFIC AND MOTOR VEHICLES  
Be it ordained by the City Council of the City of Newburyport as follows:

**Chapter 15** Vehicles for Hire

**Article 2** Taxicabs

**Section 15-32 et al**

## DELETE:

Section 15 – 32; 15 - 34

## ADD:

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

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

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

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

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

### **Sec. 15-38. – Effective Date.**

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

Councillor Allison Heartquist

### **In City Council June 29, 2015**

Motion to refer to License & Permits by Councillor Heartquist, seconded by Councillor Cameron. So voted.

### **In City Council Sept. 28, 2015**

Motion to remove by Councillor Heartquist, seconded by Councillor Herzog. So voted. Motion to approve 1<sup>st</sup> reading and order published by Councillor Heartquist, seconded by Councillor Herzog. Roll call vote, 11 yes. So voted.

# CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

October 13, 2015

## AN ORDINANCE TO AMEND CHAPTER 13 (TRAFFIC AND MOTOR VEHICLES) OF THE MUNICIPAL CODE

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

Chapter 13	Traffic and Motor Vehicles
Article 4	Specific Street Schedules
Division 6	Stopping, Standing and Parking
Section 13-168	Parking restricted on certain streets.

*Add to the row of the table regarding Harrison Street, as follows,*

Harrison	No parking on both sides from a point 210 feet north of Purchase Street to Purchase Street
----------	--

*Add a row to the table regarding Purchase Street, as follows,*

Purchase	No parking on the southerly side of Purchase Street for a distance of 50 feet running in a westerly direction from the Rail Trail crosswalk; No parking on both sides of Purchase Street for a distance of 25 feet running in an easterly direction from the Rail Trail crosswalk.
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Councillor Allison Heartquist



CITY OF NEWBURYPORT  
OFFICE OF PLANNING AND DEVELOPMENT  
60 PLEASANT STREET • P.O. Box 550  
NEWBURYPORT, MA 01950  
(978) 465-4400 • (978) 465-4452 (FAX)

DONNA D. HOLADAY  
MAYOR

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MEMORANDUM

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TO: NEWBURYPORT CITY COUNCIL  
FROM: GEORDIE VINING, SENIOR PROJECT MANAGER  
SUBJECT: CLIPPER CITY RAIL TRAIL PHASE II: PARKING RESTRICTIONS FOR PUBLIC SAFETY  
DATE: 9/28/15

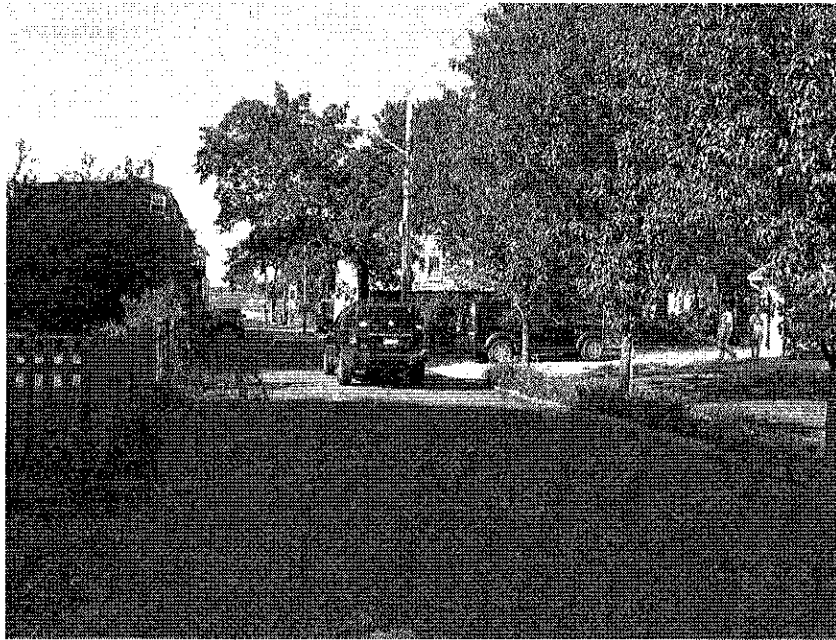
We are writing to respectfully request the City Council's approval of parking restrictions on a portion of Harrison Street, as well as around a crosswalk at Purchase Street, in order to promote public safety as part of the establishment of the Clipper City Rail Trail Phase II.

The plans for the Clipper City Rail Trail Phase II include on-street parking restrictions along both sides of the upper 210 feet of Harrison Street, as well as around the crosswalk at Purchase Street. Objectives include opening sight lines as much as possible, avoiding potential conflicts between parked cars and bicyclists, discouraging parked vehicles from constricting the functional width of the narrow street, and facilitating access by emergency vehicles.

The City has developed the design of the Clipper City Rail Trail Phase II over the course of more than three years. During this time, there have been more than 45 public meetings on the project, as well as scores of individual meetings with abutters and interested citizens. We hosted two neighborhood public meetings with Ward 1 City Councilor Heartquist on site at Harrison and Purchase Streets on 9/26/13 and 8/28/14 regarding the alignment and details of the Rail Trail as well as proposed on-street parking restrictions. The residences in this area generally have ample off-street parking available, and the substantial majority of the neighborhood is supportive of the proposed on-street parking restrictions to promote public safety for motorists, bicyclists, and pedestrians.

Harrison Street is a quiet residential street with a low volume of traffic and an abundant amount of parking. A generation ago, the alignment of the old City Branch Railroad cut diagonally across the street. Federal and state guidelines, however, recommend minimizing the length of crosswalks, and the long diagonal crossing would promote too much mixing of pedestrians with vehicular traffic. Instead, as designed by the City's professional consultant and reviewed by the City's DPS, Fire Department, Police Department, and City Clerk as well as multiple divisions within MassDOT, the Rail Trail will take the form of a new sidewalk and road "connector" for bicyclists in this vicinity. The existing sidewalks do not extend all the way to the intersection with Purchase Street, and the Rail Trail project will install a new 5.5 foot sidewalk with a raised curb along the western side of Harrison Street to provide pedestrians a safe and separated route, particularly children and families. In order to accommodate the new sidewalk, the currently wider upper 210 feet of Harrison Street will be narrowed to 18 feet and the rest of the street will remain 20+ feet. There are a number of precedents in Newburyport of similarly narrow, two-way, functional residential streets that are approximately 18 feet wide or

even less – e.g., Madison Street, School Street, Ship Street, Russia Street, etc. By law, bicyclists are allowed to use the street along with motor vehicles, and bicyclists using the Rail Trail will be routed on to 150 feet of Harrison Street, although young children may bicycle on the sidewalk, through signage and pavement markings. This is the approach recommended by the American Association of State Highway Traffic Officials (AASHTO) for such situations, including the guideline that street parking is removed or restricted in areas of critical width to provide improved safety.



*Portion of Harrison Street looking north*

The Rail Trail plans also call for restricting parking approximately 50 feet west and 25 feet east of the crosswalk at Purchase Street in order to maintain open sight lines. Note that the project includes the installation of high-visibility pedestrian crossing signs as well as advance warning signs 100 feet away from the crosswalks in both directions of vehicle travel. (Please see the attached Traffic Sign and Pavement Markings plan sheet.)

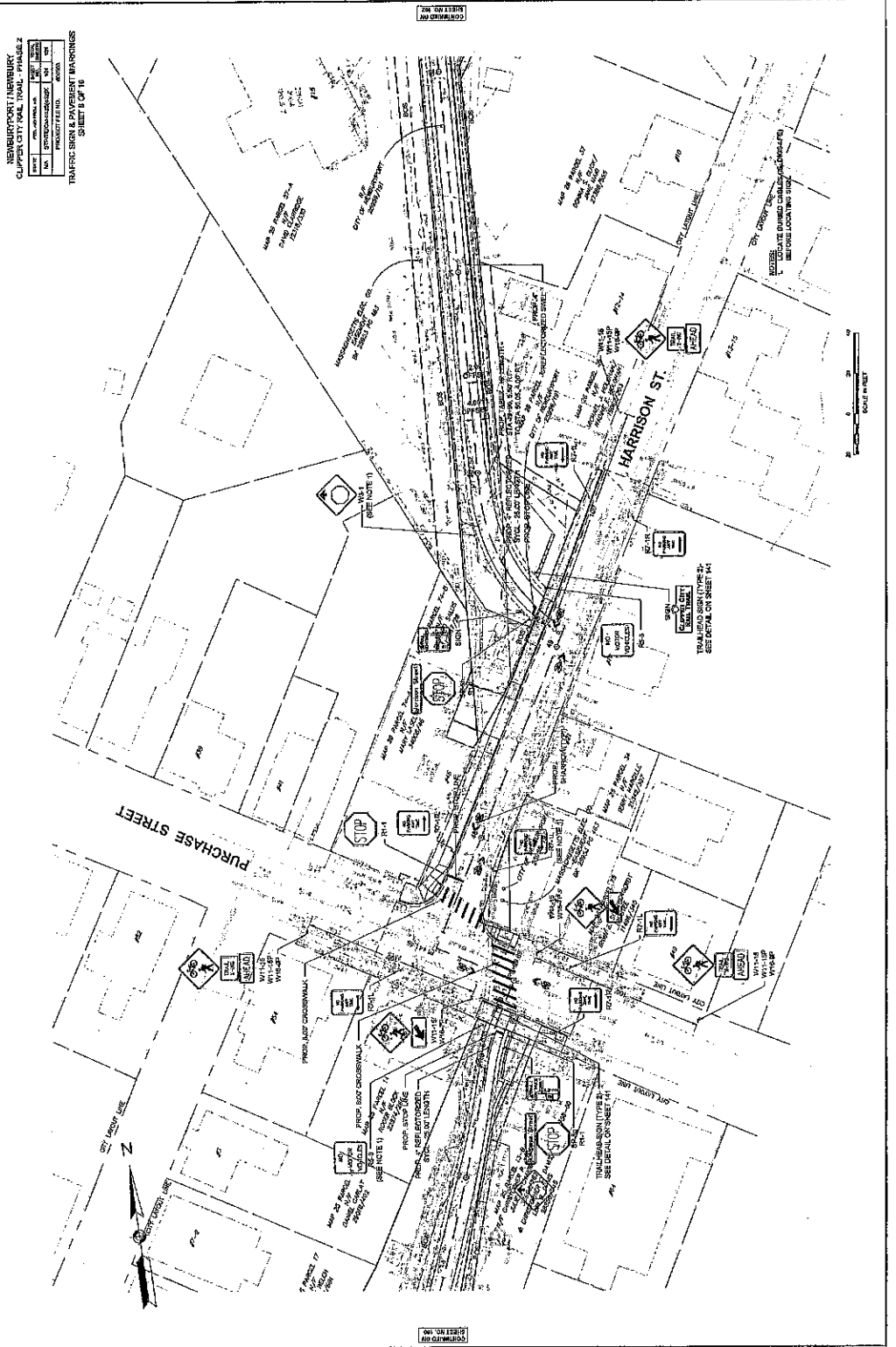
We respectfully request that you approve an amendment to the table in Ordinance 13-168 "Parking Restrictions on Certain Streets" to include:

- *Harrison Street – no parking on both sides from a point 210 feet north of Purchase Street to Purchase Street*
- *Purchase Street – no parking 50 feet west and 25 feet east of the Rail Trail crosswalk in both directions of vehicle travel at the Harrison Street intersection*

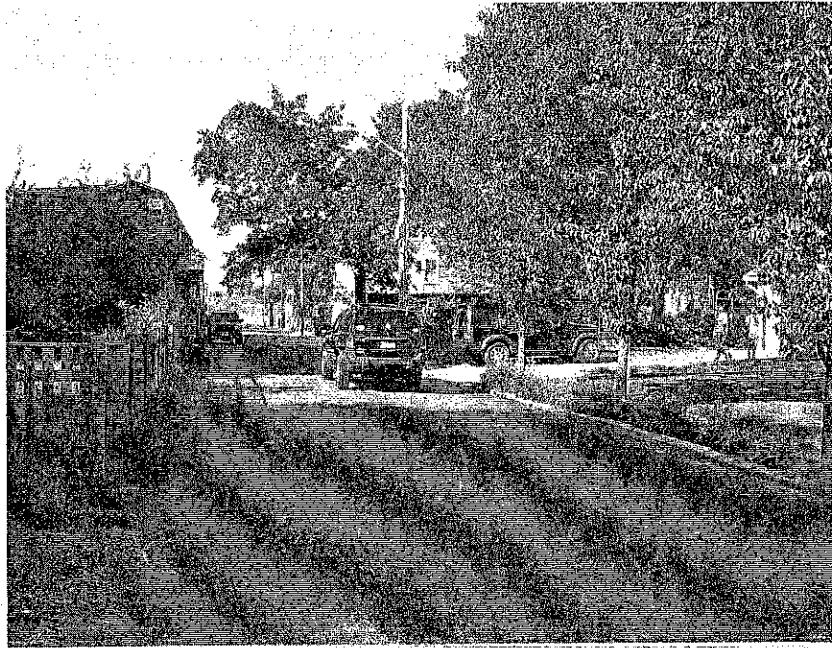
Thank you for your consideration.

NEWPORT AIRPORT  
CLIPPER CITY RAIL TRAIL - PHASE 2  
TRAFFIC SIGN & PAVEMENT MARKINGS  
SHEET 5 OF 10

DATE	NOV 2014	BY	WJ
REV	01	DESCRIPTION	REVISED
NO	01	PROJECT FILE NO.	000000



be narrowed to 18 feet and the rest of the street will remain 20+ feet. There are a number of precedents in Newburyport, of similarly narrow, two-way, functional residential streets that are approximately 18 feet wide or even less – e.g., Madison Street, School Street, Ship Street, Russia Street, etc. By law, bicyclists are allowed to use the street along with motor vehicles, and bicyclists using the Rail Trail will be routed on to 150 feet of Harrison Street, although young children may bicycle on the sidewalk, through signage and pavement markings. (Please see the attached Traffic Sign and Pavement Markings plan sheet.) This is the approach recommended by the American Association of State Highway Traffic Officials (AASHTO) for such situations, including the guideline that street parking is removed or restricted in areas of critical width to provide improved safety.



*Portion of Harrison Street looking north*

Along similar lines, the Rail Trail plans call for restricting parking approximately 50 feet west and 25 feet east of the crosswalk at Purchase Street, and 30 feet to either side of the crosswalks at Hancock and Chestnut Streets in order to maintain open sight lines. Note that the project includes the installation of high-visibility pedestrian crossing signs as well as advance warning signs 100 feet away from the crosswalks in both directions of vehicle travel. (Please see the attached Traffic Sign and Pavement Markings plan sheet.)

We plan to request that the City Council approve an amendment to the table in Ordinance 13-168 "Parking Restrictions on Certain Streets" to include:

- *Harrison Street – no parking on both sides from a point 210 feet north of Purchase Street to Purchase Street*
- *Purchase Street – no parking 50 feet west and 25 feet east of the Rail Trail crosswalk in both directions of vehicle travel at the Harrison Street intersection*

Thank you for your consideration.



# CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

October 13, 2015

## AN ORDINANCE TO AMEND CHAPTER 13 (TRAFFIC AND MOTOR VEHICLES) OF THE MUNICIPAL CODE

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

**Chapter 13** Traffic and Motor Vehicles

**Article 4** Specific Street Schedules

**Division 5.** Turning Lanes

**Delete:** Division 5 Turning Lanes  
And all sections thereunder.

**Add:** Division 5 Turning Lanes

### Sec. 13-151 Left Turns Required

Vehicles traveling on the following streets in the left lane of the roadway shall make the indicated left lane of the roadway shall make the indicated left turn:

Any and all streets now or in the future restricted pursuant to this Section shall be added, deleted or amended by order of the Council. A list of said streets and restrictions shall be maintained by the clerk's office and posted on the appropriate parking webpage on the City of Newburyport website.

### Sec. 13-152 Right Turns Required

Vehicles traveling on the following streets in the right lane of the roadway shall make the indicated right lane of the roadway shall make the indicated right turn:

Any and all streets now or in the future restricted pursuant to this Section shall be added, deleted or amended by order of the Council. A list of said streets and restrictions shall be maintained by the clerk's office and posted on the appropriate parking webpage on the City of Newburyport website.

Sec. 13 – 153 to 13-166. Reserved

Councillor Robert J. Cronin

# CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

October 13, 2015

## AN ORDINANCE TO AMEND CHAPTER 13 (TRAFFIC AND MOTOR VEHICLES) OF THE MUNICIPAL CODE

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

Chapter 13    Traffic and Motor Vehicles  
Article 4     Specific Street Schedules  
Division 6.   Stopping, Standing and Parking

Add:

Section 166   Amendment, Addition and Deletion by Order

In order to efficiently and expeditiously address parking issues within the City of Newburyport, any and all amendments, additions and deletions to these sections contained in Division 6 shall be by order of the Council and, furthermore, the Clerk's office shall maintain a list of said amendments, additions and deletions and post the same on the appropriate page of the City of Newburyport website.

Councillor Robert J. Cronin

# CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

October 13, 2015

## AN ORDINANCE TO AMEND CHAPTER 13 (TRAFFIC AND MOTOR VEHICLES) OF THE MUNICIPAL CODE

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

**Chapter 13**      Traffic and Motor Vehicles  
**Article 4**        Specific Street Schedules  
**Division 4**       Stop Intersections

**Delete Division 4**      Stop Intersections

And all sections thereunder.

**Add Division 4**           Stop and Yield Intersections

Sec. 13-136 Stop Signs Designated

Any and all streets now or in the future designated as stop intersections shall be added, deleted or amended by order of the Council. A list of said streets and intersections shall be maintained by the clerk's office and posted on the appropriate parking webpage on the City of Newburyport website.

Sec. 13-137 Yield Signs Designated

Any and all streets now or in the future designated as yield intersections shall be added, deleted or amended by order of the Council. A list of said streets and intersections shall be maintained by the clerk's office and posted on the appropriate parking webpage on the City of Newburyport website.

Sec. 13 - 138. Turning on red signals

Vehicles are restricted from making a turn on red signals at the following intersections (MGL Ch. 89 Sec. 8)

Any and all intersections now or in the future restricted pursuant to this Section shall be added, deleted or amended by order of the Council. A list of said intersections and restrictions shall be maintained by the clerk's office and posted on the appropriate parking webpage on the City of Newburyport website.

Councillor Robert J. Cronin

# CITY OF NEWBURYPORT



## IN CITY COUNCIL

**ORDERED:**

October 13, 2015

### **AN ORDINANCE TO AMEND CHAPTER 9 ENTITLED LICENSES, PERMITS AND BUSINESS REGULATIONS**

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

<b>Chapter 9</b>	Licenses, Permits and Business Regulations
<b>Article VII</b>	Transient Vendors, Hawkers and Peddlers
<b>Division 2</b>	Hawkers and Peddlers
<b>Section 9-158</b>	Business prohibited between certain hours

**DELETE:**

Sec. 9-158. - Business prohibited between certain hours

No hawker or peddler shall sell or offer for sale any goods, wares or merchandise, including publications, magazines and books or solicit subscriptions for publications, magazines or books in the city between the hours 9:00 p.m. and 8:00 a.m.

**ADD:**

Sec. 9-158. - Business prohibited between certain hours and in certain area

No hawker or peddler shall sell or offer for sale any goods, wares or merchandise, including publications, magazines and books or solicit subscriptions for publications, magazines or books in the city between the hours 9:00 p.m. and 8:00 a.m. Furthermore, at all times, no hawker or peddler shall sell or offer for sale any goods, wares or merchandise within the Downtown Overlay District, as defined under appendix A (zoning ordinance) of the Newburyport Code unless a license is granted by the City Council.

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Councillor Jared J. Eigerman

## COMMITTEE ITEMS

## **BUDGET AND FINANCE**

## BUDGET AND FINANCE

## CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

MAY 12, 2014

AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED ADMINISTRATION

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

*General Ordinance Amendment:*

Chapter 2: ADMINISTRATION  
Article II: City Council

ADD:

### Sec. 2-45. Salary of the City Council

The members of the city council shall receive on an annual basis a salary equal to eight percent of the annual compensation of the mayor effective the first Monday in January, 2016. The President of the City Council shall receive an additional amount of One Thousand (\$1,000) Dollars effective the first Monday in January, 2016.

Councillor Thomas F. O'Brien

$\frac{m}{n} \cdot \frac{d}{e} = \frac{m \cdot d}{n \cdot e}$



# CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

MAY 12, 2014

## AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED ADMINISTRATION

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

*General Ordinance Amendment:*

Chapter 2: ADMINISTRATION  
Article II: Boards, Committees, Commissions  
Division 1: Generally

ADD:

Sec. 2-61A. Salary of the School Committee

The members of the school committee shall receive on an annual basis a salary equal to four percent of the annual compensation of the mayor effective the first Monday in January, 2016. The Vice Chair of the School Committee shall receive an additional amount of One Thousand (\$1,000) Dollars effective the first Monday in January, 2016.

Councillor Thomas F. O'Brien

Motion  
TO  
PPV DOT  
RC/LG  
roll call  
yes  
no  
TO  
ACRE LG JE MR  
BUEE PH PRI

# CITY OF NEWBURYPORT



---

IN CITY COUNCIL

ORDERED:

September 28, 2015

**THAT** the City of Newburyport does hereby accept the provisions of Section 15B of Chapter 60 of the Massachusetts General Laws authorizing the establishment of a tax title collection revolving fund.

---

Councillor Charles F. Tontar  
Chair, Budget & Finance Committee

**M.G.L. Chapter 60, Section 15B:**

**An Act Relative to the Establishment of Tax Title Collection Revolving Funds**

Chapter 60, Section 15B. (a) Notwithstanding sections 53 and 55 of chapter 44, a city or town that accepts this section may establish a tax title collection revolving fund pursuant to subsection (c) for 1 or more of the following officers: tax collector, treasurer and treasurer-collector. Such tax title collection revolving fund shall be accounted for separately from all other monies in the city or town and to which shall be credited any fees, charges and costs incurred by such officer under sections 15, 55, 62, 65, 68 or 79 and collected upon the redemption of tax titles and sales of real property acquired through foreclosures of tax titles. Expenditures may be made from such revolving fund without further appropriation, subject to this section; provided, however, that expenditures shall not be made or liabilities incurred from this revolving fund in excess of the balance of the fund nor in excess of the total authorized expenditures from this fund, nor shall any expenditures be made unless approved in accordance with sections 52 and 56 of chapter 41.

(b) Interest earned on a tax title collection revolving fund balance shall be treated as general fund revenue of the city or town. Expenditures from a tax title collection revolving fund authorized for the tax collector, treasurer or treasurer-collector shall be spent to pay expenses incurred by such officer under this chapter in connection with a tax taking or tax title foreclosure, including, but not limited to, fees and costs of recording or filing documents and instruments, searching and examining titles, mailing, publishing or advertising notices or documents, petitioning the land court, serving court filings and documents and paying legal fees.

(c) A city or town that accepts this section may establish a tax title collection revolving fund by: (i) by-law; (ii) ordinance; or (iii) a vote of the legislative body of a city or town taken upon the recommendation of the chief executive officer of a city or town or, in the case of a city with a Plan E form of government, the recommendation of the mayor or city manager. The establishment of such a fund shall be made not later than the beginning of the fiscal year in which the fund shall begin.

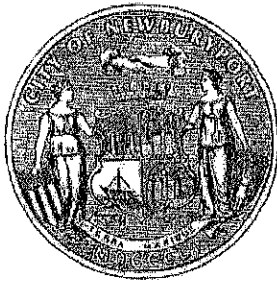
(d) The officer having charge of such tax title collection revolving fund shall annually report to the board of selectmen, the mayor of a city or city manager in a Plan E city or in any other city or town to the chief administrative or executive officer, the total amount of receipts and expenditures for the tax title collection revolving fund under its control for the prior fiscal year, by the date the by-law, ordinance or vote prescribes, together with other information as such by-law, ordinance or vote requires.

(e) Upon revocation of this section, or termination of any fund, the balance in the fund at the end of that fiscal year shall revert to surplus revenue.

(f) This section shall take effect in any municipality that accepts it by vote of the legislative body, subject to the charter of the municipality; provided, however, at any time after the expiration of 3 years from the date on which a municipality accepts this section, the municipality may revoke its acceptance in the same manner required for acceptance.

The director of accounts in the department of revenue may issue guidelines further regulating a tax title collection revolving fund established pursuant to this section.

Approved, December 16, 2014.



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

RECEIVED  
CITY CLERK'S OFFICE  
NEWBURYPORT, MA

2015 SEP 22 A 10:38

DONNA D. HOLADAY  
MAYOR

ETHAN R. MANNING  
FINANCE DIRECTOR/CITY AUDITOR

To: President and Members of the Newburyport City Council  
From: Ethan R. Manning, Finance Director/City Auditor *ERM*  
Date: September 28, 2015  
Subject: Appropriation of Bond Premium

The City recently completed a sale of \$9,730,000 in 20-year bonds to fund ongoing capital projects. FTN Financial Capital Markets was the winning bidder on the Bonds with an average interest rate of 2.216%. Prior to the sale, Standard & Poor's affirmed the City's 'AAA' credit rating; the highest attainable long-term rating, which was first assigned to the City in May 2015. Current market conditions, combined with the upgraded credit rating, resulted in an average interest rate 36.4 basis points lower than the previous long-term bond issuance in October 2014. This translates into an estimated savings of \$400,000 over the life of the bonds; an annual budgetary savings of approximately \$20,000.

As was the case with the last major issuance in October 2014, the bonds issued this month traded with a premium; meaning that the bonds were priced above par since the coupon rate paid to bondholders is higher than the prevailing market rate. Given the historically low interest rates, most municipal bonds are currently trading with a premium. As such, the Department of Revenue published a Bulletin in March 2013 (2013-01B) giving municipalities the ability to appropriate bond premiums to pay respective project costs and, in doing so, issue that much less in bonds.

Premium received in connection with the bond issuance totaled \$39,000, broken down as follow: \$14,000 for the Bresnahan School construction project, \$5,000 for the Nock/Molin School construction and renovation project, and \$20,000 for the Nock/Molin baseball field construction project. There are three procedural orders before you that are required, by statute, to appropriate said bond premium to the projects and, in turn, extinguish the same amount of borrowing authorization.

## CITY OF NEWBURYPORT



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IN CITY COUNCIL

ORDERED:

September 28, 2015

THAT, \$14,000 net premium paid to the City by the purchaser of bonds or notes issued for the construction of the City's New Bresnahan School Project (the "New Bresnahan School Project") authorized under an order of the City Council passed August 13, 2012, amended on August 11, 2014 and approved by the Mayor on August 26, 2014, excluded from the limitations of Proposition 2 ½, so-called, on June 5, 2012 (Question 1), be appropriated to pay costs of the New Bresnahan School Project, and to reduce by such premium the remaining amount authorized to be borrowed for the New Bresnahan School Project, or to take any other action relative thereto.

---

Councillor Charles F. Tontar  
Chair, Budget & Finance Committee

# CITY OF NEWBURYPORT



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

ORDERED:

September 28, 2015

**THAT**, \$5,000 net premium paid to the City by the purchaser of bonds or notes issued for the construction of the City's Nock Molin Elementary School Project (the "Nock Molin Elementary School Project") authorized under an order of the City Council passed August 13, 2012 and approved by the Mayor, excluded from the limitations of Proposition 2 ½, so-called, on June 5, 2012 (Question 2), be appropriated to pay costs of the Nock Molin Elementary School Project, and to reduce by such premium the remaining amount authorized to be borrowed for the Nock Molin Elementary School Project, or to take any other action relative thereto.

\_\_\_\_\_  
Councillor Charles F. Tontar  
Chair, Budget & Finance Committee

# CITY OF NEWBURYPORT



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

ORDERED:

September 28, 2015

**THAT**, \$20,000 net premium paid to the City by the purchaser of bonds or notes issued for the construction of the City's Nock Molin Baseball Field Project (the "Nock Molin Baseball Field Project") authorized under an order of the City Council passed August 13, 2012 and approved by the Mayor, as amended by an order of the City Council approved by the Mayor on August 26, 2014, excluded from the limitations of Proposition 2 ½, so-called, on December 9, 2014, be appropriated to pay costs of the Nock Molin Baseball Field Project, and to reduce by such premium the remaining amount authorized to be borrowed for the Nock Molin Baseball Field Project, or to take any other action relative thereto.

\_\_\_\_\_  
Councillor Charles F. Tontar  
Chair, Budget & Finance Committee

CITY OF NEWBURYPORT



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IN CITY COUNCIL

ORDERED:

September 28, 2015

**THAT** the City Council of the City of Newburyport shall classify the positions on the Community Preservation Committee as Special Municipal Employees pursuant to MGL Chapter 268A, Sec. 1 et al.

Councillor Charles F. Tontar



CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

September 28, 2015

**THAT** the City Council of the City of Newburyport hereby declares 1,475 sq. ft. of space at the Senior Community Center at 331 High St available for disposition to a tenant through a competitive procurement process. This procurement process is pursuant to MGL Chapter 30B and any and all rules and regulations thereunder.

---

Councillor Charles F. Tontar  
Chair, Budget & Finance Committee

## License & Permits

APPLICATION FOR MOVABLE SIGNAGE ON PUBLIC PROPERTY

Application Fee \$50.00

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

RECEIVED  
CITY CLERK'S OFFICE  
NEWBURYPORT, MA

FOR CITY CLERK'S OFFICE ONLY

Date Recorded \_\_\_\_\_

Amount Paid \_\_\_\_\_

To the City Council of the City of Newburyport. **2015 SEP 18 A 11:16**

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

Name of applicant Avita of Newburyport (Dave Galanek)

Street address of applicant 4 Wallace Bashaw JR. Way

City, State, Zip of applicant Newburyport, Ma. 01950

Telephone of applicant 978-225-7000 ext. 308

Name of business Avita of Newburyport

Address of business 4 Wallace Bashaw JR. Way.

Telephone of business 978-225-7000

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

Open house A frame Sign. on the  
corner of Low and Wallace Bashaw JR. Way.

RELEASE AND INDEMNITY AGREEMENT TO ENCUMBER A PUBLIC WAY

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

Signature of Applicant or  
Duly Authorized Agent

Dave Galanek

Date \_\_\_\_\_

ACORD™

## CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

9/17/2015

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

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

PRODUCER <b>HUB Healthcare Solutions</b> <b>HUB International New England</b> <b>136 Turnpike Road, Suite 105</b> <b>Southborough, MA 01772</b>	CONTACT NAME:	
	PHONE (A/C, No, Ext): <b>978 657-5100</b>	FAX (A/C, No): <b>978-988-0038</b>
INSURED <b>Avita Newburyport, LLC</b> <b>c/o NBR Company, LLC</b> <b>71 Third Avenue</b> <b>Burlington, MA 01803</b>	E-MAIL ADDRESS:	
	INSURER(S) AFFORDING COVERAGE	
	INSURER A: <b>Columbia Casualty Co</b>	NAIC #: <b>31127</b>
	INSURER B:	
	INSURER C:	
	INSURER D:	
INSURER E:		
INSURER F:		

## COVERAGES

## CERTIFICATE NUMBER:

## REVISION NUMBER:

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

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	GENERAL LIABILITY		4031700841	09/10/2015	09/10/2016	EACH OCCURRENCE	\$1,000,000
	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY					DAMAGE TO RENTED PREMISES (Ea occurrence)	\$100,000
	<input checked="" type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> OCCUR					MED EXP (Any one person)	\$5,000
						PERSONAL & ADV INJURY	\$1,000,000
						GENERAL AGGREGATE	\$6,000,000
						PRODUCTS - COMP/OP AGG	\$6,000,000
							\$
						COMBINED SINGLE LIMIT (Ea accident)	\$
						BODILY INJURY (Per person)	\$
						BODILY INJURY (Per accident)	\$
		PROPERTY DAMAGE (Per accident)	\$				
			\$				
	UMBRELLA LIAB					EACH OCCURRENCE	\$
	EXCESS LIAB					AGGREGATE	\$
	DED						\$
	RETENTION \$						\$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY					WC STATUTORY LIMITS	OTHER
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N	N/A			E.L. EACH ACCIDENT	\$
	If yes, describe under DESCRIPTION OF OPERATIONS below					E.L. DISEASE - EA EMPLOYEE	\$
						E.L. DISEASE - POLICY LIMIT	\$

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

Certificate holder is included as additional insured as their interests may appear.

## CERTIFICATE HOLDER

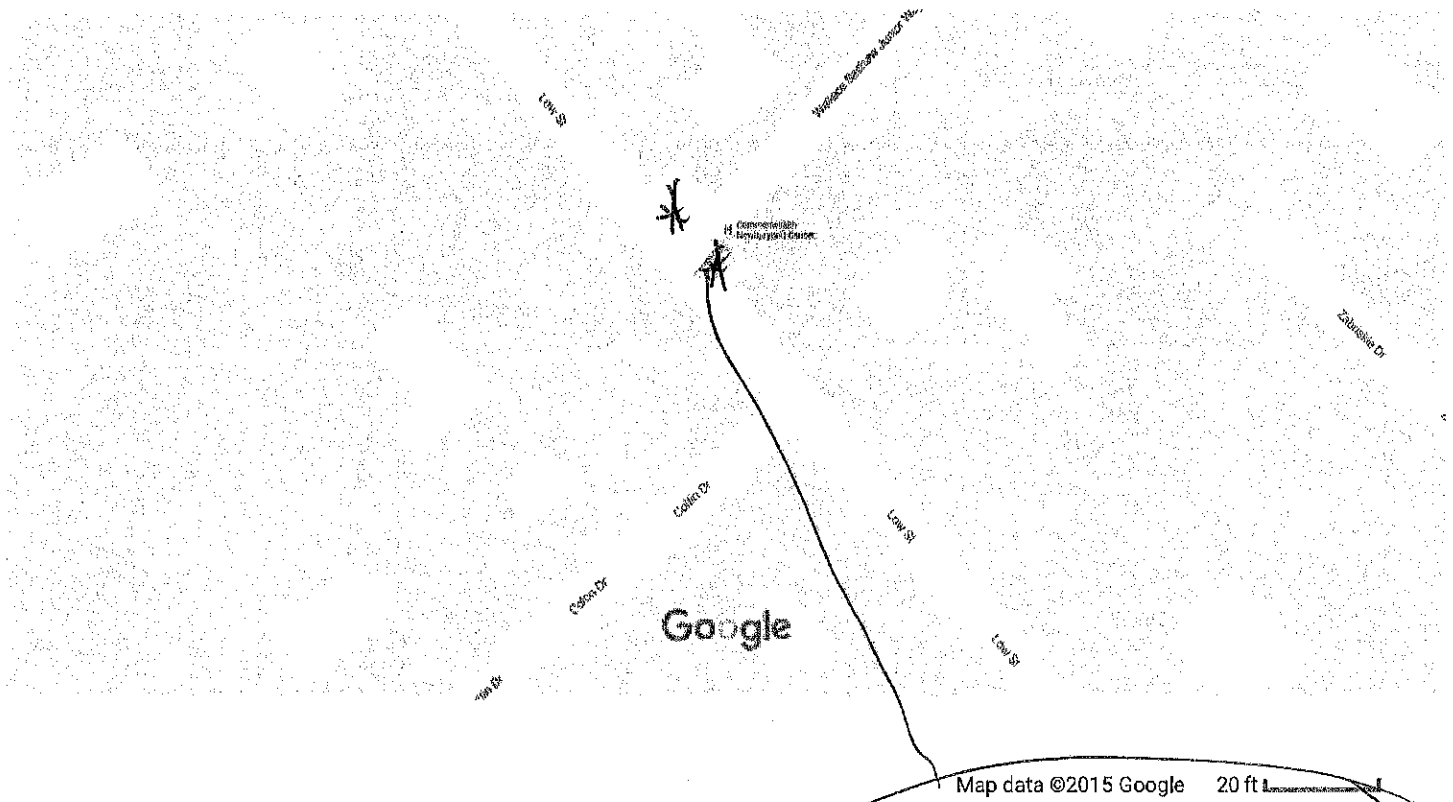
## CANCELLATION

**City of Newburyport**  
**60 Pleasant St.**  
**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

Google Maps Google Maps



Deadline 22'  
meeting 28TH

proposed signage @  
either starred location

## NEIGHBORHOOD & CITY SERVICES

**Subject: brick specification / Temple Street sidewalks**  
**Reply-To: <kenwoods@comcast.net>**

WCS

Gentlemen:

Please forward the city adopted sidewalk brick specification so I can get some quotes for the work.

As you all know we were given zero notification this project was starting. In fact, we were told the other block of Temple was to be done first. As such, that block of residents has had ample time to get contractors to look at and quote prices for the brick work to be done. The excavator is outside my home right this second removing my sidewalk and no contractor has even had time yet to respond to my calls. I leave for vacation Thursday. It is unfortunate the work didn't start at the other end of the street as planned so this end of the street would have had time to make arrangements.

I have attached the notice to point out two things. The notice was not dated nor give a date as to the planned start and the notice does not explain to the residents their option of having brick installed versus concrete.

I have been waiting close to 20 years for this work to be done. I have renovated my c.1728 home extensively in preparation for the final piece – brick sidewalks. I started at the top and worked my way down. First - a complete new roof with cedar shake shingles. Second: re-siding as required. Third: a period appropriate paint job. I did not want to brick the sidewalk until all that was done. The paint was completed last summer (see attached photo).

I expect to pay for the brick but I would like to relate an interesting story. Many years ago we received a flyer from the City similar to the flyer we just received this past Friday (attached). The flyer explained new sidewalks were to be installed after a new water main was run down the street and the subsequent new pavement laid. The flyer went on to explain concrete sidewalks were planned but for a \$400 additional charge each resident had the choice of brick.

I like the idea that it would only cost me \$400 but if I have to pay for brick I do not mind. Several people in the area have done just that. Mark Davis down the street here on Temple. Randy Murphy at the corner of Federal and Milk. David Hall on the opposite corner of Federal and Milk to name a few. Having received zero notification of a start date is causing me a lot of grief I do not need right now.

The larger problem is the lack of overall vision for the City. As we all know tourism is a big revenue generator. My vision is simple and elegant. Brick State Street up and down from High Street to Market Square. Brick all side streets off State east and west two blocks each. Imagine what the tourists would be saying?

I look forward to receiving the brick specification.

Thank you,

Ken Woods  
18 (&20) Temple Street  
Newburyport MA 01950

c 978-985-6129  
f 978-255-3555

[www.kenwoodspe.com](http://www.kenwoodspe.com)



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

ANTHONY FURNARI, DIRECTOR  
WAYNE S. AMARAL, DEPUTY DIRECTOR

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

(NO DATE) Received  
Friday April 11, 2015

## - Notice of Road Work - Temple Street

Dear Temple Street Resident,

The City of Newburyport Department of Public Services will be replacing the sidewalks in front of your property over the next few months beginning this week.

Once this work starts, we expect the work to be completed in about four to six weeks. Access to your property will be interrupted but we will work to minimize the impact.

Typical work hours will be conducted between the hours of 7:00 A.M. and 5:00 P.M. during the week and some Saturdays as needed. You may see "No Parking" signs posted temporarily prior to and during the work. Please adhere to all notices.

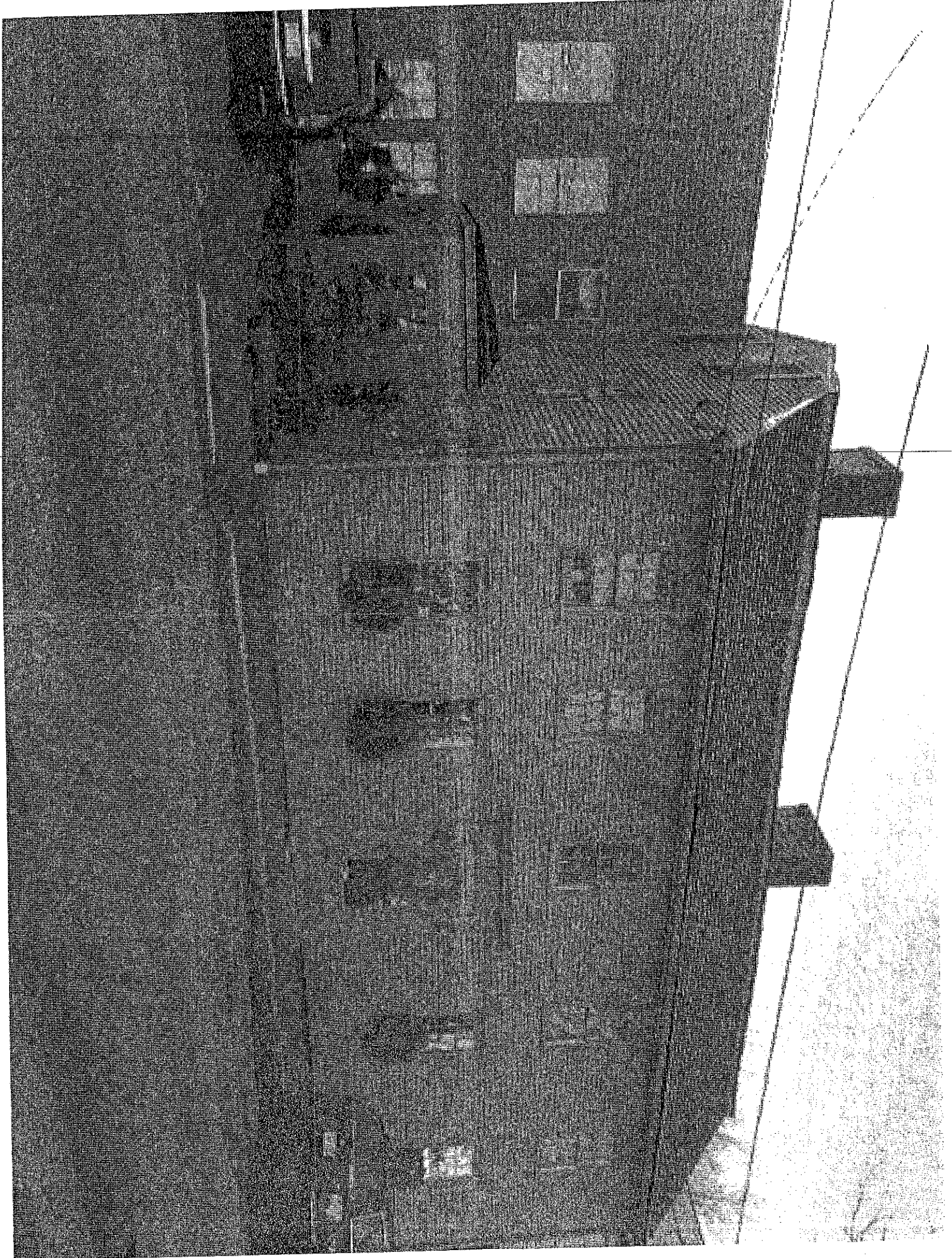
The City's representative, Joseph Mackay will be on-site at frequent intervals and will monitor the work. If you have any questions or concerns, feel free to talk to Mr. MacKay or contact the DPS Highway Division at 978-465-4464 ext. 1701.

Thank you for your patience.

Sincerely,  
Wayne S. Amaral  
Deputy Director / Director of Operations

2015 APR 11 12:50  
RECEIVED  
CITY OF NEWBURYPORT  
DEPARTMENT OF PUBLIC SERVICES





UTCS

RECEIVED  
TOWN CLERK'S OFFICE  
NEWBURYPORT, MA

25 APR 27 A 8:58

On Fri, Apr 24, 2015 at 6:52 PM, mgrantjemb <mgrantjemb@yahoo.com> wrote:

Dear Councilors,

As a longtime Newburyport resident, my husband and I read with a great deal of enthusiasm and interest about the progress Newburyport is making to ensure more access to our downtown and waterfront. However, it seems that this access is geared toward visitors and residents who already have sidewalks and bike paths in place that grant them a safe route to public schools and the cultural center of the city.

---

As a resident of the West End, we wonder if there is any conversation in place to provide us with the same safe access to the downtown area. Hale Street is a two mile road with direct connection to our public schools, library, and the downtown area. My husband and I have been riding our bikes via Hale Street to the downtown area for over 40 years. In the last few years we have seen an increase in traffic which makes it frightening to ride a bike or walk down Hale Street. Once United Foam is operational, we will again see more commuter traffic and the return of large trucks entering and exiting Hale Street.

Could you please help us investigate a way to add sidewalks and bike paths to Hale Street in order to give West End residents access to the center of Newburyport?

Thank you for your consideration. I look forward to hearing from you about the next steps.

Sincerely,

Marcia and William Grant  
5 Newhall Lane  
978-462-7660

Newburyport Council President  
& Newburyport City Council Members

Emerald Ash Borer, an invasive insect from Asia, has, since 2002, killed 10's of millions of Ash trees in 22 states and 3 Canadian provinces. The infestation to death takes 2 years and is 100% fatal. The standing dead trees become dangerously brittle and collapse, without warning, in big pieces within 3 years posing a severe risk to life, property and budgets.

Since late 2012 the EAB infestation has moved across Massachusetts; Dalton, Boston, North Andover, Methuen and Haverhill.

Because of the unsafe condition of the wood most trees require crane removal (\$3000 per tree)\*

A survey conducted last Fall documented about 130 trees in the city's right of ways implying removal cost of around \$400,000.

The attached report of that survey, incorporates a typical cost of preventive treatment per tree, with success rates of about 95% \*\*, totaling about \$80,000 for 10 years of protection which is the duration of the invasion cycle.

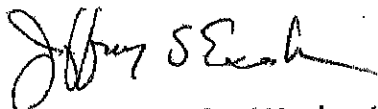
The survey also notes that these trees have already provided the community ecosystem services (estimated at \$58,000\*\*\*) and over the natural 130 years life of this species this population will provide that much benefit again.

Northeast Urban Forest Advocacy(501 (c3) has conducted this survey in accordance with standard arborist practices and has presented it to the Tree Warden and Tree Commission as a volunteer service.

NUFA also intends to publicize this situation so that residents will be aware of the possibility of this affecting trees on their property.

*Preventive action is recommended in terms of cost effectiveness as well, maintaining this native species as working asset and an ornament to our city.*

Jeff Esche, Executive Director, Northeast Urban Forest Advocacy  
Resident 30 Lime St Newburyport  
617-970-1099



\*Sources

- \* Deputy DPS Director/Tree Warden, Wayne Amaral
- \*\* Cambridge Tree Warden David Lefcourt
- \*\*\* I-Tree Design (online) US Forestry Service

2015 MAY 19 P 12:11

RECEIVED  
CITY CLERK'S OFFICE  
NEWBURYPORT, MA

# CITY OF NEWBURYPORT



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## IN CITY COUNCIL RESOLUTION

### EMERALD ASH BORER

#### ORDERED:

WHEREAS, Emerald Ash Borer is an invasive insect from Asia and had, since 2002, killed 10's of millions of Ash trees in twenty-two states and three Canadian provinces, and

WHEREAS, since late 2012, this Emerald Ash Borer infestation has moved across Massachusetts including but not limited to Boston, North Andover, Methuen, and Haverhill, and

WHEREAS, a survey report last fall documented about 130 trees in Newburyport's rights of way indicating a removal cost of approximately \$400,000, and

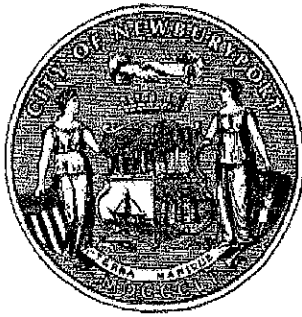
WHEREAS, preventive action is recommended for a cost effective approach to the problem and for maintaining this native species as a working asset and an ornament to our city, and

WHEREAS, Northeast Urban Forest Advocacy has conducted a survey showing that a cost of preventive treatment for our trees would be approximately \$80,000 for 10 years of protection.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF NEWBURYPORT hereby requests that the Mayor expend monies in the amount of 11,000 to 18,000 dollars per annum for a period of Eight (8) years to address this serious and time-sensitive issue.

Barry N Connell

Councillor at Large



CITY OF NEWBURYPORT  
OFFICE OF THE MAYOR

DONNA D. HOLADAY

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

Communication #7  
May 26, 2015

JUN 08 2015

PHS

MEMORANDUM

TO: Members of the City Council  
FROM: Honorable Donna D. Holaday, Mayor  
DATE: June 1, 2015  
SUBJECT: City-Wide Sidewalk Specifications

As the City of Newburyport continues to grow, there is a greater demand on standardizations relating to construction methods. The DPS has prepared the "City-Wide Sidewalk Specifications". These specifications are specially designed for Newburyport.

Some of the basic details are used in other cities and towns in Massachusetts, but each detail has been modified to reflect the needs of Newburyport. The specifications may be modified over-time based on changes in construction methods, updated state and federal regulations, and ongoing needs of Newburyport.

The goals of these specifications are to have both public and private construction projects; design, engineer and build sidewalks in a consistent and uniform method. These specifications offer choices on the type of sidewalk materials and designs that should meet most neighborhood characteristics.

I welcome your comments and extend my thanks to Wayne Amaral, Deputy Director of DPS for coordinating this important and needed effort in our City.



WIN-2 P 3:51

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*City of Newburyport*  
*Department of Public Services*

**Sidewalk Specifications**

**June 2015**

Donna D. Holaday, Mayor

Anthony J. Furnari, Director

Wayne S. Amaral, Deputy Director

## ***Content***

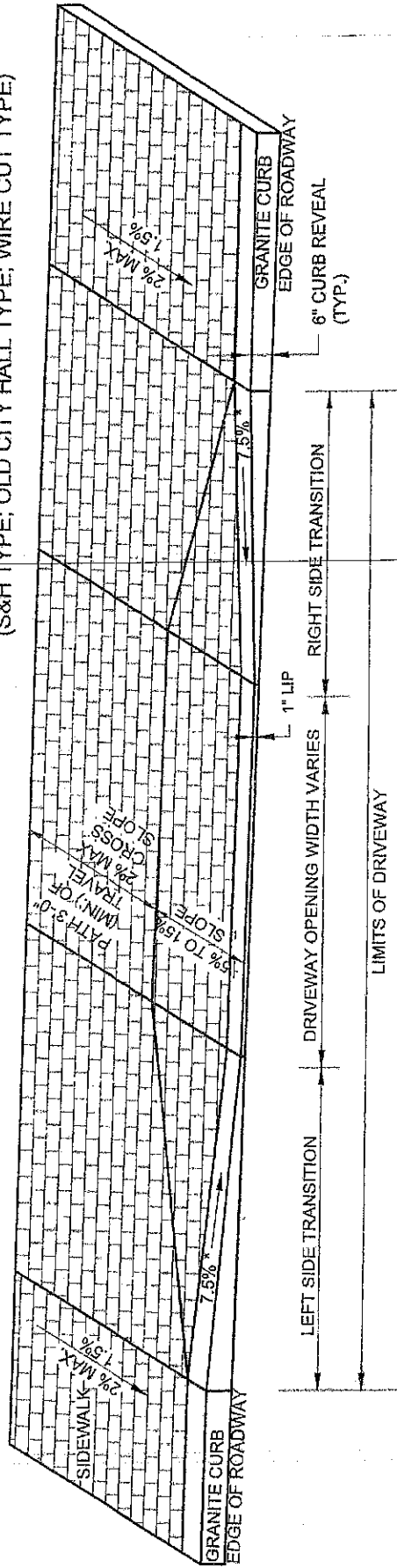
<b><i>Description</i></b>	<b><i>Drawing #</i></b>
Brick Driveway Apron Detail Type 1-A and Type 2-A	NBPT 1000
Brick Driveway Apron Detail Type 1-A and Type 2-A (color)	NBPT 1000C
Brick Driveway Apron Detail Type 1-B and Type 2-B	NBPT 1100
Brick Driveway Apron Detail Type 1-B and Type 2-B (color)	NBPT 1100C
Brick Driveway Apron Detail Type 1-C	NBPT 1200
Brick Driveway Apron Detail Type 1-C (color)	NBPT 1200C
Cement Concrete Driveway Apron Detail – angled curb	NBPT 1400
Cement Concrete Driveway Apron Detail – D stone curb	NBPT 1500
Driveway Apron (cross-section)	NBPT 1600
Vertical Granite Curb & Cement Concrete Sidewalk (cross-section)	NBPT 2000
Brick Sidewalk (cross-section)	NBPT 2100
Brick Sidewalk Cross-Section for Cement Base	NBPT 2200
Asphalt Sidewalk (cross-section)	NBPT 2400
9' Width and Greater Brick Sidewalk Layout with Tree Pit	NBPT 3000
9' Width and Greater Brick Sidewalk Layout with Tree Pit (color)	NBPT 3000C
9' Width and Greater Brick Sidewalk Layout with Tree Pit Special	NBPT 3100
9' Width and Greater Brick Sidewalk Layout with Tree Pit Special (color)	NBPT 3100C
8' Width and Less Sidewalk Layout with Tree Pit	NBPT 3400
8' Width and Less Sidewalk Layout with Tree Pit (color)	NBPT 3400C
Brick Sidewalk Layout	NBPT 3800
Wheelchair Ramps and Detectable Warning Panel (cross-section) 1	NBPT 4000
Wheelchair Ramps and Detectable Warning Panel (cross-section) 2	NBPT 4100
Wheelchair Ramp on Narrow Sidewalk (width less than 6'-6")	NBPT 4200

Wheelchair Ramp for Mid-block Locations	NBPT 4300
Wheelchair Ramps at Intersections – Bricks	NBPT 4400
Wheelchair Ramps at Intersections – Concrete	NBPT 4500
Wheelchair Ramps at Intersections – Bricks Walk / Concrete Ramp	NBPT 4600
Wheelchair Ramps at Intersections – Bricks Walk / Concrete Ramp (color)	NBPT 4600C
Wheelchair Ramp Transition Length	NBPT 4900
Asphalt Curb	NBPT 5000
Standard Crosswalk	NBPT 6000

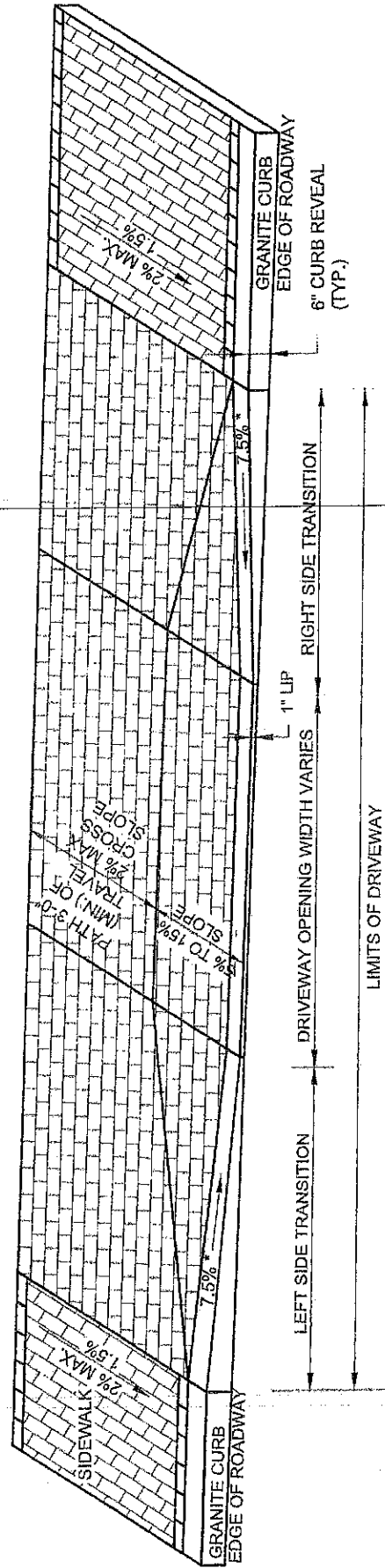
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NOTE: BRICK TYPE TO BE DETERMINED BY DPS:  
(S&H TYPE; OLD CITY HALL TYPE; WIRE CUT TYPE)



BRICK DRIVEWAY APRON & SIDEWALK (TYPE 1-A)



BRICK DRIVEWAY APRON & SIDEWALK (TYPE 2-A)



## BRICK DRIVEWAY APRON DETAIL

CITY OF NEWBURYPORT STANDARD SPECIFICATIONS AND DETAILS

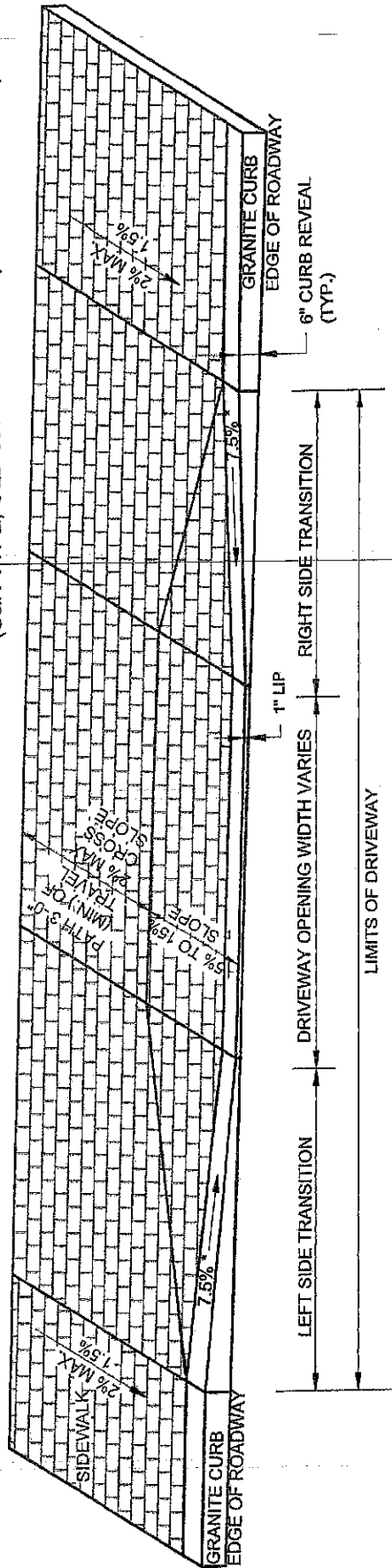
NOT TO SCALE

ISSUE DATE 4/28/15

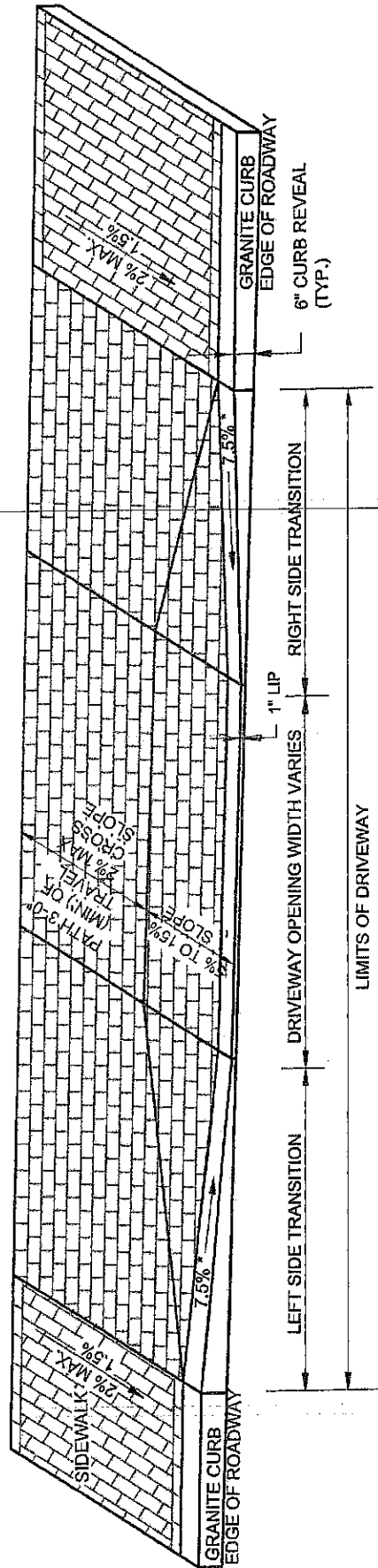
SPEC. SECTION REF#:

DRAWING: NBPT 1000

NOTE: BRICK TYPE TO BE DETERMINED BY DPS:  
(S&H TYPE; OLD CITY HALL TYPE; WIRE CUT TYPE)



BRICK DRIVEWAY APRON & SIDEWALK (TYPE 1-A)



BRICK DRIVEWAY APRON & SIDEWALK (TYPE 2-A)



## BRICK DRIVEWAY APRON DETAIL

CITY OF NEWBURYPORT STANDARD SPECIFICATIONS AND DETAILS

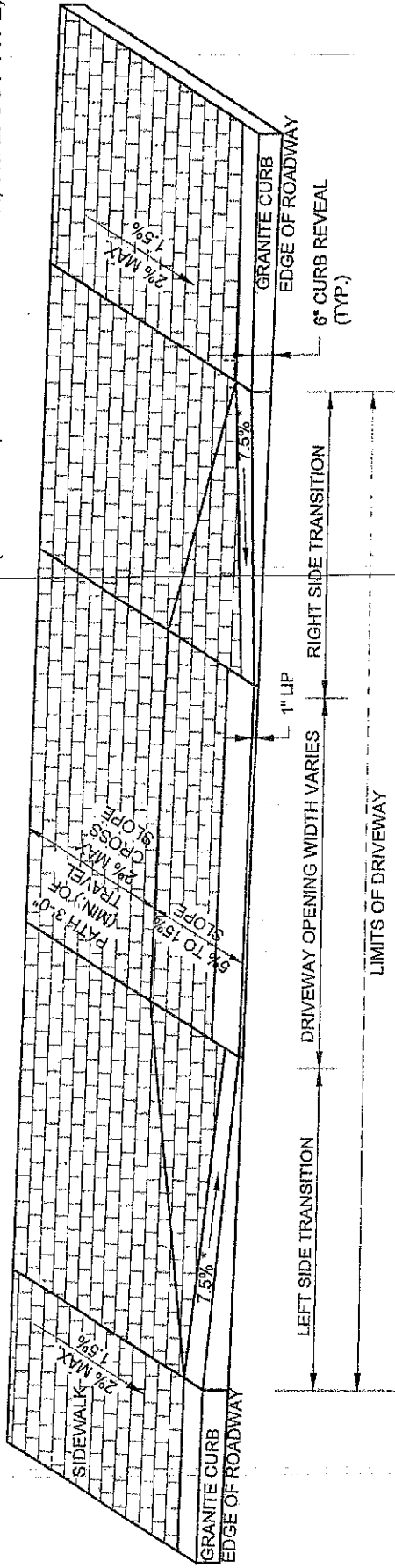
NOT TO SCALE

ISSUE DATE 4/28/15

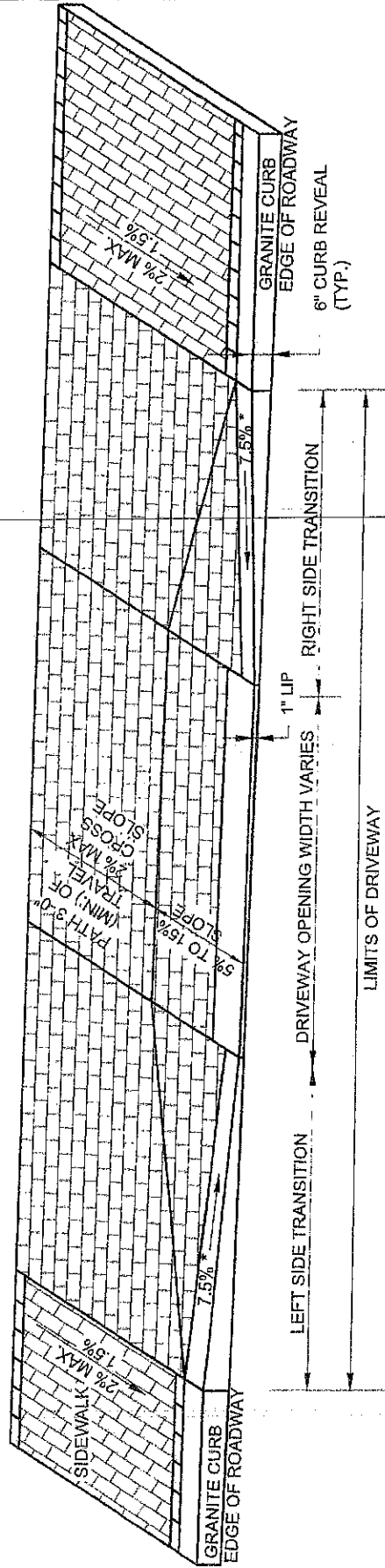
SPEC. SECTION REF#:

DRAWING: NBPT 1000C

NOTE: BRICK TYPE TO BE DETERMINED BY DPS:  
(S&H TYPE; OLD CITY HALL TYPE; WIRE CUT TYPE)



BRICK DRIVEWAY APRON & SIDEWALK (TYPE 1-B)



BRICK DRIVEWAY APRON & SIDEWALK (TYPE 2-B)



## BRICK DRIVEWAY APRON DETAIL

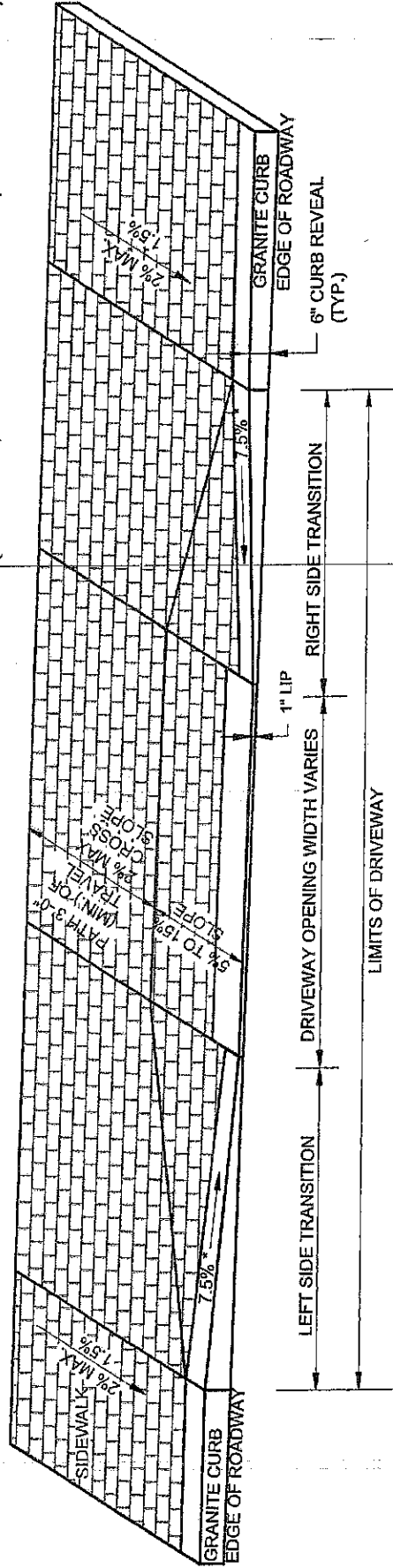
CITY OF NEWBURYPORT STANDARD SPECIFICATIONS AND DETAILS

NOT TO SCALE

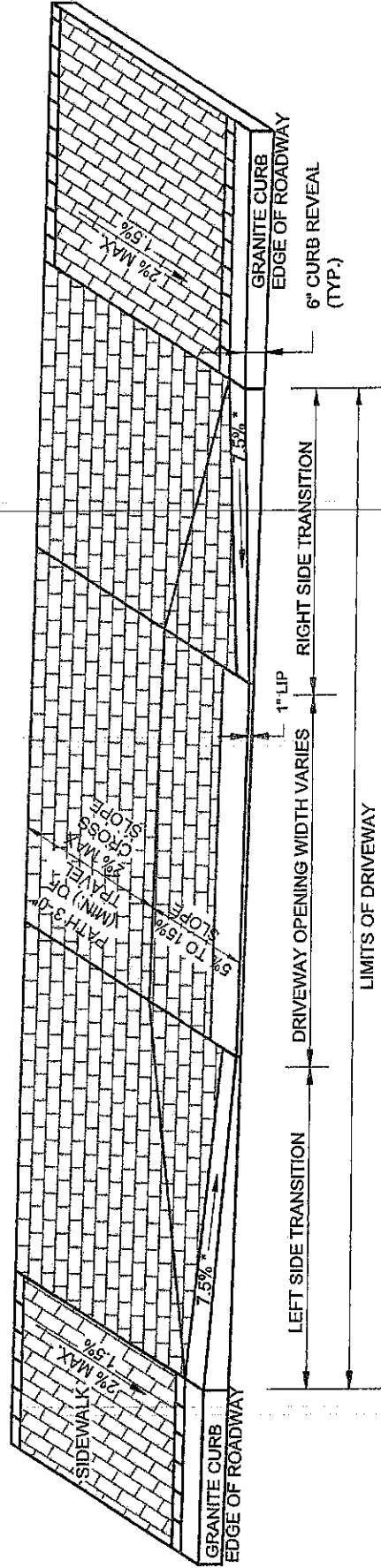
ISSUE DATE 4/28/15 SPEC. SECTION REF#:

DRAWING: NBPT 1100

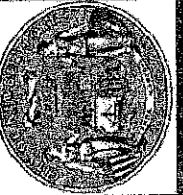
NOTE: BRICK TYPE TO BE DETERMINED BY DPS:  
(S&H TYPE; OLD CITY HALL TYPE; WIRE CUT TYPE)



**BRICK DRIVEWAY APRON & SIDEWALK (TYPE 1-B)**



**BRICK DRIVEWAY APRON & SIDEWALK (TYPE 2-B)**



## BRICK DRIVEWAY APRON DETAIL

CITY OF NEWBURYPORT STANDARD SPECIFICATIONS AND DETAILS

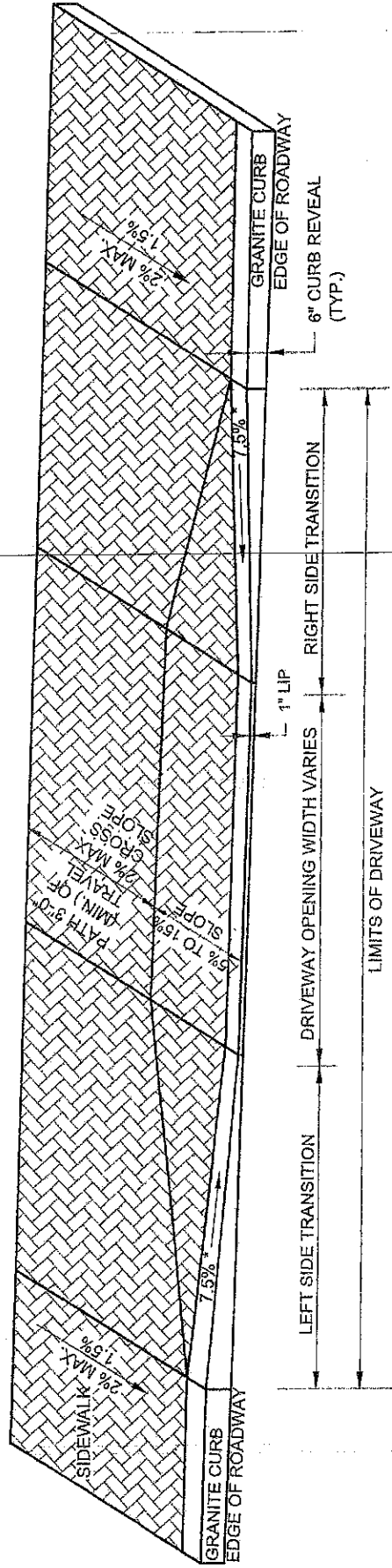
NOT TO SCALE

ISSUE DATE 4/28/15

SPEC. SECTION REF#:

DRAWING: NBPT 1100C

NOTE: BRICK TYPE TO BE DETERMINED BY DPS:  
(S&H TYPE; OLD CITY HALL TYPE; WIRE CUT TYPE)



## BRICK DRIVEWAY APRON DETAIL

CITY OF NEWBURYPORT STANDARD SPECIFICATIONS AND DETAILS

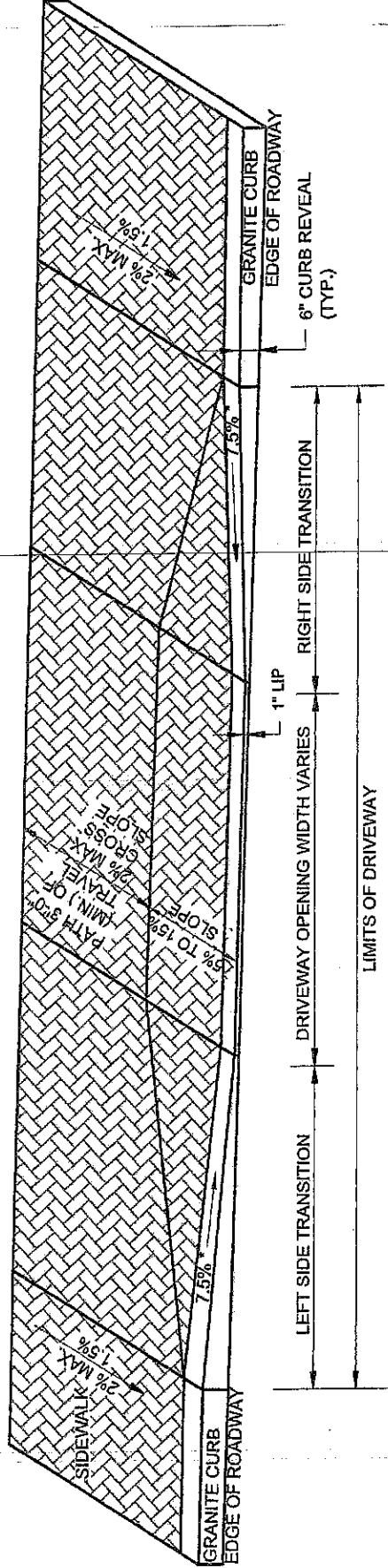
NOT TO SCALE

ISSUE DATE 4/28/15

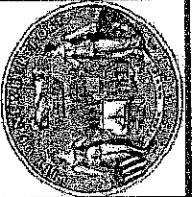
SPEC. SECTION REF#:

DRAWING: NBPT 1200

NOTE: BRICK TYPE TO BE DETERMINED BY DPS:  
(S&H TYPE; OLD CITY HALL TYPE; WIRE CUT TYPE)



BRICK DRIVEWAY APRON & SIDEWALK (TYPE 1-C)



## BRICK DRIVEWAY APRON DETAIL

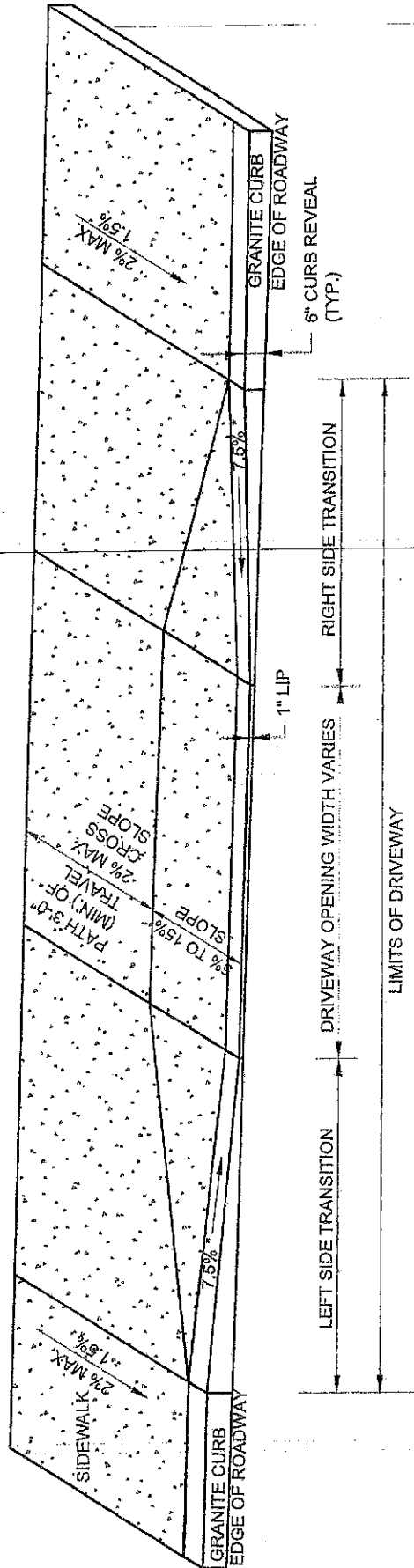
CITY OF NEWBURYPORT STANDARD SPECIFICATIONS AND DETAILS

NOT TO SCALE

ISSUE DATE 4/28/15

DRAWING: NBPT 1200C

SPEC. SECTION REF#:



# **CEMENT CONCRETE DRIVEWAY APRON DETAIL**

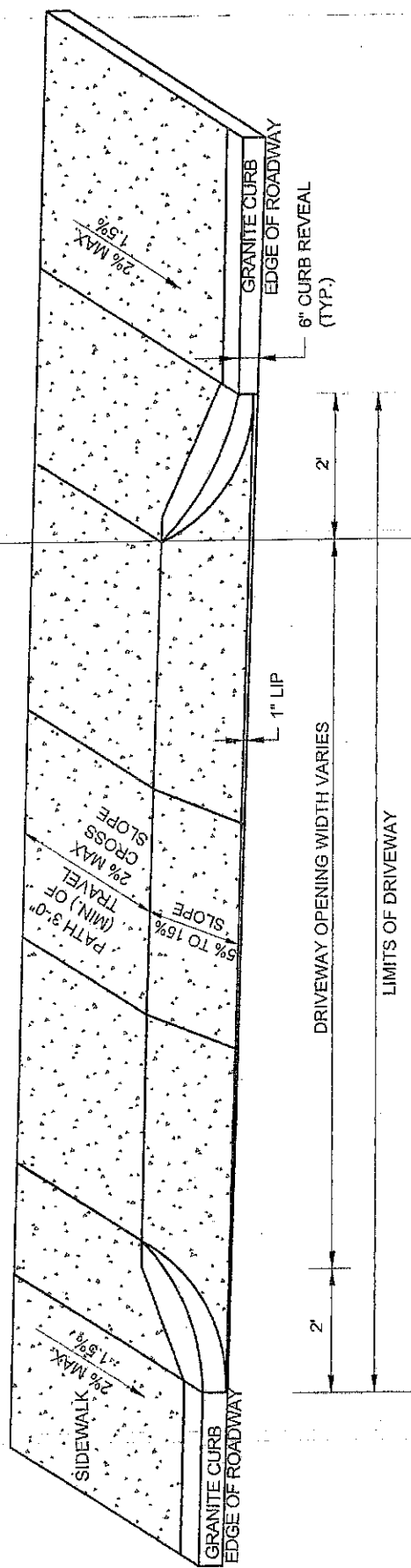
CITY OF NEWBURYPORT STANDARD SPECIFICATIONS AND DETAILS

NOT TO SCALE

ISSUE DATE 4/28/15

SPEC. SECTION REF#:

DRAWING: NBPT 1400



# CEMENT CONCRETE DRIVEWAY APRON DETAIL (TYPE 2)

CITY OF NEWBURYPORT STANDARD SPECIFICATIONS AND DETAILS

NOT TO SCALE

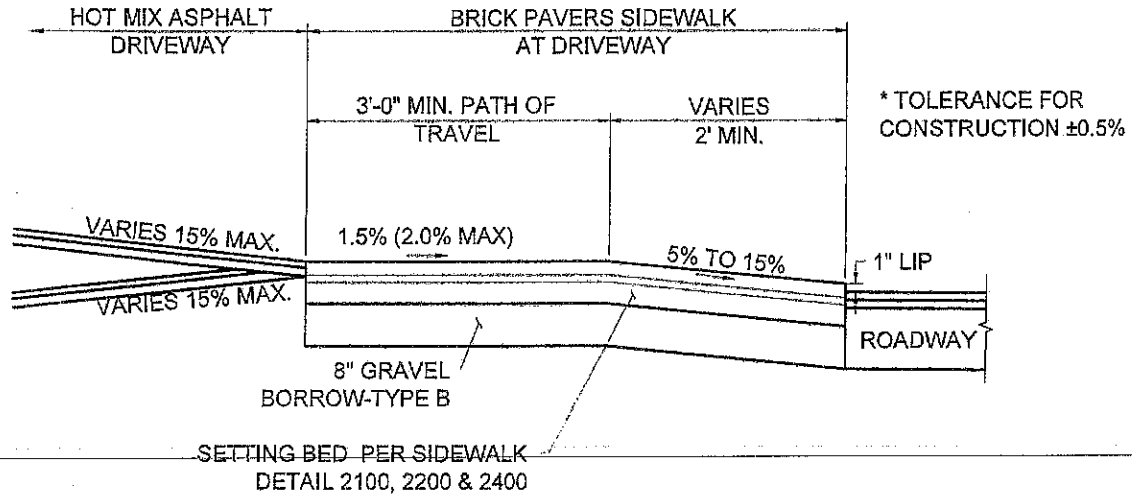
ISSUE DATE 4/28/15

SPEC. SECTION REF#:

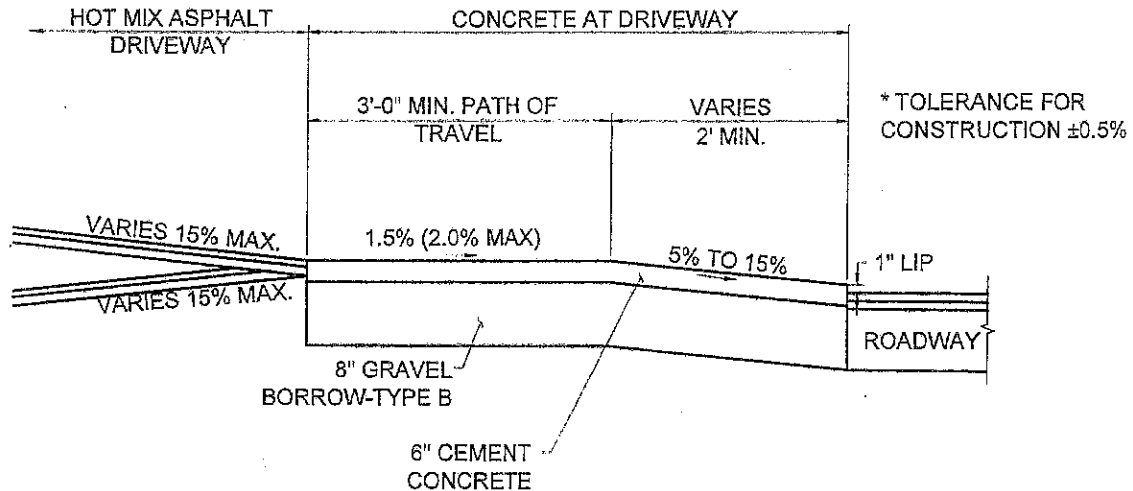
DRAWING: NBPT 1500



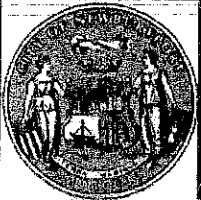
NOTE: BRICK TYPE TO BE DETERMINED BY DPS  
 TYPE WILL BE ONE OF THE FOLLOWING:  
 S&H, OLD CITY HALL, WIRE CUT



### BRICK DRIVEWAY SECTION



### CONCRETE DRIVEWAY SECTION



## DRIVEWAY APRON (CROSS-SECTION)

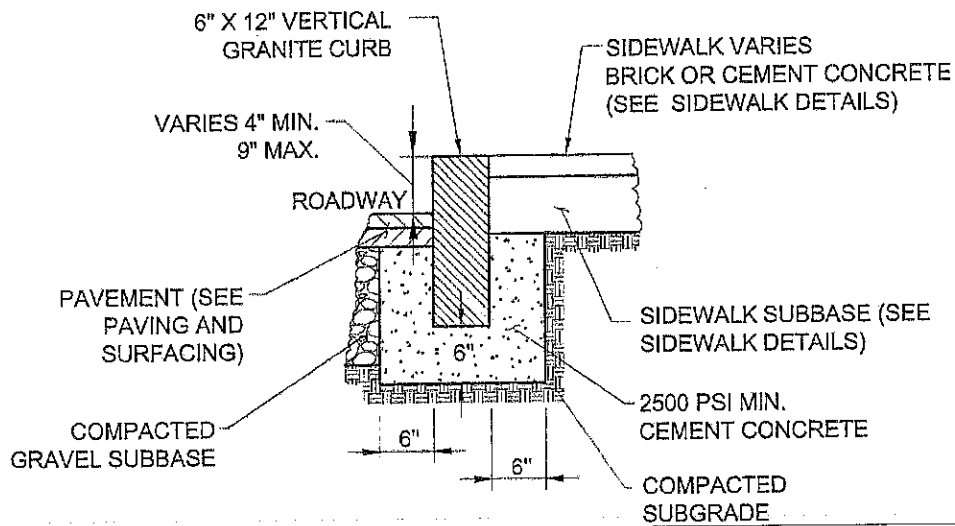
CITY OF NEWBURYPORT STANDARD SPECIFICATIONS AND DETAILS

NOT TO SCALE

ISSUE DATE 4/28/15

SPEC. SECTION REF#:

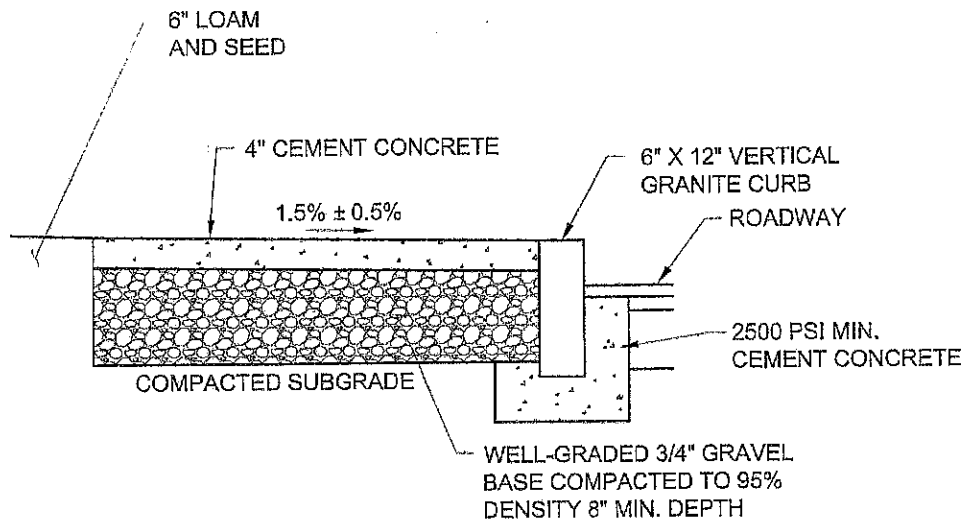
DRAWING: NBPT 1600



NOTE:

CUT NEAT LINE 6" FROM CURB LINE AND REMOVE BASE AND GRAVEL. REPLACE WITH 2500 PSI MINIMUM CEMENT CONCRETE. HOT MIX ASPHALT SHALL NOT BE USED AS A SUBSTITUTE.

## VERTICAL CURB



## CEMENT CONCRETE SIDEWALK



### VERTICAL GRANITE CURB & CEMENT CONCRETE SIDEWALK (CROSS-SECTION)

CITY OF NEWBURYPORT STANDARD SPECIFICATIONS AND DETAILS

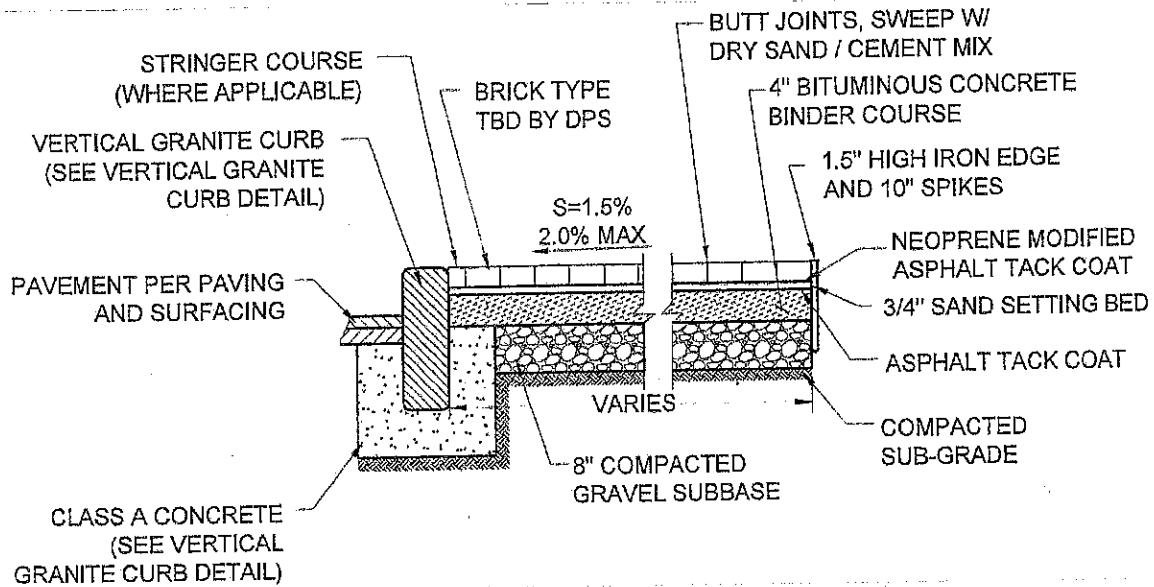
NOT TO SCALE

ISSUE DATE 4/28/15

SPEC. SECTION REF#:

DRAWING: NBPT 2000

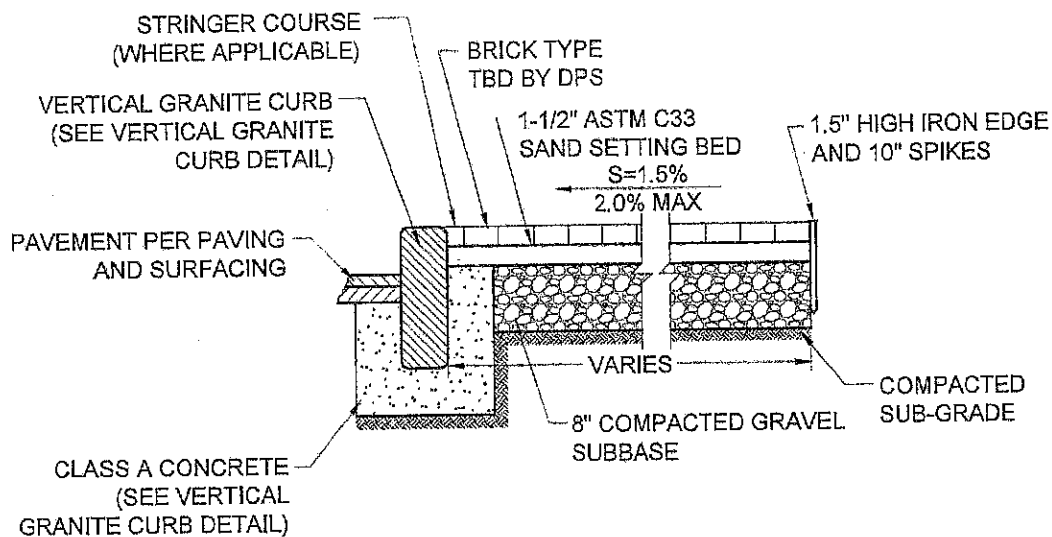
NOTE: BRICK TYPE TO BE DETERMINED BY DPS:  
(S&H TYPE; OLD CITY HALL TYPE; WIRE CUT TYPE)



**NOTES:**

1. SIDEWALKS SHALL MATCH WIDTH AND SLOPE OF EXISTING SIDEWALKS UNLESS REVISION IS NECESSARY TO COMPLY WITH ADA/AAB REGULATIONS OR OTHERWISE NOTED.
2. BITUMINOUS CONCRETE BINDER COURSE SHALL BE 6" DEPTH (IN TWO 3" COURSES) AT DRIVEWAYS. REFER TO PROJECT DRAWINGS OR ENGINEER'S INSTRUCTIONS FOR LOCATIONS

## ASPHALT BASE BRICK SIDEWALK



## SAND BASE BRICK SIDEWALK



## BRICK SIDEWALK CROSS SECTION

CITY OF NEWBURYPORT STANDARD SPECIFICATIONS AND DETAILS

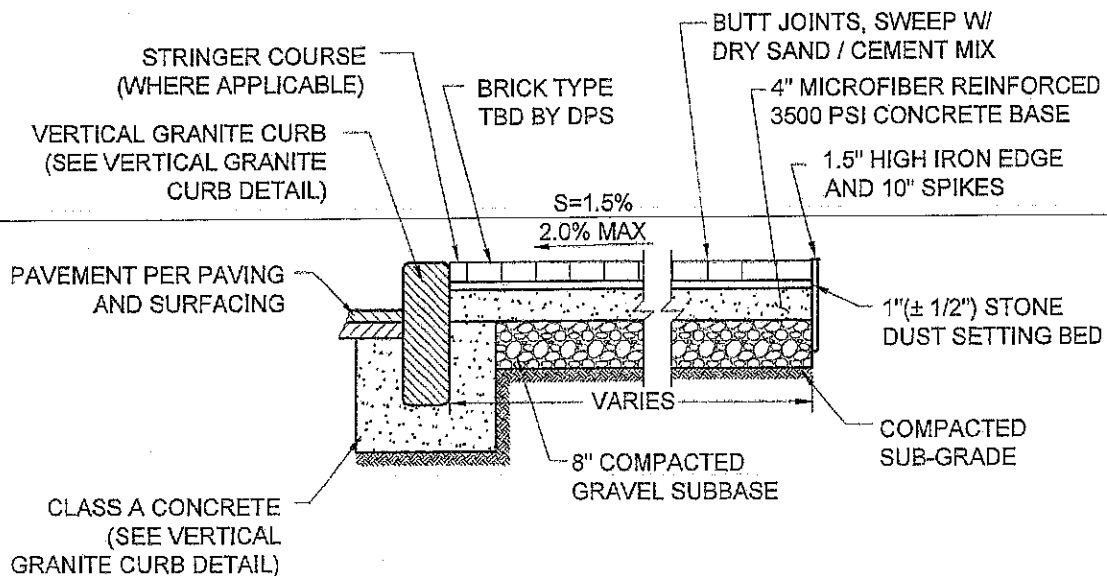
NOT TO SCALE

ISSUE DATE 4/28/15

SPEC. SECTION REF#:

DRAWING: NBPT 2100

NOTE: BRICK TYPE TO BE DETERMINED BY DPS:  
(S&H TYPE; OLD CITY HALL TYPE; WIRE CUT TYPE)



NOTES:

1. SIDEWALKS SHALL MATCH WIDTH AND SLOPE OF EXISTING SIDEWALKS UNLESS REVISION IS NECESSARY TO COMPLY WITH ADA/AAB REGULATIONS OR OTHERWISE NOTED.



### BRICK SIDEWALK CROSS SECTION FOR CEMENT BASE

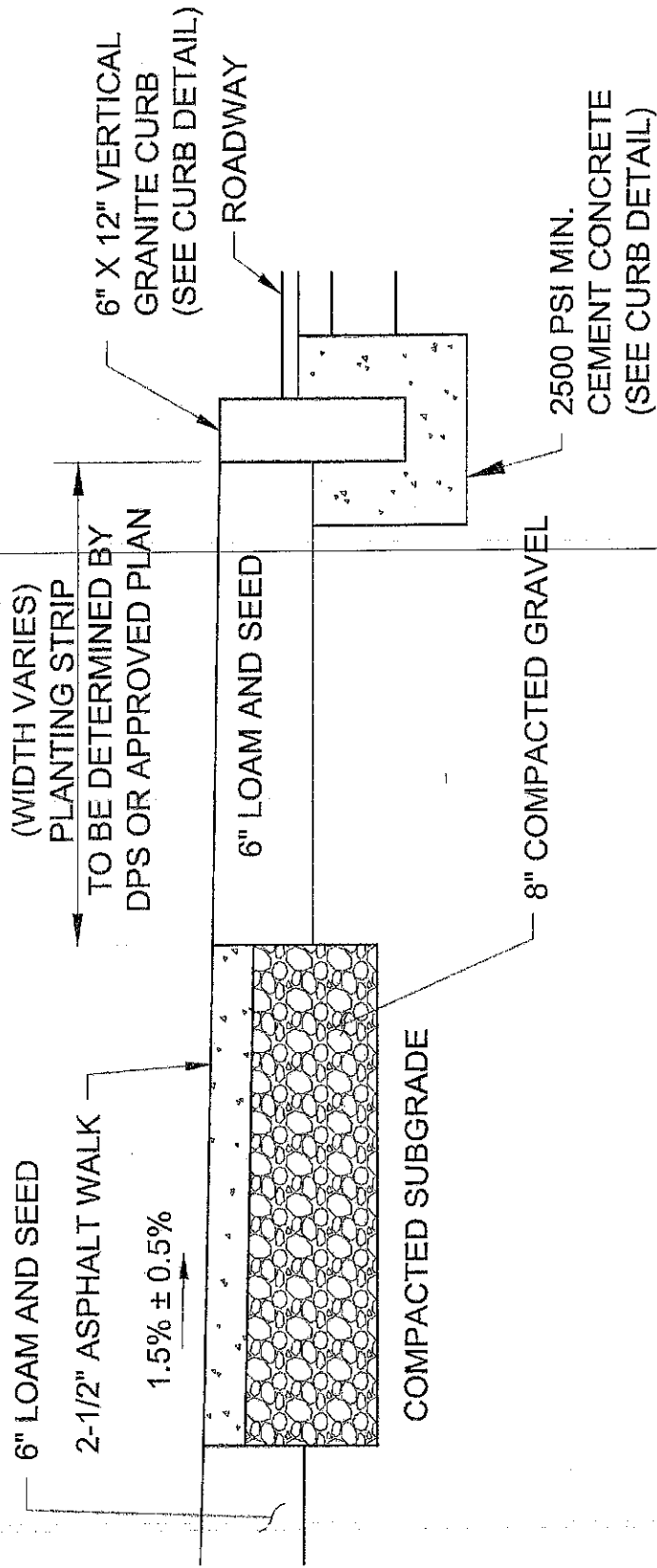
CITY OF NEWBURYPORT STANDARD SPECIFICATIONS AND DETAILS

NOT TO SCALE

ISSUE DATE 4/28/15

SPEC. SECTION REF#:

DRAWING: NBPT 2200



# ASPHALT SIDEWALK (CROSS-SECTION)

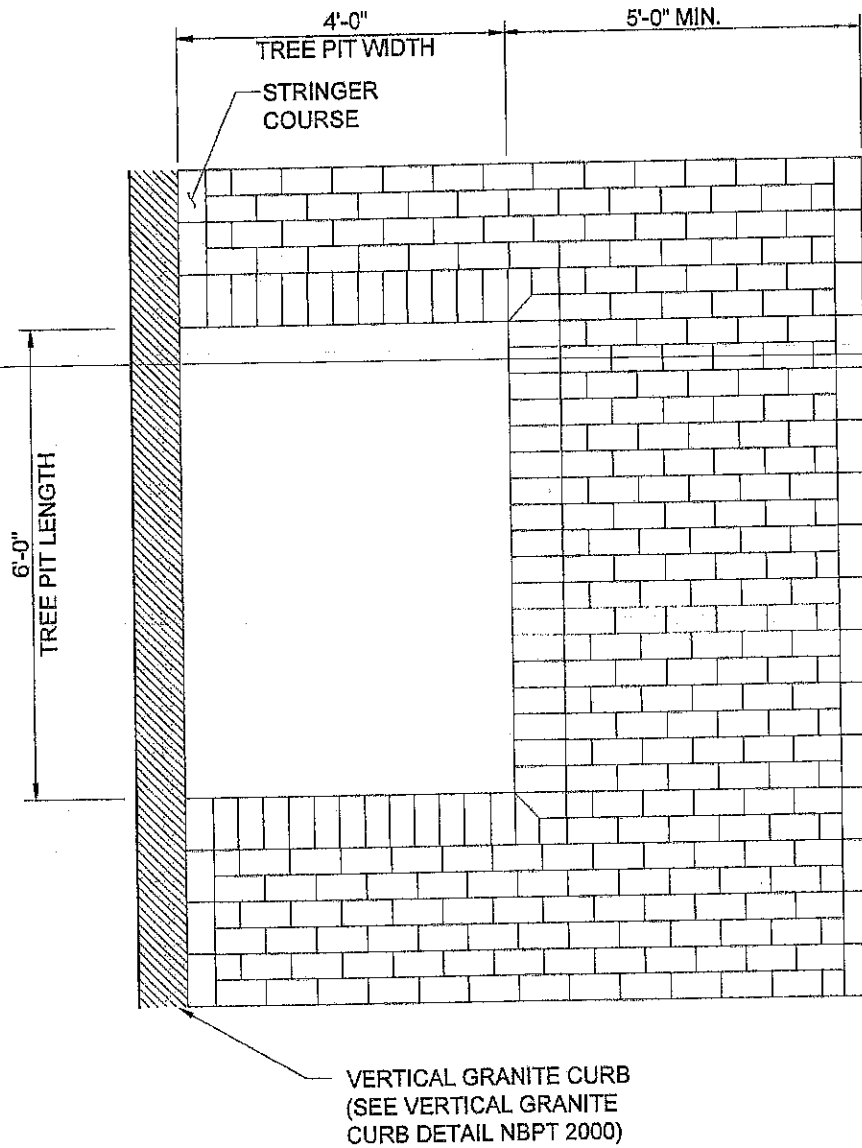
CITY OF NEWBURYPORT STANDARD SPECIFICATIONS AND DETAILS

NOT TO SCALE

ISSUE DATE 4/28/15

SPEC. SECTION REF#:

DRAWING: NBPT 2400



## 9' WIDTH AND GREATER BRICK SIDEWALK LAYOUT WITH TREE PIT

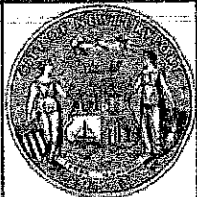
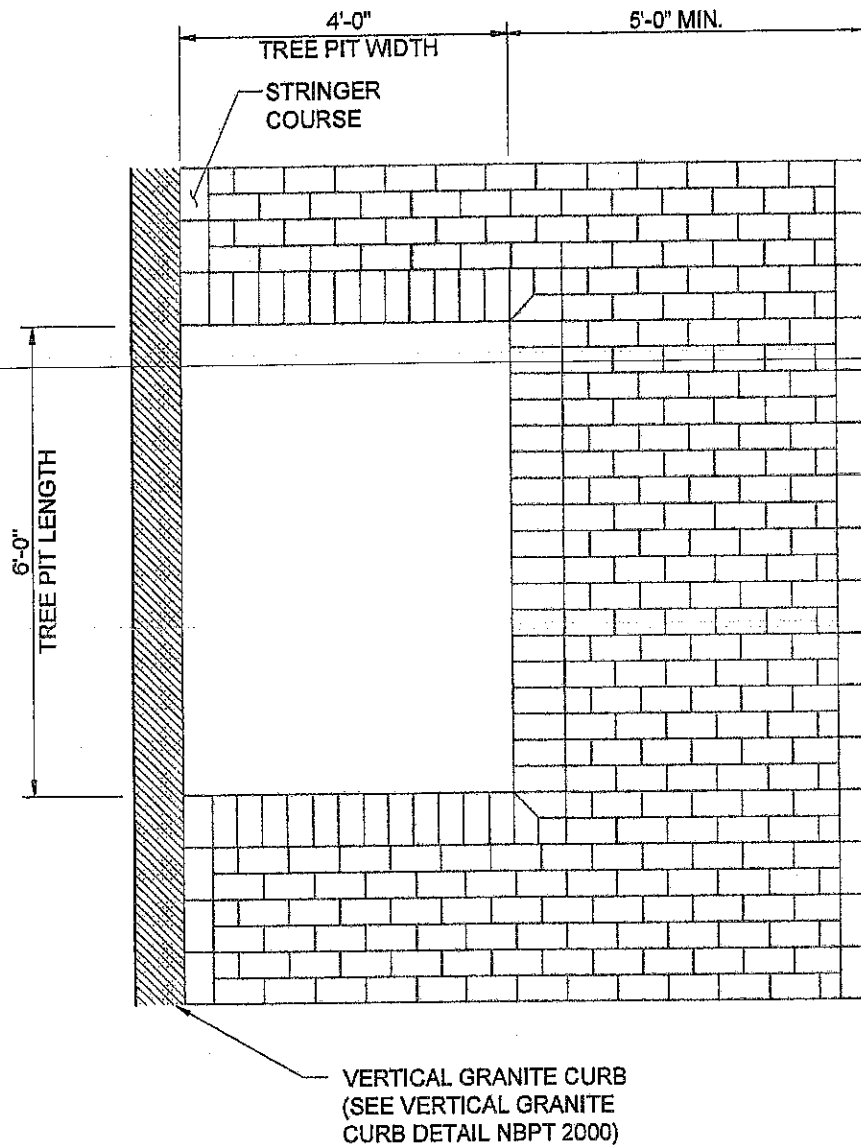
CITY OF NEWBURYPORT STANDARD SPECIFICATIONS AND DETAILS

NOT TO SCALE

ISSUE DATE 4/28/15

SPEC. SECTION REF#:

DRAWING: NBPT 3000



## 9' WIDTH AND GREATER BRICK SIDEWALK LAYOUT WITH TREE PIT

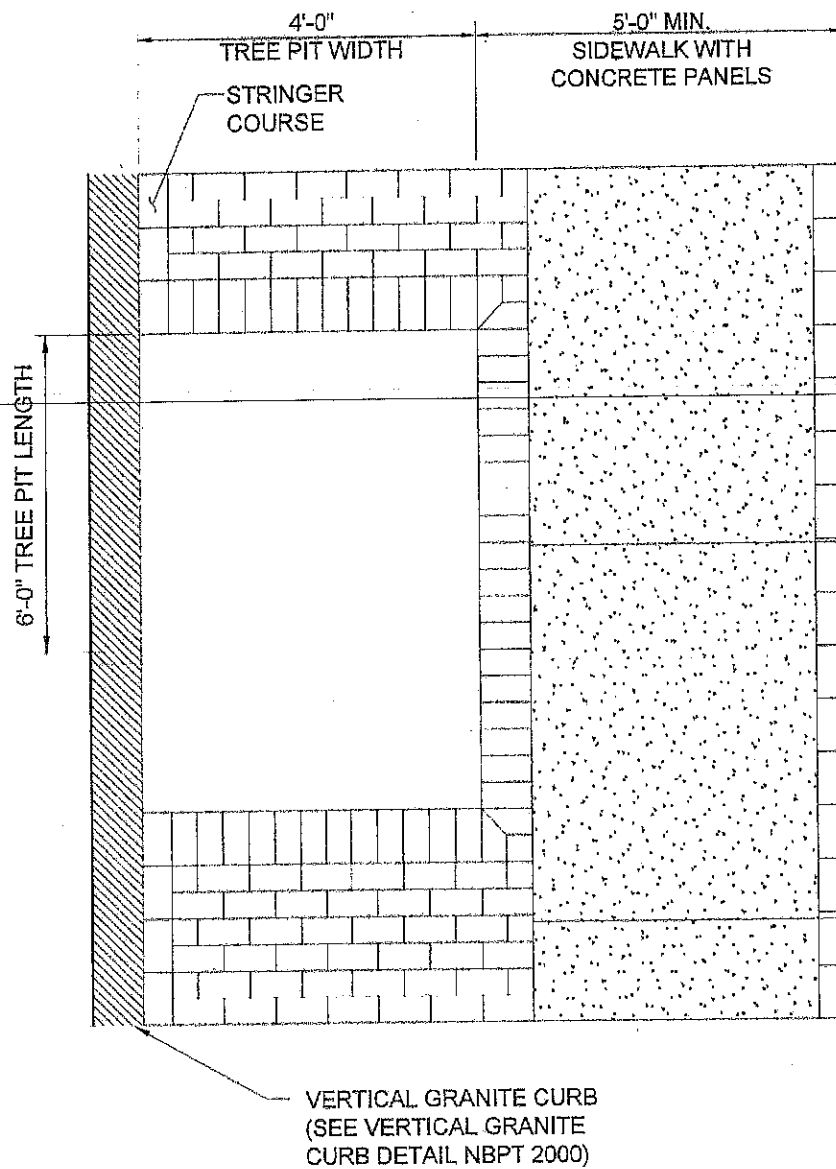
CITY OF NEWBURYPORT STANDARD SPECIFICATIONS AND DETAILS

NOT TO SCALE

ISSUE DATE 4/28/15

SPEC. SECTION REF#:

DRAWING: NBPT 3000C



## 9' WIDTH AND GREATER SIDEWALK LAYOUT W/TREE PIT (SPECIAL)

CITY OF NEWBURYPORT STANDARD SPECIFICATIONS AND DETAILS

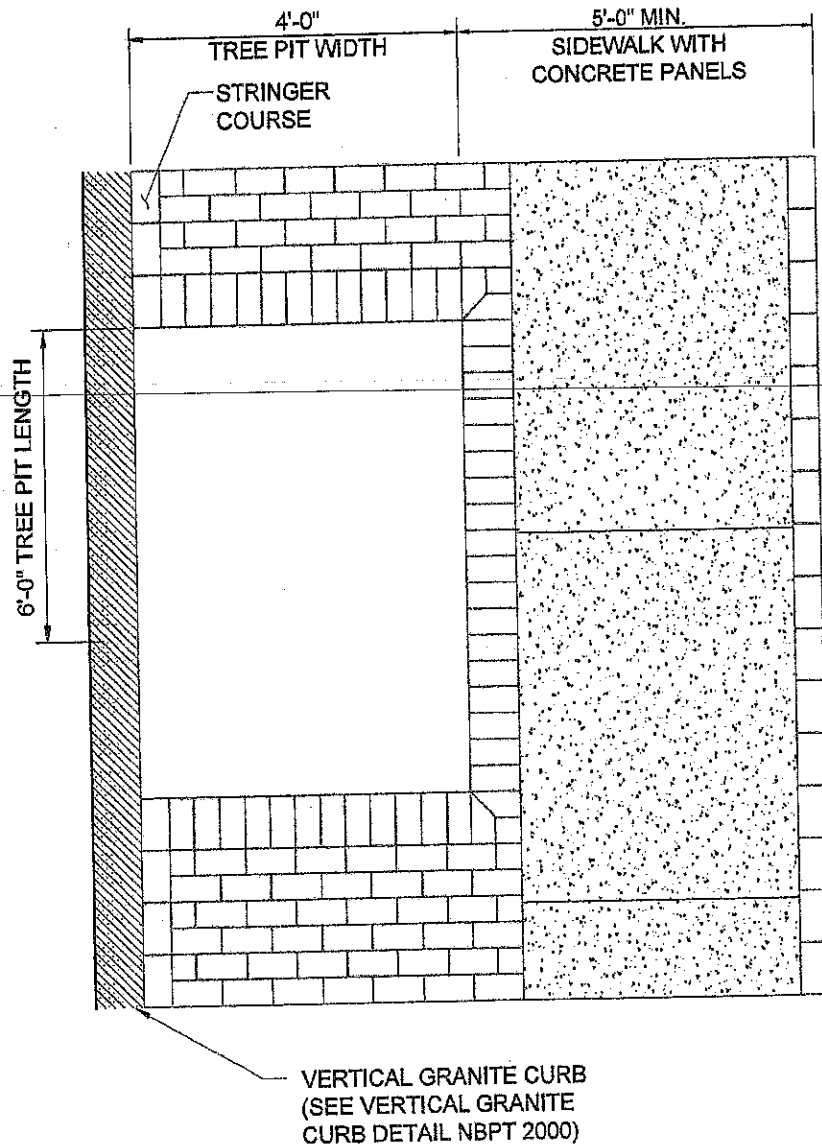
NOT TO SCALE

ISSUE DATE 4/28/15

SPEC. SECTION REF#:

DRAWING: NBPT 3100





## 9' WIDTH AND GREATER SIDEWALK LAYOUT W/TREE PIT (SPECIAL)

CITY OF NEWBURYPORT STANDARD SPECIFICATIONS AND DETAILS

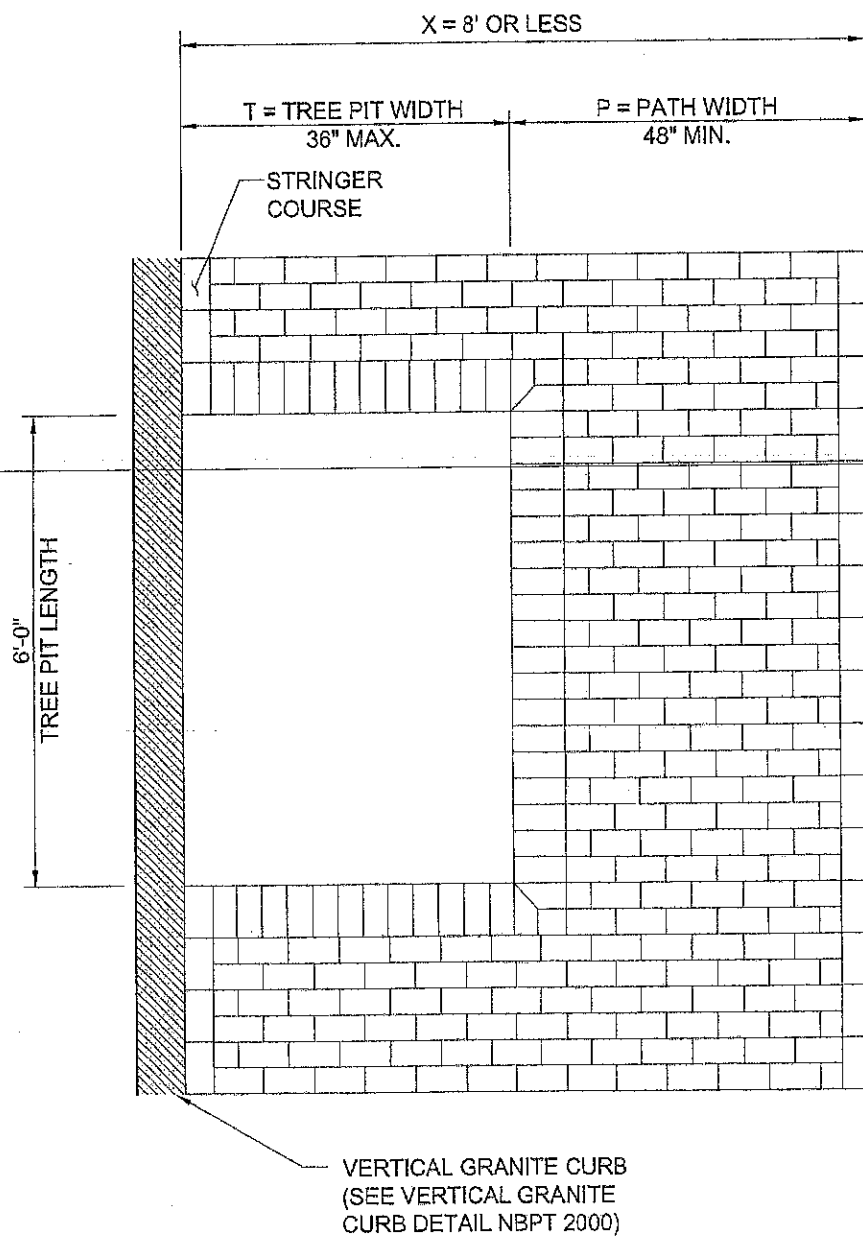
NOT TO SCALE

ISSUE DATE 4/28/15

SPEC. SECTION REF#:

DRAWING: NBPT 3100C

THIS SAME DETAIL MAY BE  
 USED FOR BRICK, CONCRETE  
 OR ASPHALT TYPE SIDEWALKS



TREE PIT WIDTH "T" (36" MAX.) IS  
 DETERMINED BY SUBTRACTING PATH  
 WIDTH "P" (48" MIN.) FROM TOTAL  
 SIDEWALK WIDTH "X"



## 8' WIDTH AND LESS SIDEWALK LAYOUT W/TREE PIT

CITY OF NEWBURYPORT STANDARD SPECIFICATIONS AND DETAILS

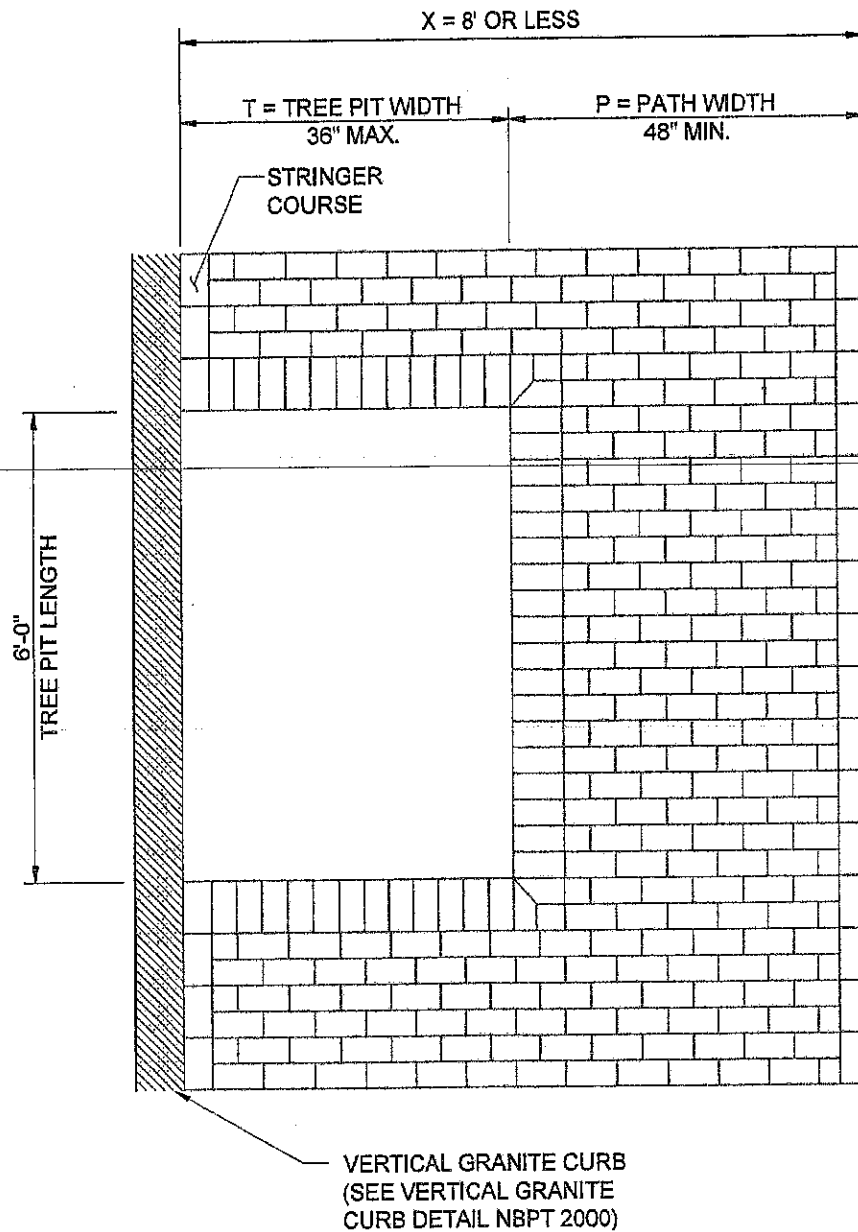
NOT TO SCALE

ISSUE DATE 4/28/15

SPEC. SECTION REF#:

DRAWING: NBPT 3400

THIS SAME DETAIL MAY BE  
USED FOR BRICK, CONCRETE  
OR ASPHALT TYPE SIDEWALKS



TREE PIT WIDTH "T" (36" MAX.) IS  
DETERMINED BY SUBTRACTING PATH  
WIDTH "P" (48" MIN.) FROM TOTAL  
SIDEWALK WIDTH "X"



## 8' WIDTH AND LESS SIDEWALK LAYOUT W/TREE PIT

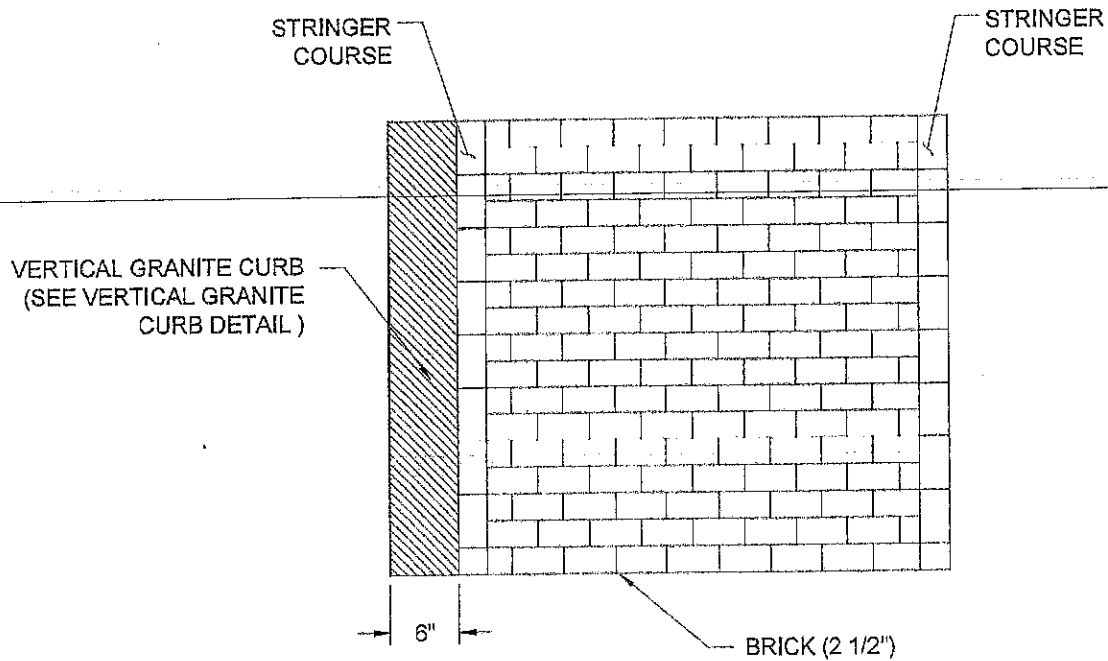
CITY OF NEWBURYPORT STANDARD SPECIFICATIONS AND DETAILS

NOT TO SCALE

ISSUE DATE 4/28/15

SPEC. SECTION REF#:

DRAWING: NBPT 3400C



**NOTES:**

1. BRICK TYPE TO BE DETERMINED BY DPS: (S&H TYPE; OLD CITY HALL TYPE; WIRE CUT TYPE)
2. STRINGER COURSES/OUTLINES MAY BE REQUIRED AROUND WHEELCHAIR RAMPS OR OTHER TYPES OF MATERIAL CHANGES.



**BRICK SIDEWALK LAYOUT**

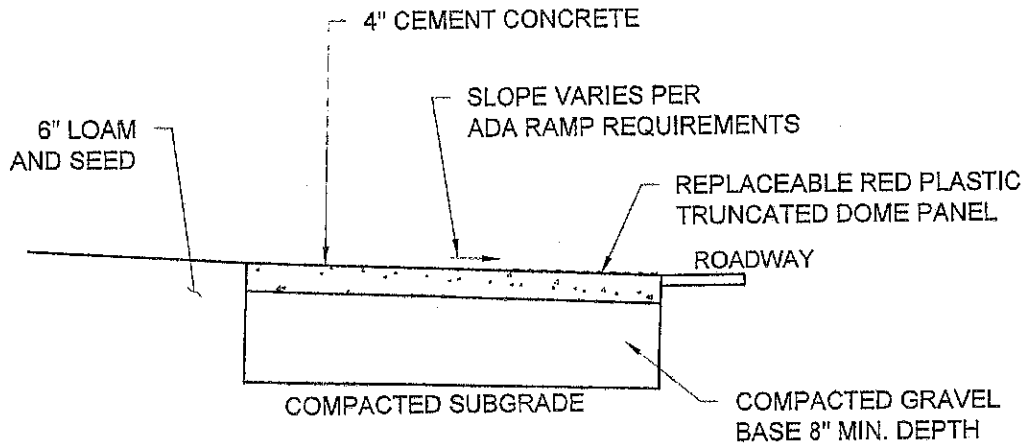
CITY OF NEWBURYPORT STANDARD SPECIFICATIONS AND DETAILS

NOT TO SCALE

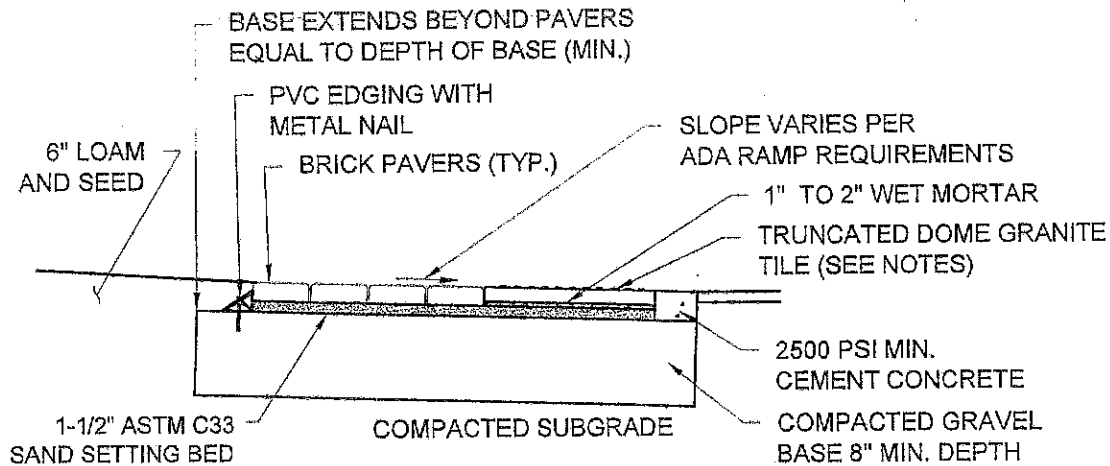
ISSUE DATE 4/28/15

SPEC. SECTION REF#:

DRAWING: NBPT 3800



## CEMENT CONCRETE WHEELCHAIR RAMP



## BRICK PAVER WHEELCHAIR RAMP



### WHEELCHAIR RAMPS AND DETECTABLE WARNING PANEL (CROSS-SECTION)

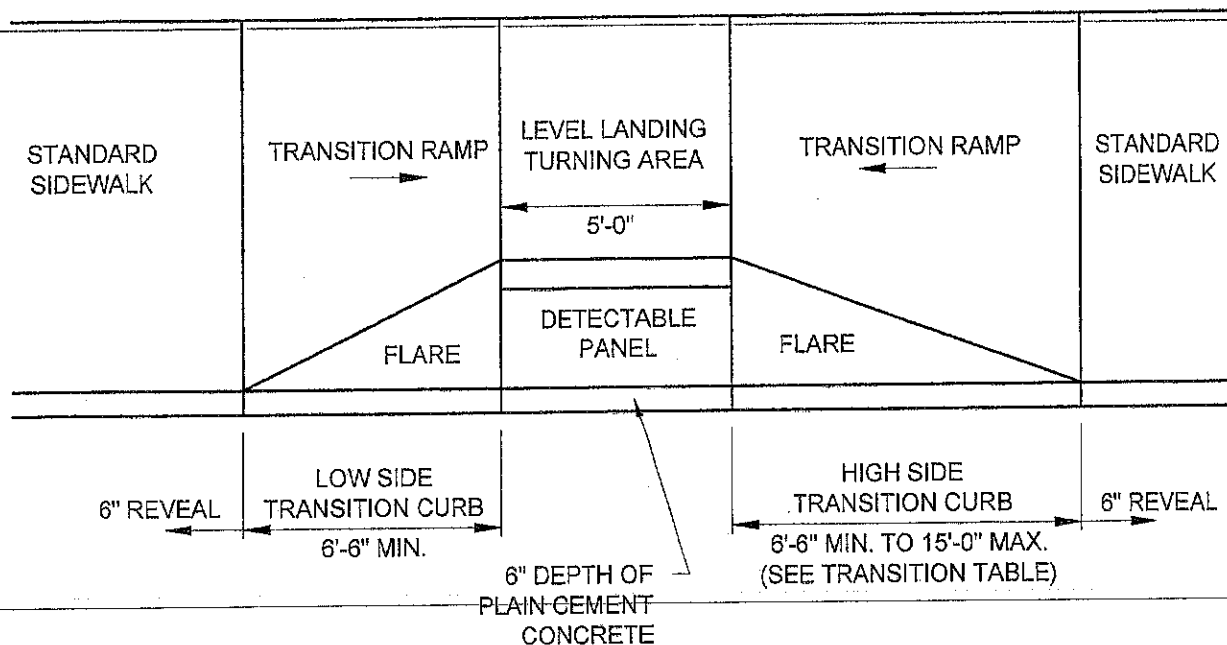
CITY OF NEWBURYPORT STANDARD SPECIFICATIONS AND DETAILS

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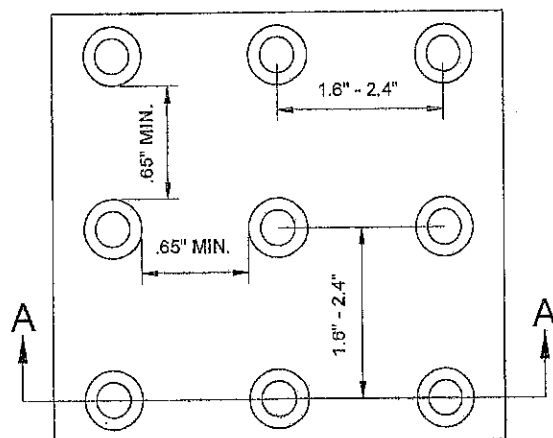
ISSUE DATE 4/28/15

SPEC. SECTION REF#:

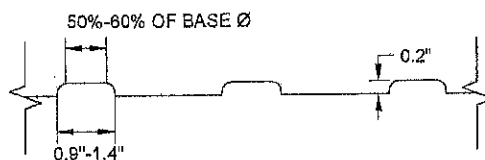
DRAWING: NBPT 4000



## TYPICAL WHEELCHAIR RAMP INSTALLATION



## DETAIL OF DETECTABLE WARNING PANEL



### SECTION A-A

NOTE: DETECTABLE WARNING PANEL COLOR SHALL BE FEDERAL YELLOW ON CONCRETE OR BRICK; BRICK RED ON CONCRETE ONLY



## **WHEELCHAIR RAMPS AND DETECTABLE WARNING PANEL CROSS SECTIONS**

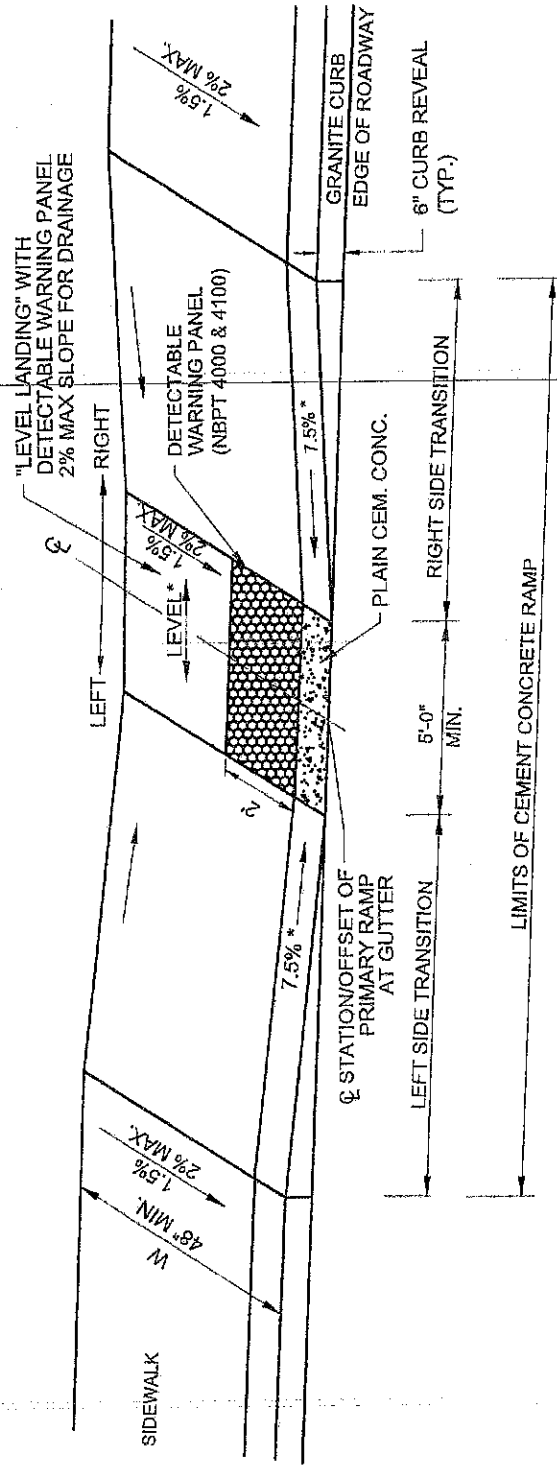
CITY OF NEWBURYPORT STANDARD SPECIFICATIONS AND DETAILS

NOT TO SCALE

ISSUE DATE 4/28/15

SPEC. SECTION REF#:

DRAWING: NBPT 4100



\* CONSTRUCTION TOLERANCE ±0.5%



# WHEELCHAIR RAMP ON NARROW SIDEWALK (WIDTH LESS THAN 6'-6")

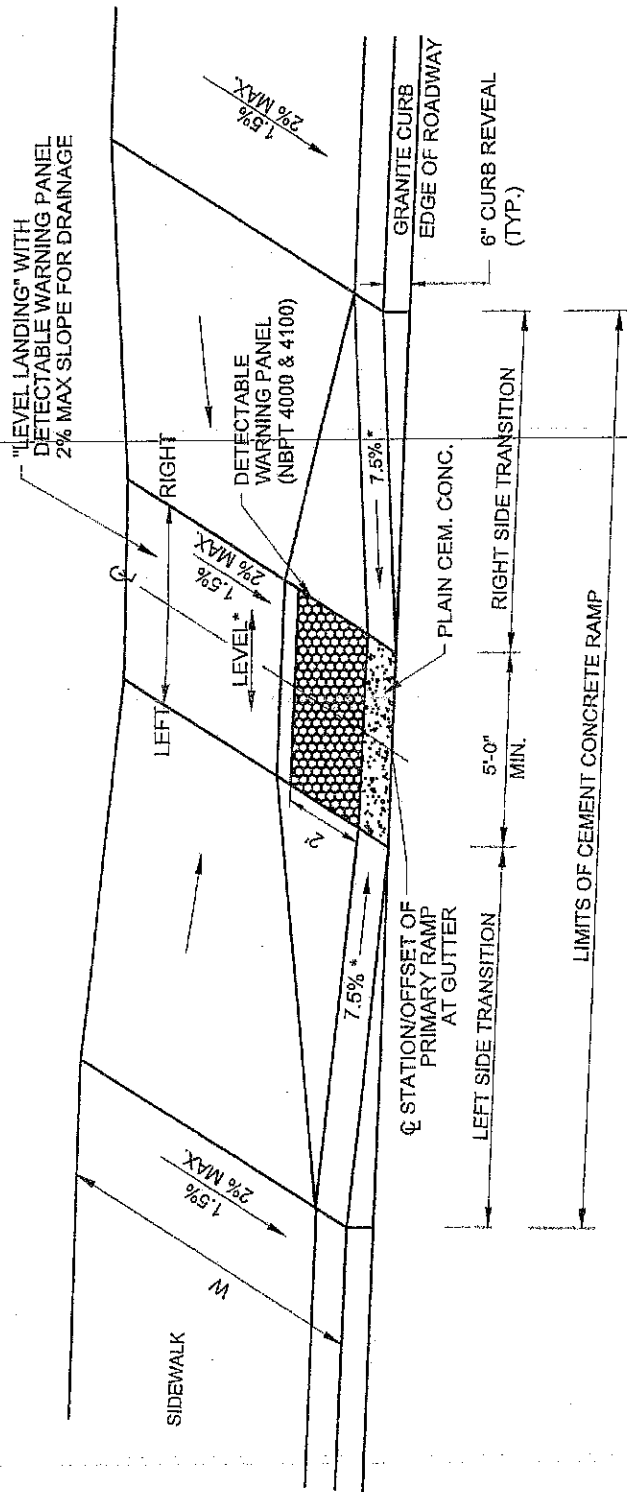
CITY OF NEWBURYPORT STANDARD SPECIFICATIONS AND DETAILS

NOT TO SCALE

ISSUE DATE 4/28/15

SPEC. SECTION REF#:

DRAWING: NBPT 4200



\* CONSTRUCTION TOLERANCE  $\pm 0.5\%$



## WHEELCHAIR RAMP FOR MID-BLOCK LOCATION

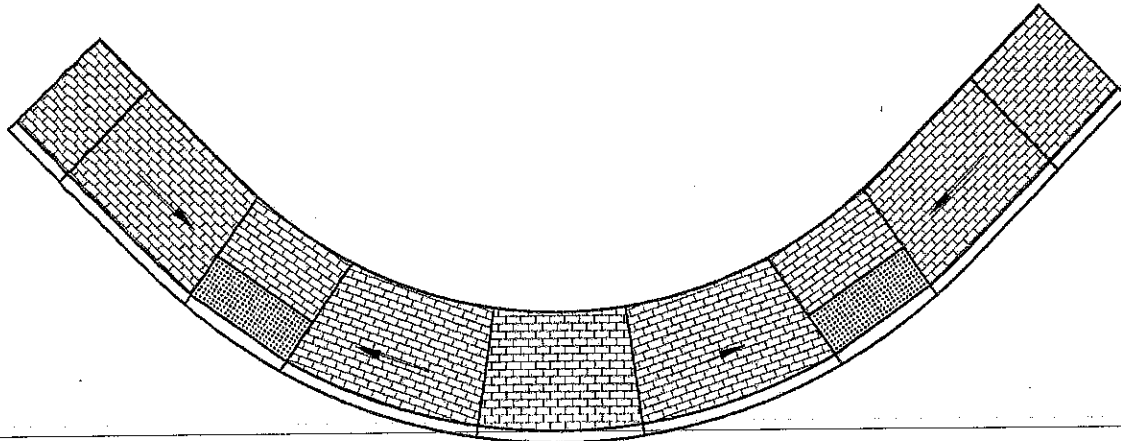
CITY OF NEWBURYPORT STANDARD SPECIFICATIONS AND DETAILS

NOT TO SCALE

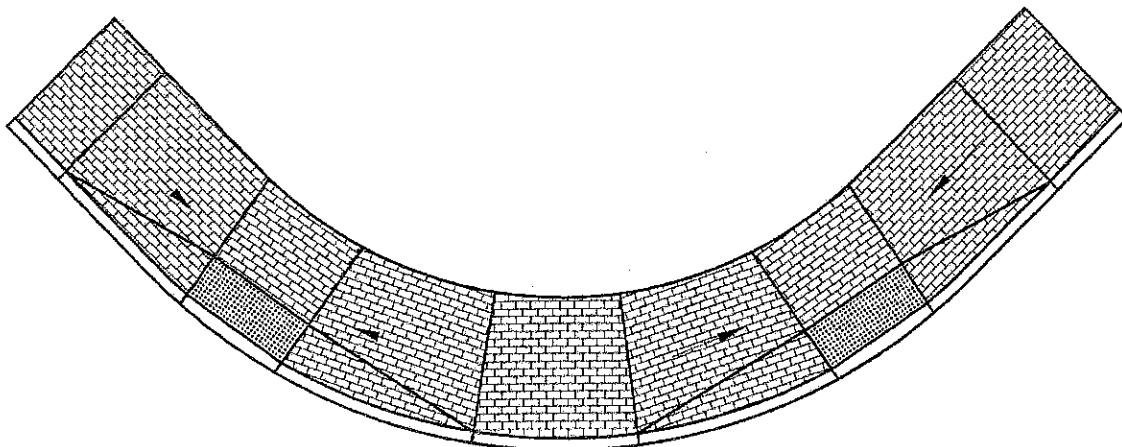
ISSUE DATE 4/28/15

SPEC. SECTION REF#: DRAWING: NBPT 4300





SIDEWALK WIDTH LESS THAN 6'-6"



SIDEWALK WIDTH 6'-6" AND WIDER



## WHEELCHAIR RAMPS AT INTERSECTION - BRICK

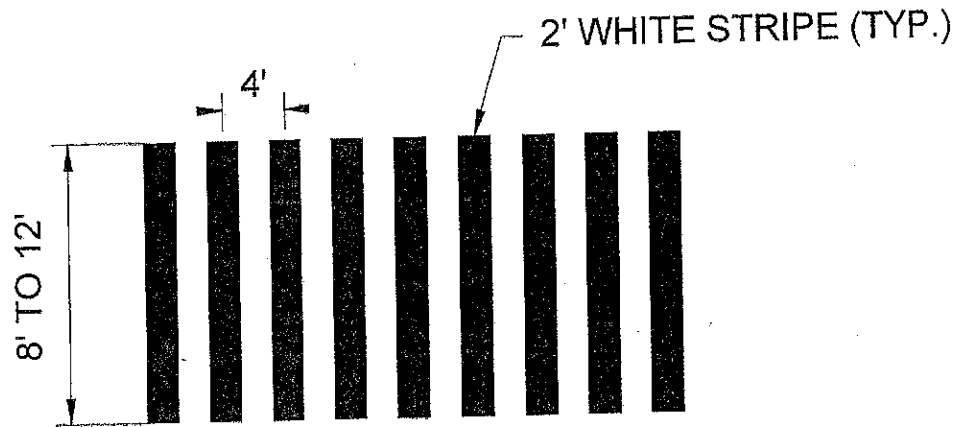
CITY OF NEWBURYPORT STANDARD SPECIFICATIONS AND DETAILS

NOT TO SCALE

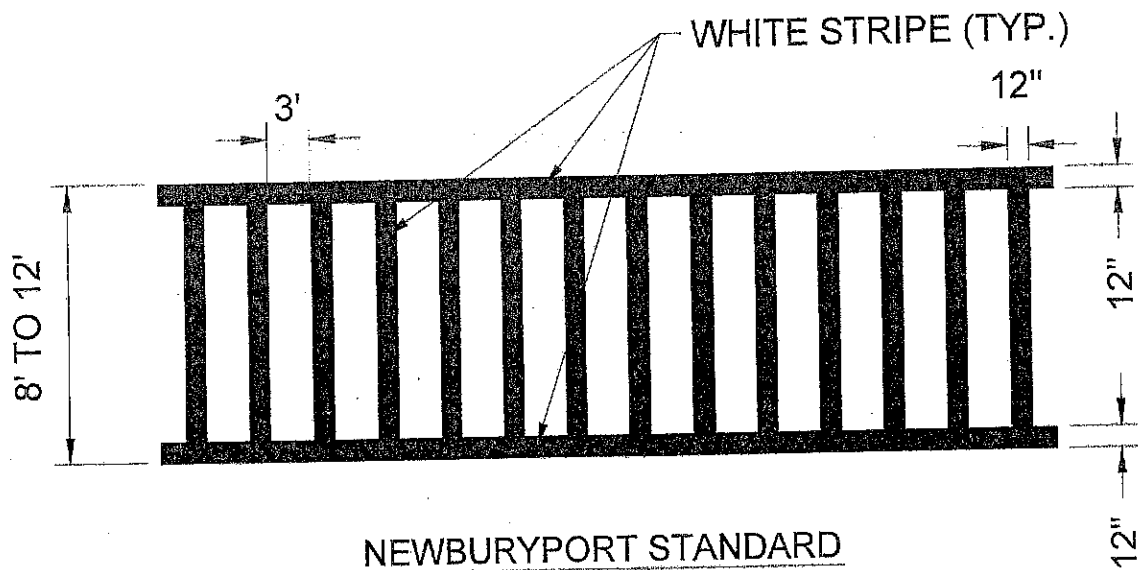
ISSUE DATE 4/28/15

SPEC. SECTION REF#:

DRAWING: NBPT 4400



NEWBURYPORT CROSSWALK  
(INTERNATIONAL TYPE)



NEWBURYPORT STANDARD  
(LADDER TYPE)

NOTE: STOP LINES SHALL BE 12" WIDE WHITE AND LOCATED A MINIMUM OF 4' IN ADVANCE OF CROSSWALK OR AT STOP SIGN LOCATION.



## STANDARD CROSSWALK

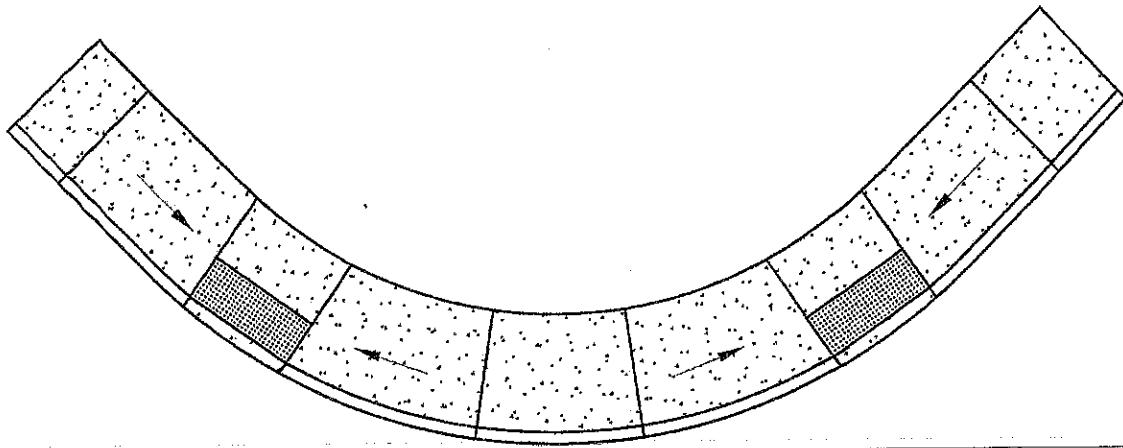
CITY OF NEWBURYPORT STANDARD SPECIFICATIONS AND DETAILS

NOT TO SCALE

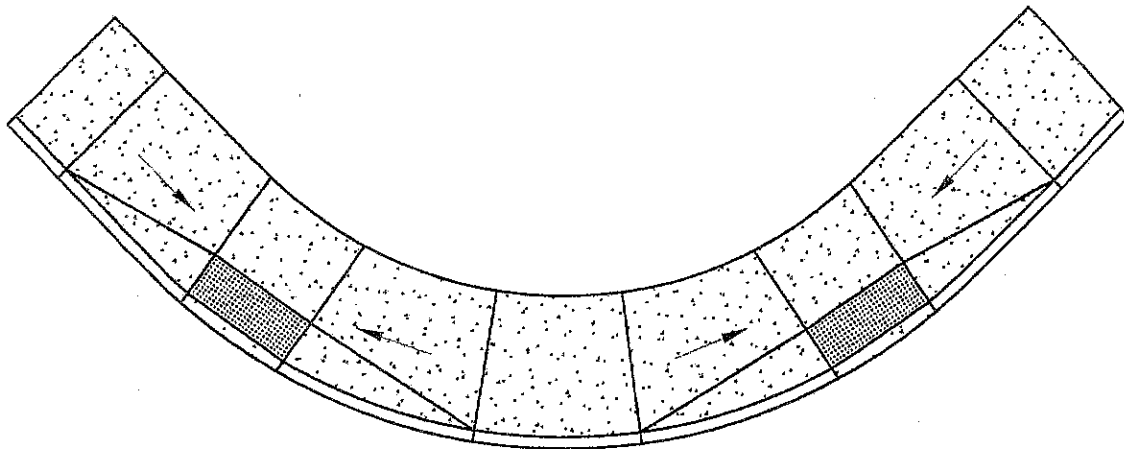
ISSUE DATE 4/28/15

SPEC. SECTION REF#:

DRAWING: NBPT 6000



SIDEWALK WIDTH LESS THAN 6'-6"



SIDEWALK WIDTH 6'-6" AND WIDER



## **WHEELCHAIR RAMPS AT INTERSECTION - CONCRETE**

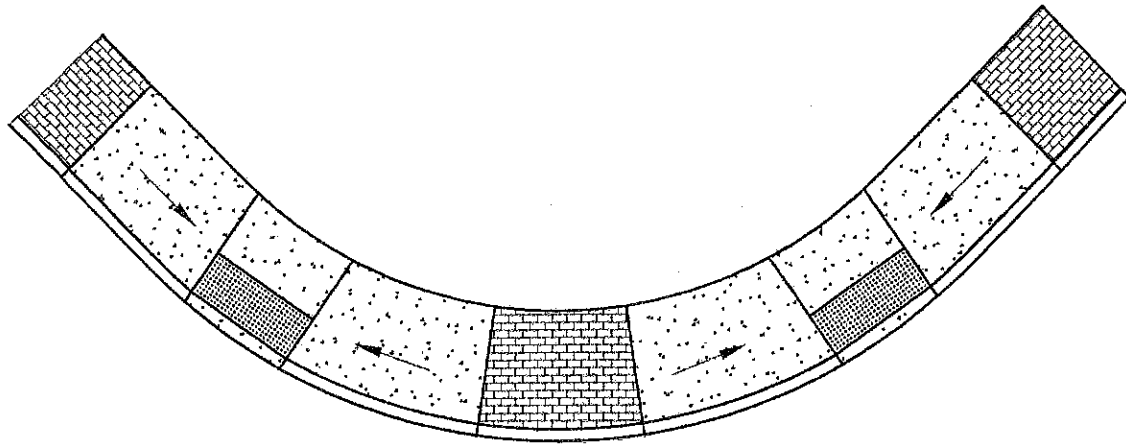
CITY OF NEWBURYPORT STANDARD SPECIFICATIONS AND DETAILS

NOT TO SCALE

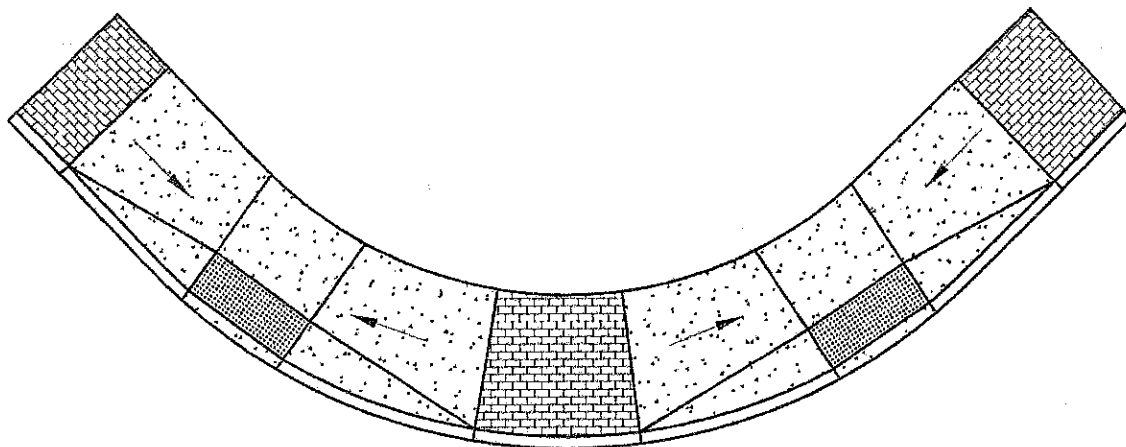
ISSUE DATE 4/28/15

SPEC. SECTION REF#:

DRAWING: NBPT 4500



SIDEWALK WIDTH LESS THAN 6'-6"



SIDEWALK WIDTH 6'-6" AND WIDER



# **WHEELCHAIR RAMPS AT INTERSECTION - BRICK/CONCRETE**

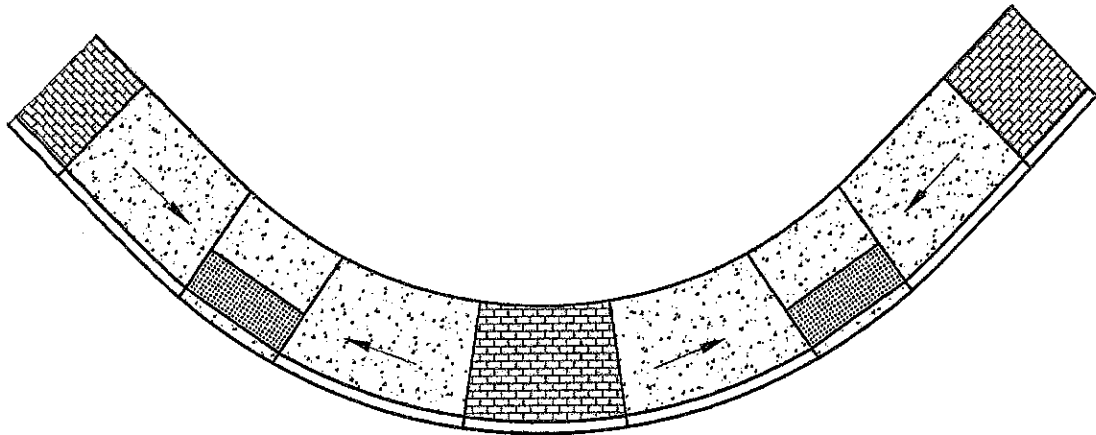
CITY OF NEWBURYPORT STANDARD SPECIFICATIONS AND DETAILS

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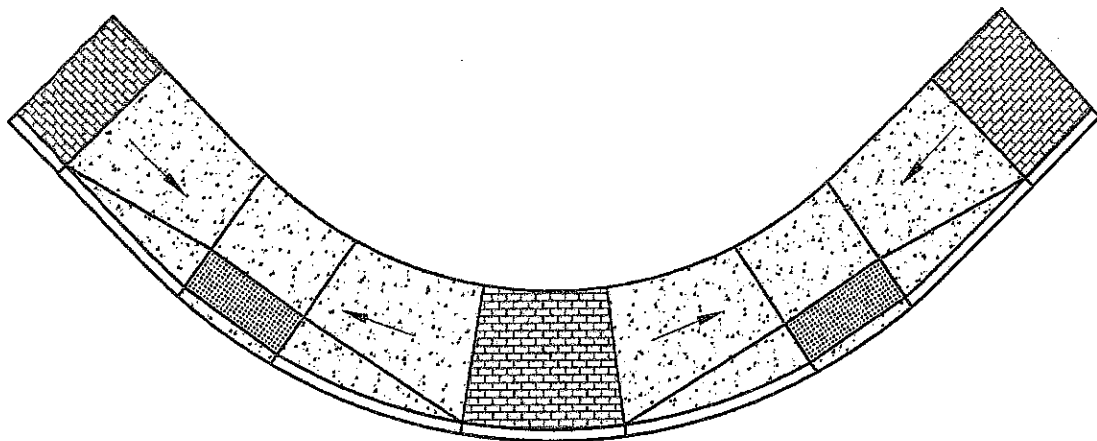
ISSUE DATE 4/28/15

SPEC. SECTION REF#:

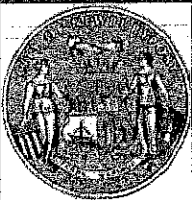
DRAWING: NBPT 4600



SIDEWALK WIDTH LESS THAN 6'-6"



SIDEWALK WIDTH 6'-6" AND WIDER



# **WHEELCHAIR RAMPS AT INTERSECTION - BRICK/CONCRETE**

CITY OF NEWBURYPORT STANDARD SPECIFICATIONS AND DETAILS

NOT TO SCALE

ISSUE DATE 4/28/15

SPEC. SECTION REF#:

DRAWING: NBPT 4600C

ROADWAY PROFILE GRADE	* HIGH SIDE TRANSITION LENGTH
%	ENGLISH UNITS
=0%	6'-6"
>0% TO 1%	7'-8"
>1% TO 2%	9'-0"
>2% TO 3%	11'-0"
>3% TO 4%	14'-0"
>4% TO 5%	15'-0" Max.

NOTE:

\* BASED ON DESIGN SLOPE OF  
7.5% AND REVEAL OF 6"



## WHEELCHAIR RAMP TRANSITION LENGTH

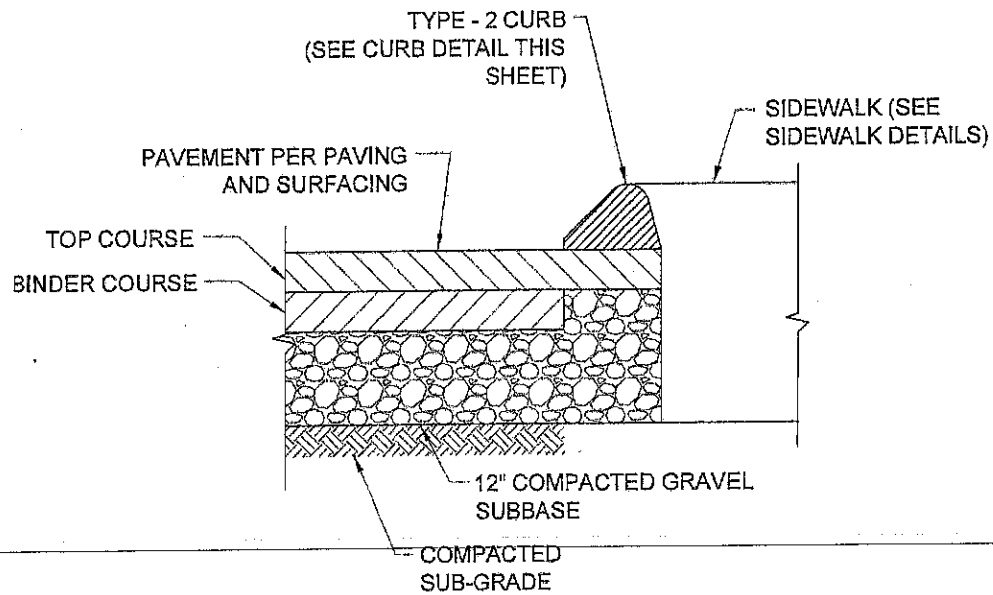
CITY OF NEWBURYPORT STANDARD SPECIFICATIONS AND DETAILS

NOT TO SCALE

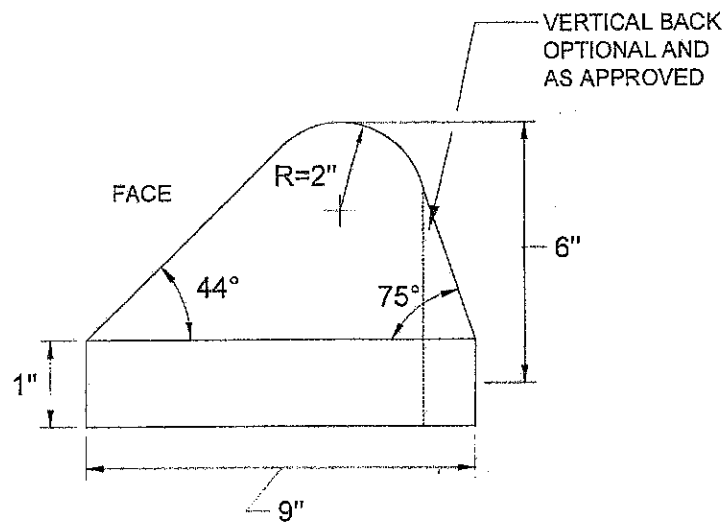
ISSUE DATE 4/28/15

SPEC. SECTION REF#:

DRAWING: NBPT 4900



NOTE: THE BERM MAY ALSO BE INSTALLED PRIOR TO FINAL PAVING AS DIRECTED BY DPS



DETAIL



## ASPHALT CURB

CITY OF NEWBURYPORT STANDARD SPECIFICATIONS AND DETAILS

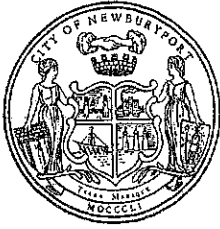
NOT TO SCALE

ISSUE DATE 4/28/15

SPEC. SECTION REF#:

DRAWING: NBPT 5000

## CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

September 28, 2015

THAT WHEREAS, Belcher Street was accepted as a public way by order of the City Council dated \_\_\_\_\_ but was not constructed to its full length on the ground; and

~~WHEREAS, the public interest and convenience requires that the portion of Belcher Street which is~~  
unconstructed and encroaching between 4 Belcher Street and 3 Belcher Street be discontinued;

NOW, THEREFORE, the City Council of the City of Newburyport, pursuant to General Laws Chapter 82, Sections 21 and 32A hereby specifically abandons and discontinues permanently the portion of the public way known as Belcher Street, as shown on the plan entitled "Discontinuance Exhibit," dated June 1, 2015, prepared by Winter GEC LLC., as shown on the plan as "Area of Discontinuance", and discontinues as part of said public way all land lying within the above described boundaries of said Belcher Street as specified as being discontinued on said Plan, and authorizes the Mayor, upon condition of receipt of the sum of \$28,000 from James T. Leonard and Ann M. Leonard, the owners of the land currently burdened by said unconstructed way, to release all right, title and interest of the City of Newburyport in the discontinued portion of Belcher Street.

Said portion of Belcher Street is hereby declared abandoned and is unused for ordinary travel and the common convenience and necessity no longer requires this portion of the public way to be maintained in a condition reasonably safe and convenient for travel. The City shall no longer be bound to keep such way or portion thereof in repair.

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



---

# **Simcox Appraisal**

Real Estate Appraisal Services

## **Appraisal Report of a 6,050 SqFt Parcel of Land Owned by the City of Newburyport**

Located adjacent to: **4 Belcher Street  
Newburyport, MA 01950**

---

Date of Value: **June 16, 2015**  
Date of Inspection: **June 16, 2015**

Prepared For: **Mr. James Leonard  
58 Merrimac Street, Unit 2-2  
Newburyport, MA 01950**

Prepared By: **Joseph E. Simcox, Appraiser  
MA Certified General #4044**

# Simcox Appraisal

Real Estate Appraisal Services

In my opinion, the market value of the fee simple interest of the subject property on 6,050 SqFt of land as of June 16, 2015 is:

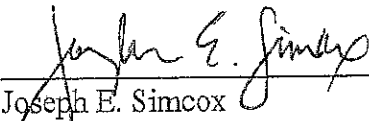
\$28,000

TWENTY EIGHT THOUSAND DOLLARS

Thank you for this opportunity to provide appraisal services. Please contact me if you have any questions concerning this report.

---

Respectfully submitted,

  
Joseph E. Simcox  
Appraiser, CGA# 4044  
Simcox Appraisal

---

110 Haverhill Road, Suite 372  
Amesbury, MA 01913

Joe@SimcoxAppraisal.com

T: (978) 388-7242  
F: (978) 388-7243

## **V. Summary of Important Facts and Conclusions**

**Location:** Adjacent to 4 Belcher Street, Newburyport, MA

**Owner of Record:** City of Newburyport

**Land Area/Improvements:** 6,050 SqFt of unimproved land

**Current Use/Zoning:** Unimproved Land/R1 - residential

**Current Occupancy & Terms:** Vacant

**Property Rights Appraised:** Fee simple estate

**Legal Reference:** Property is not separately deeded at present. It is the portion of Belcher Street that was never constructed.

**Assessor's Reference:** Not separately identified by the Assessor.

**Purpose of Appraisal:** To estimate the value of the fee simple interest as of June 16, 2015.

**Highest and Best Use:** To assemble with adjacent land

**Intended User/Use:** Mr. James Leonard/Establishing potential purchase price

### **Indicators of Value**

**Income Approach:** Not Developed

**Sales Comparison Approach:** \$28,000

**Cost Approach:** Not Developed

**Final Value Estimate:** \$28,000

**Market Value Date:** June 16, 2015

**Exposure Time:** Not applicable

## XX. Final Conclusion & Comments

Reconciliation is the process of coordinating and integrating related facts to form a unified conclusion. An orderly connection of interdependent elements is a prerequisite of property reconciliation. This requires a reexamination of specific data, procedures and techniques within the framework of the approaches used to derive a preliminary estimate. Each approach included in the preceding sections of this report is a recognized appraisal technique. The opinions derived are based upon my analysis and interpretation of the best available market data. In that there was only one approach relied upon in this appraisal, this section restates my value conclusion rather than reconciling the three approaches.

### INDICATORS OF VALUE

**Income Approach:** Not Developed

**Sales Comparison Approach:** \$28,000

**Cost Approach:** Not Developed

**Final Value Estimate:** \$28,000

In the Sales Comparison Approach, the indicated value is predicated on a comparison of recent sales of comparable properties within the local market. The heterogeneous nature of real estate, imperfect market conditions and the subjectivity of adjustments limit the merits of this approach. These limitations are reduced as the quality and quantity of available data increases. The Sales Comparison Approach was fully developed with land sales from within Newburyport.

The Cost Approach was not fully developed but components of it were considered in the conclusions of road costs.

The Income Approach was not developed in this report. Though land is occasionally leased (generate income) in the subject's market area, it is considered an unreliable indicator of value for residential land that has development potential.

My opinion of value of the fee simple interest in the subject property on 6,050 SqFt of land as of the date of inspection (June 16, 2015) is:

\$28,000

TWENTY EIGHT THOUSAND DOLLARS

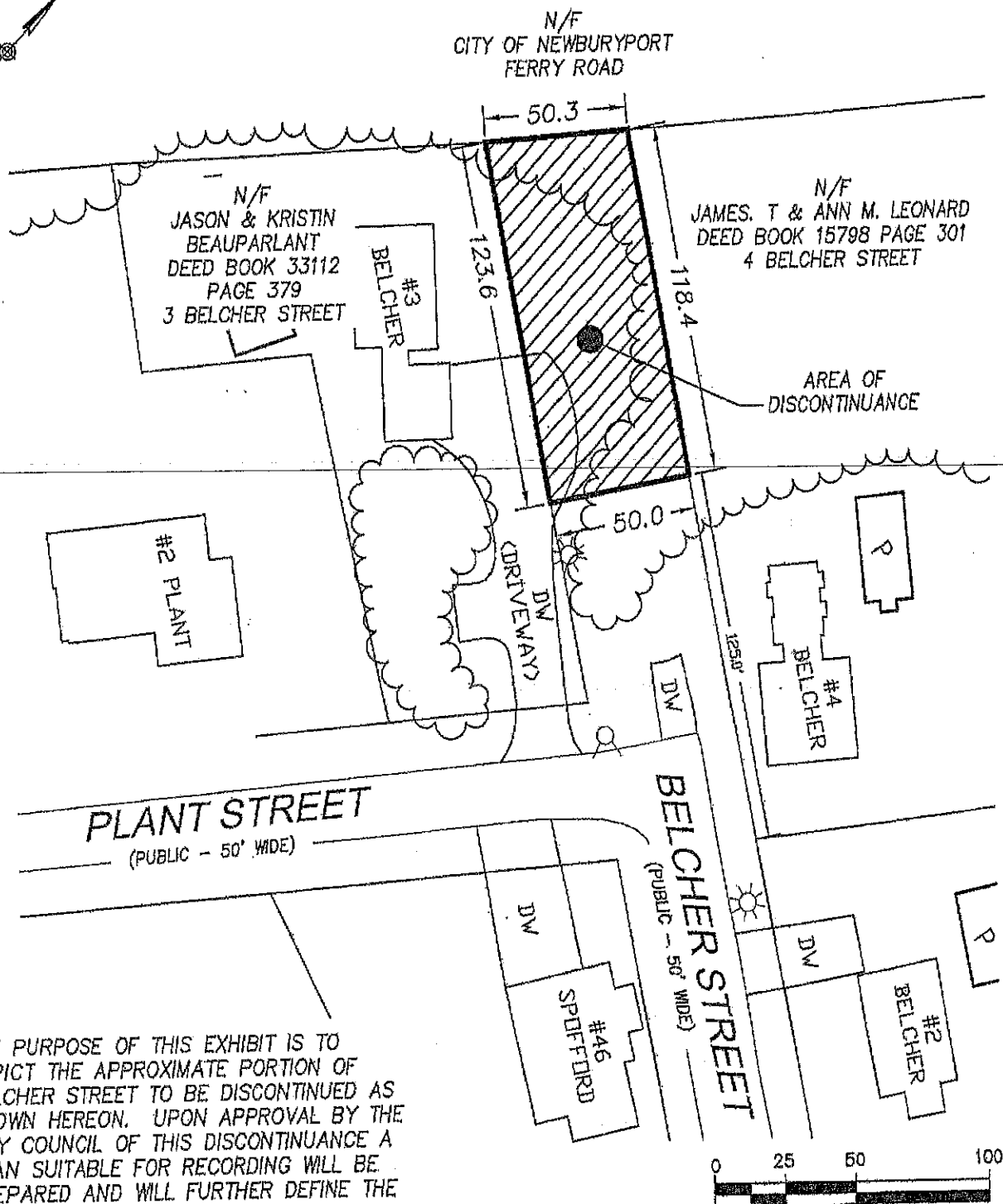
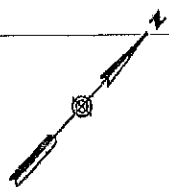
## City of Newburyport

### VOTE OF THE WATER AND SEWER COMMISSIONERS

The Newburyport Water and Sewer Commissioners hereby determine that the unnumbered parcel of land approximately forty (40) feet in width throughout its length located between Assessors' Lots 71-39 and 71-39A to the Northeast and Assessors' Lots 71-38 and 71-37 to the Southwest (the "Property"), which Property provides access from Spofford Street to Assessors Lot 112-3 and is described in the deed to the City recorded with the Essex South Registry of Deeds in Book 1771, Page 529, and is currently held in the care, custody, and control of the Water and Sewer Commission for water and/or sewer purposes, is not needed exclusively for such purposes, and that the care, custody and control of the Property may be transferred to the Water and Sewer Commission for water and/or sewer purposes and to the Mayor for the sole purpose of conveying a permanent easement for access purposes in said Property to serve Assessor's Lot 71-37, provided that the Water and Sewer Commission shall continue to hold the Property in its entirety, subject to such easement, and the easement granted shall not conflict with such purposes; and we further authorize our Chairman to forthwith give notice of this determination to the City Council for its action pursuant to and in accordance with General Laws Chapter 40, Section 15A.

--majority vote

520832.2/NBPT/0001



THE PURPOSE OF THIS EXHIBIT IS TO DEPICT THE APPROXIMATE PORTION OF BELCHER STREET TO BE DISCONTINUED AS SHOWN HEREON. UPON APPROVAL BY THE CITY COUNCIL OF THIS DISCONTINUANCE A PLAN SUITABLE FOR RECORDING WILL BE PREPARED AND WILL FURTHER DEFINE THE BOUNDARIES AS NECESSARY.

Winter GEC, LLC

34 WINTER STREET  
NEWBURYPORT, MA 01950  
978-270-8628

BELCHER STREET  
NEWBURYPORT, MASSACHUSETTS  
PREPARED FOR  
BOURQUE QUALITY HOMES  
21 STOREY AVENUE, 2ND FLOOR  
NEWBURYPORT, MA 01950

SHEET 1 OF 1

DISCONTINUANCE  
EXHIBIT

DATE: JUNE 1, 2015



City of Newburyport

Building Department

CITY HALL

NEWBURYPORT, MASSACHUSETTS 01950

TELEPHONE: (617) 462-8701

EDWARD A. HEWETT  
Building Official/Codes Administrator

April 14, 1986

Mrs. Nancy B. Leonard  
4 Belcher Street  
Newburyport, Ma. 01950

Dear Nancy:

SUBJECT: City of Newburyport Zoning Ordinance, Land Use Advisory  
Re: Realty at #4 Belcher Street, (City Use #1/Zone R-1)  
Legal Reference: City Land Use Controls/Ordinance  
Section V, VI, and X-B

Pursuant to the authority vested with your Community and its  
Regulatory Office, the City of Newburyport files its Zoning  
Ordinance/Land Use Advisory.

The City Office, having reviewed the Assessor's Plat Map  
Sectional and the Community Land Use Maps, we find your land,  
(House Lot) of some 44,180 square feet is Zoned Residential/and  
to be fully within the City's Zoning District, R-1. Please refer  
to the Dimensional Control Chart herewith enclosed. Your  
Community Land Use/Dimensional Control Chart lists minimum lot  
sizes, Lot Areas, Minimum Frontages, Maximum % Lot Cover, and  
Minimum Yard Set Back Requirements.

If we of the Community Land Use Controls Program may be of a  
further public service, do not hesitate addressing any land use  
question to our attention here at City Hall.

Regards,

Edward A. Hewett  
Community Land Use Manager  
City Zoning Official

EAH:bp  
enc



# City of Newburyport

Building Department

CITY HALL

NEWBURYPORT, MASSACHUSETTS

TEL. 462-8701

EDWARD A. HEWETT

Building Official/Codes Administrator

July 12, 1978

Mr. James Leonard  
13 Roosevelt Place  
Newburyport, Massachusetts

Dear James:

SUBJECT: City Zoning Opinion

This city zoning report is written in response to your request of my office for city (zoning) opinion under our recently-enacted new Zoning Ordinance.

The city Building Official's Office (Zoning Officer) finds that the land now of Carey at #4 Belcher Street (Lot #37 on Assessors Plat Map), does have sufficient area and frontage as to be split under the local ordinance as aforementioned (Section VI-B/1).

Special considerations should be given to the off-site improvements to be required by the city so as to provide services made necessary by such action of lot splitting.

If we here at the city Building Official's Office can be of any further service, do not hesitate in calling on me.

Very truly yours,

Edward A. Hewett  
Building Official/Codes Administrator  
Zoning Administrative Officer

EAH:ss

Enclosure

CC: City Solicitor  
City Clerk  
Planning Board

Reference Standards:

Massachusetts Zoning Law, Chapter #40A,  
as amended by Chapter #808/75.  
City Zoning Ordinance of 1978,  
Section X-B, Administration.  
Section VI-B/1, Reduction of Lot Areas and  
Separation of Lots.

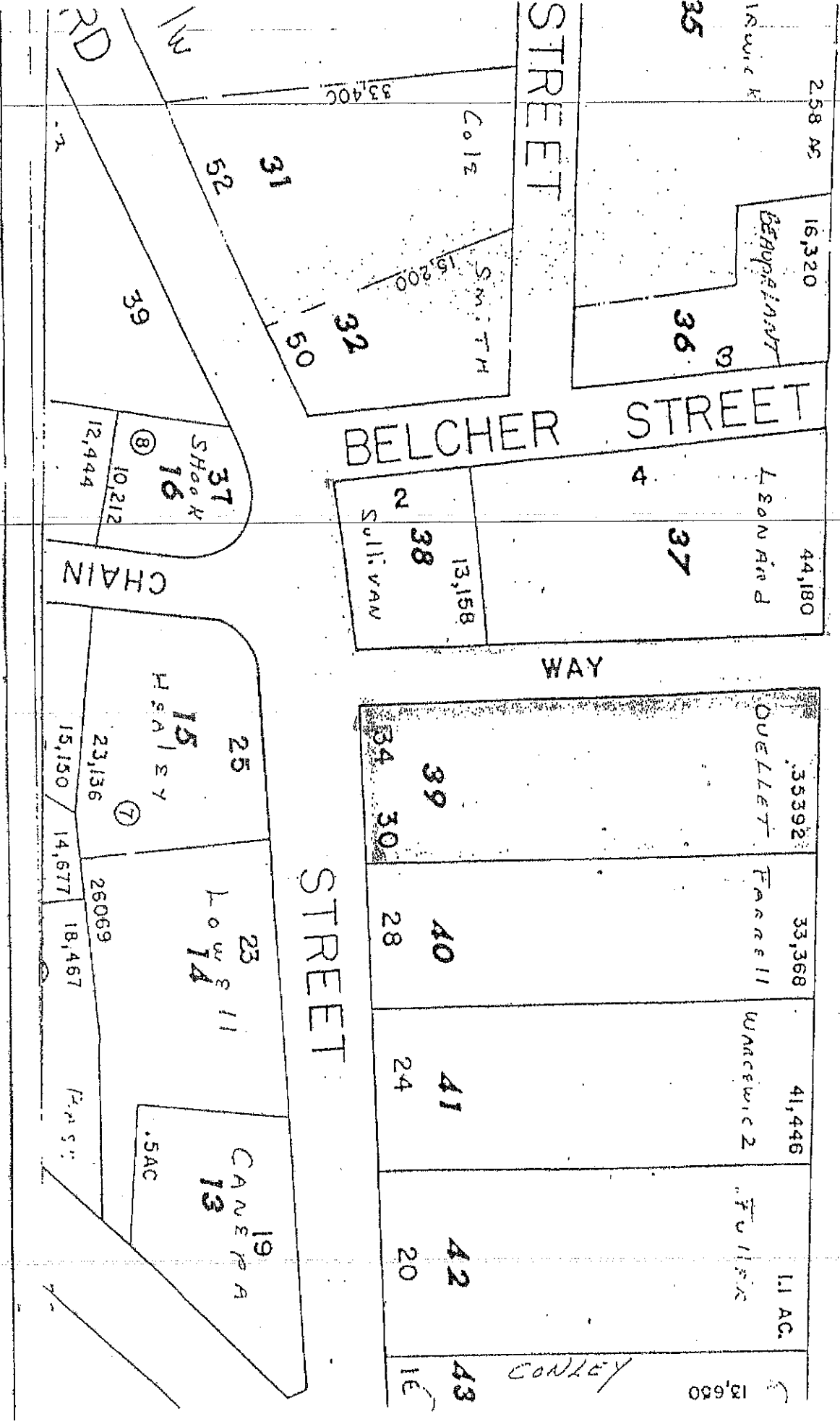


City of Newburyport  
 Building Department  
 Newburyport, Massachusetts  
 Edward A. Hewitt  
 Building Official/Codes Administrator

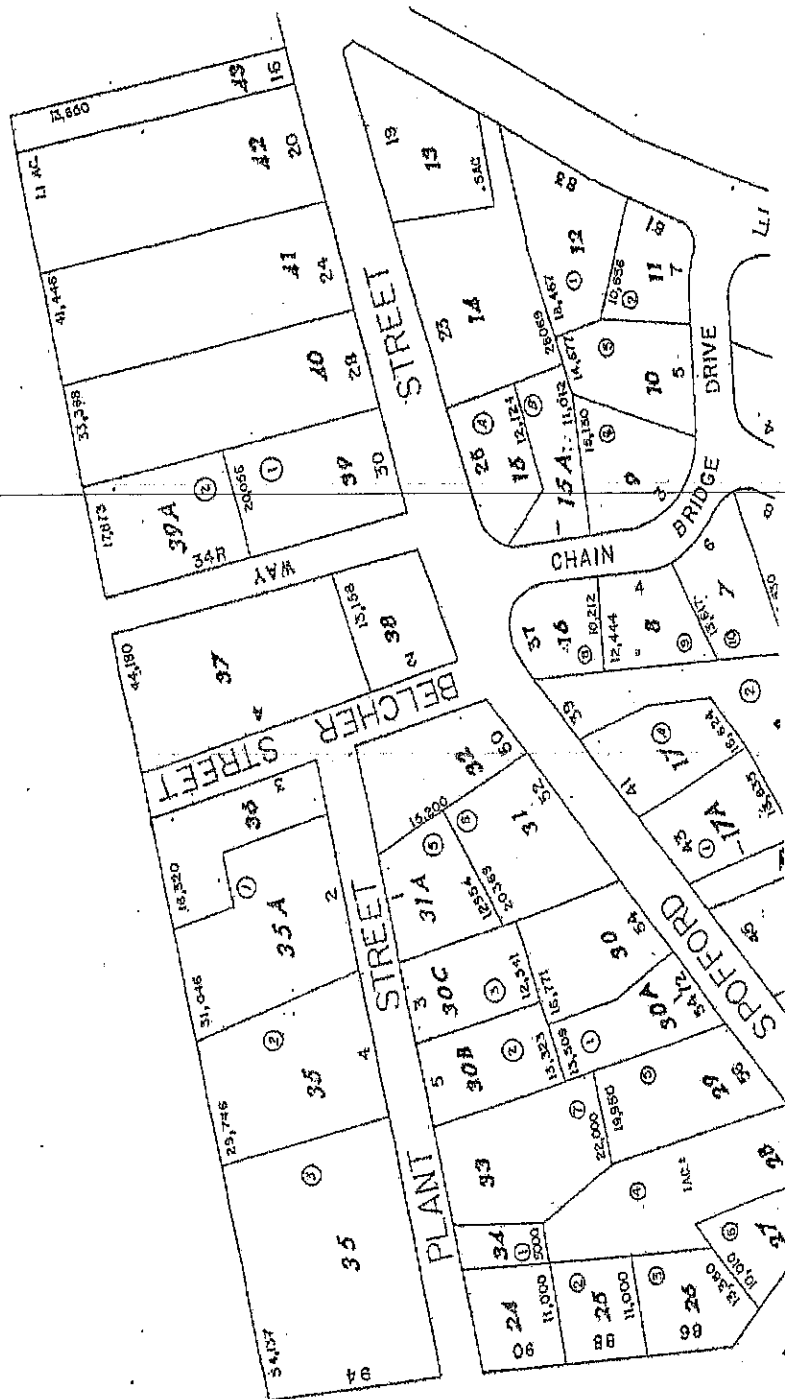
TELEPHONE  
 462-8701

COPY

1" = 100'







**4 BELCHER ST**

Location 4 BELCHER ST

Assessment \$737,300

Mblu 71/37/11

PID 4856

Owner LEONARD JAMES T

Building Count 1

**Current Value**

Assessment			
Valuation Year	Improvements	Land	Total
2015	\$493,500	\$243,800	\$737,300

**Owner of Record**

Owner LEONARD JAMES T  
 Co-Owner ANN M J/T  
 Address 4 BELCHER ST  
 NEWBURYPORT, MA 01950

Sale Price \$0  
 Book & Page 15798/0301  
 Sale Date 07/08/1999

**Ownership History**

Ownership History			
Owner	Sale Price	Book & Page	Sale Date
LEONARD JAMES T	\$1	10878/0001	07/23/1991
LEONARD JAMES T	\$0	D1681/ 26	11/10/1978

**Building Information****Building 1 : Section 1**

Year Built: 1754  
 Living Area: 3070

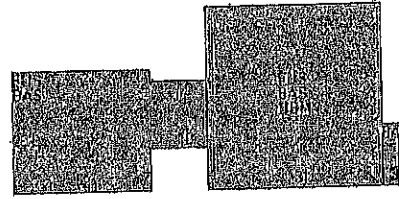
Building Attributes	
Field	Description
Style	Antique
Model	Residential
Stories	2 Stories
Occupancy	1
Exterior Wall 1	Clapboard
Exterior Wall 2	Wood Shingle
Roof Structure	Gable/Hip
Roof Cover	Asph/F Gls/Cmp
Interior Wall 1	Plastered
Interior Wall 2	
Interior Flr 1	Pine/Soft Wood

**Building Photo**

(<http://images.vgsi.com/photos/NewburyportMAPhotos/\01\00\54\70.jpg>)

**Building Layout**

Interior Flr 2	
Heat Fuel	Gas
Heat Type:	Hot Water
AC Type:	Nons
Total Bedrooms:	3 Bedrooms
Total Bthrms:	2
Total Half Baths:	1
Total Xtra Flxtrs:	
Total Rooms:	8
Bath Style:	Average
Kitchen Style:	Average



Building Sub-Areas			Legend
Code	Description	Gross Area	Living Area
BAS	First Floor	1550	1550
FUS	Upper Story, Finished	1520	1520
UBM	Basement, Unfinished	930	0
		4000	3070

## Extra Features

Extra Features				Legend
Code	Description	Size	Value	Bldg #
FPL3	FIREPLACE 2 ST.	2 UNITS	\$6,900	1
FPO	EXTRA FPL OPEN	1 UNITS	\$1,100	1

## Land

## Land Use

Use Code 1010  
 Description SINGLE FAM  
 Zone R1

## Land Line Valuation

Size (Acres) 1.01  
 Depth 0  
 Assessed Value \$243,800

## Outbuildings

Outbuildings						Legend
Code	Description	Sub Code	Sub Description	Size	Value	Bldg #
SPL2	POOL-INGR VN/P			648 S.F.	\$10,400	1
PAT1	PATIO-AVG			300 S.F.	\$700	1

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RECEIVED  
CITY CLERK'S OFFICE  
NEWBURYPORT, MA

2015 AUG 28 A 8:23


City Council  
City of Newburyport  
60 Pleasant St  
Newburyport MA 01950

RE: Discontinuance of the end of Belcher Street

Dear City Councilors;

I understand that there is a proposal before you to discontinue the end of Belcher Street, about the final 123 feet or so. That end of the street has not ever been constructed nor is it used as a street. We have no objections to the discontinuance of that part of the street.

Thank you

  
Signature

8-24-15  
Date

Todd Chase  
Printed Name

2 Belcher St  
Address

RECEIVED  
CITY CLERK'S OFFICE  
NEWBURYPORT, MA

2015 AUG 24 A 11: 51

City Council  
City of Newburyport  
60 Pleasant St  
Newburyport MA 01950

RE: Discontinuance of the end of Belcher Street

Dear City Councilors;

I understand that there is a proposal before you to discontinue the end of Belcher Street, about the final 123 feet or so. That end of the street has not ever been constructed nor is it used as a street. We have no objections to the discontinuance of that part of the street.

Thank you

Francine Loh Wainwright 8/21/15  
Signature Date

Francine Loh Wainwright  
Printed Name

46 Spofford St  
Address

Newburyport MA

01950

RECEIVED  
CITY CLERK'S OFFICE  
NEWBURYPORT, MA

2015 AUG 26 P 2:35

City Council  
City of Newburyport  
60 Pleasant St  
Newburyport MA 01950

RE: Discontinuance of the end of Belcher Street

Dear City Councilors;

I understand that there is a proposal before you to discontinue the end of Belcher Street, about the final 123 feet or so. That end of the street has not ever been constructed nor is it used as a street. We have no objections to the discontinuance of that part of the street.

Thank you

  
Signature

8-22-15  
Date

JASON BEAUPARLANT  
Printed Name

3 Belcher St.  
Address



CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

September 28, 2015

**ORDER AUTHORIZING THE MAYOR TO GRANT AN ACCESS EASEMENT  
IN LAND ON SPOFFORD STREET IN THE CITY OF NEWBURYPORT**

**WHEREAS**, pursuant to a deed recorded with the Essex South Registry of Deeds in Book 1771, Page 529, the City is the owner of an unnumbered parcel of land approximately forty (40) feet in width throughout its length located between Assessors' Lots 71-39 and 71-39A to the Northeast and Assessors' Lots 71-38 and 71-37 to the Southwest (the "Property"); which Property provides access from Spofford Street to other land of the City known as Assessors' Lot 112-3; and

**WHEREAS**, the Property is held in the care, custody, and control of the Newburyport Water and Sewer Commission, as affirmed by the City Council's vote of January 29, 2015; and

**WHEREAS**, the Owner of Assessors' Lot 71-37 (4R Belcher Street) seeks an easement in the Property to access his lot;

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

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

**WHEREAS**, in accordance with Massachusetts General Laws Chapter 40, Section 15A the Water and Sewer Commission has determined, and has provided written notice to the Council of its determination, that the Property is not needed exclusively for water and/or sewer purposes, and that the City Council may transfer such care, custody and control of the Property as is necessary to allow for the conveyance of a permanent easement for access purposes in said parcel to serve Assessor's Lot 71-37, provided that the Water and Sewer Commission shall continue to hold the Property in its entirety, as it may be subject to such easement, in its care, custody and control for water and/or sewer purposes, and the easement granted shall not conflict with such purposes.

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

Joint care, custody and control of the Property is hereby transferred to the Water and Sewer Commission for water and/or sewer purposes and to the Mayor for the sole purpose of conveying a permanent easement for access purposes in said Property to serve Assessor's Lot 71-37;

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

---

Thomas F. O'Brien, Council President

## **PUBLIC SAFETY**

PS

## NEWBURYPORT SPECIAL EVENT APPLICATION

### SPECIAL EVENTS

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

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

NAME OF EVENT: Harborside Half Marathon

1. Date: November 15, 2015 Time: from 9:00 a.m. to 12:30 p.m.  
Rain Date: N/A Time: from - to -

2. Location: \* see attached map

3. Description of Property: Michael's Harborside/Registration + Finish Public ☒ Private ☐

4. Name of Organizer: Loco Sports, Inc. City Sponsored Event: Yes ☐ No ☒

Contact Mike St. Laurent

Address: PO Box 423 Newmarket NH 03857 603-659-2824 Person: Mike St. Laurent Telephone: 603-767-1230

E-Mail: mike @ Locorunning.com Cell Phone: 603-767-1230

Day of Event Contact & Phone: Mike St. Laurent 603-767-1230

5. Number of Attendees Expected: 800-1000

6. MA Tax Number: N/A

7. Is the Event Being Advertised? ☒ Where? New England Runner + Competitor magazines

8. What Age Group is the Event Targeted to? age 16-80

9. Have You Notified Neighborhood Groups or Abutters? Yes ☒ No ☐ Who? residents on route notified by signs week prior

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

A. Vending: Food ☐ Beverages ☐ Alcohol ☐ Goods ☐ Total # of Vendors 0

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

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

Other ☐ Total # 0

Name of Carnival Operator:

Address:

Telephone:

D. Clean Up: # of additional trash receptacles required 6 # of additional recycling receptacles required 6

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

# 19 Standard # 1 ADA accessible

FOR PARADE, ROAD RACE AND WALKATHON EVENTS ONLY

PARADE \_\_\_\_\_

ROAD RACE ☒

WALKATHON \_\_\_\_\_

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

Loco Sports, Inc.

2. Name, Address & Daytime Phone Number of Organizer: \_\_\_\_\_

Loco Sports Inc, PO Box 423 Newmarket NH 03857  
603-659-2824

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

Mike St. Laurent 603-767-1230

Loco sports 55 Main St. Suite 217 Newmarket NH 03857

4. Date of Event: November 15, 2015 Expected Number of Participants: \_\_\_\_\_

5. Start Time: 9:00 AM Expected End Time: 12:30 PM

6. Road Race, Parade or Walkathon Route: (List street names & attach map of route): \_\_\_\_\_

Parker, Sullivan Way, Harbor trail

7. Locations of Water Stops (if any): none

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

9. Formation Location & Time for Participants: 8:45 am 40 Parker St.

10. Dismissal Location & Time for Participants: 10:15-12:30pm Michael's Harborside

11. Additional Parade Information:

- Number of Floats: N/A
- 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

CITY MARSHAL \_\_\_\_\_

4 Green Street

FIRE CHIEF \_\_\_\_\_

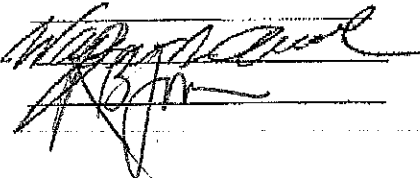
Greentree Street

DEPUTY DIRECTOR \_\_\_\_\_

1 Perry Way

CITY CLERK \_\_\_\_\_

60 Pleasant St.



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

PARADE \_\_\_\_\_ ROAD RACE ☒ WALKATHON \_\_\_\_\_

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

Loco Sports, Inc.

2. Name, Address & Daytime Phone Number of Organizer: \_\_\_\_\_

Loco Sports Inc. PO Box 423 Newmarket NH 03857  
603-659-2824

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

Mike St. Laurent 603-767-1230

Loco sports 55 Main St. Suite 217 Newmarket NH 03857

4. Date of Event: November 15, 2015 Expected Number of Participants: \_\_\_\_\_

5. Start Time: 9:00 AM Expected End Time: 12:30 PM

6. Road Race, Parade or Walkathon Route: (List street names & attach map of route): \_\_\_\_\_

Parker, Hulliken Way, Harbor trail

7. Locations of Water Stops (if any): NONE

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

9. Formation Location & Time for Participants: 8:45 am 40 Parker St

10. Dismissal Location & Time for Participants: 10:15-12:30pm Michael's Harborside

11. Additional Parade Information:

• Number of Floats: N/A

• 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**

CITY MARSHAL

4 Green Street

FIRE CHIEF

Greenleaf Street

DEPUTY DIRECTOR

1 Perry Way

CITY CLERK

68 Pleasant St

*Christoph...*

FOR PARADE, ROAD RACE AND WALKATHON EVENTS ONLY

PARADE \_\_\_\_\_

ROAD RACE ☒

WALKATHON \_\_\_\_\_

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

Loco Sports, Inc.

2. Name, Address & Daytime Phone Number of Organizer: \_\_\_\_\_

Loco Sports Inc. PO Box 423 Newmarket NH 03857  
603-659-2824

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

Mike St. Laurent 603-767-1230

Loco sports 55 Main St. Suite 217 Newmarket NH 03857

4. Date of Event: November 15, 2015 Expected Number of Participants: \_\_\_\_\_

5. Start Time: 9:00 AM Expected End Time: 12:30 PM

6. Road Race, Parade or Walkathon Route: (List street names & attach map of route): \_\_\_\_\_

Parker, Mulliken Way, Harbor trail

7. Locations of Water Stops (if any): NONE

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

9. Formation Location & Time for Participants: 8:45 am 40 Parker St.

10. Dismissal Location & Time for Participants: 10:15-12:30 pm Michael's Harborside

11. Additional Parade Information:

- Number of Floats: N/A
- 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

CITY MARSHAL

4 Green Street

FIRE CHIEF

Greenleaf Street

DEPUTY DIRECTOR

1 Perry Way

CITY CLERK

60 Pleasant St.

[Signature] Lt Sremak

## 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: Michael Sh. Lee Date: 9-4-15

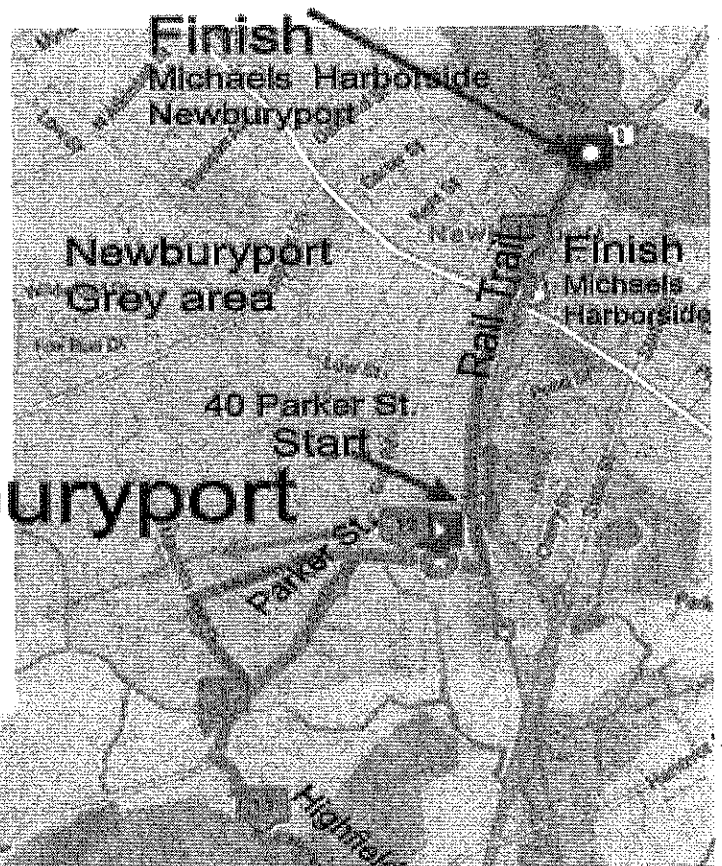
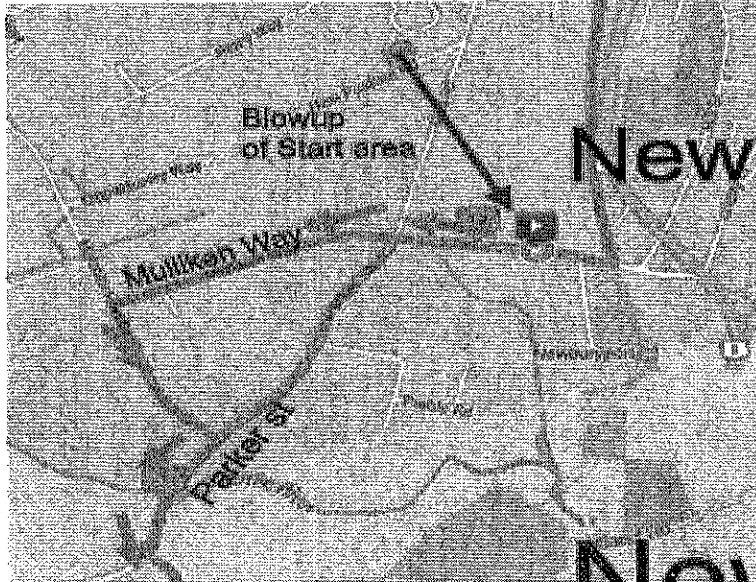
# Newburyport Section

**Start: 40 Parker St.**

**Newburyport**

**By big windmill**

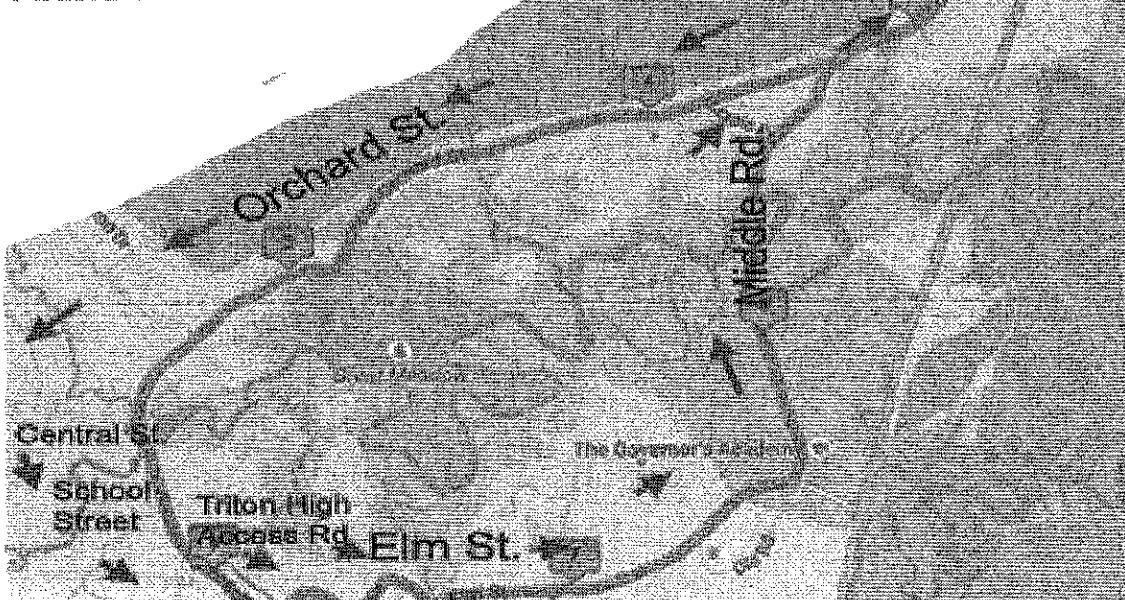
Mark Richie Woodworking



**Newburyport**

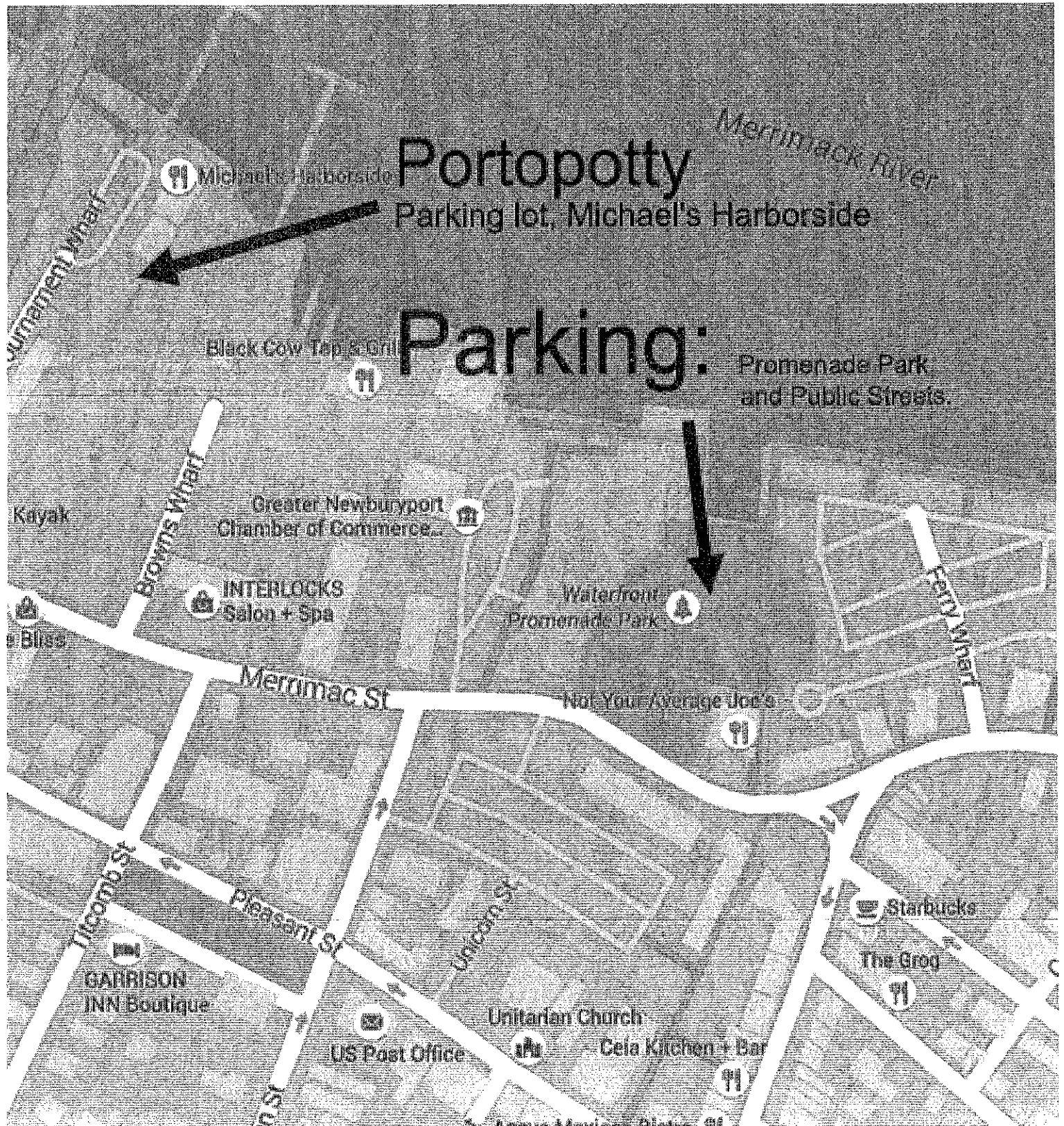
**Newbury**

Parker: Start  
Straight: Mulliken Way  
Right: Parker  
Left Highfield  
Right: Middle  
Right: Orchard  
Left: Central  
Left School  
Through: Triton High Access  
Left Elm  
Left Middle  
Left Highfield  
Right: Parker  
Left: Rail Trail  
Finish: Michaels Harborside





# Harborside Half Marathon Parking / Portopotty Map





# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

9/11/2015

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

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

PRODUCER STAR Insurance - Fort Wayne Office 2130 East Dupont Road  Fort Wayne IN 46825	CONTACT NAME: Margaret M. Mayers PHONE (A/C, No, Ext): (260) 467-5689 FAX (A/C, No): (260) 467-5691 E-MAIL: margaret.mayers@starfinancial.com ADDRESS:  INSURER(S) AFFORDING COVERAGE INSURER A: National Casualty Company NAIC # 11991 INSURER B: Nationwide Life Insurance Co. 66869 INSURER C: INSURER D: INSURER E: INSURER F:
INSURED Road Runners Club of America/2015 and Its Member Clubs 1501 Lee Highway, Suite 140 Arlington VA 22209	

## COVERAGES

CERTIFICATE NUMBER: 2015 \$2M A.I.

REVISION NUMBER:

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

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> Legal Liability to Participant \$2,000,000 GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input type="checkbox"/> LOC OTHER:			KRO0000004913300  Abuse & Molestation Aggregate \$5,000,000	12/31/2014 12:01 AM	12/31/2015 12:01 AM	EACH OCCURRENCE \$ 2,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 500,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 2,000,000 GENERAL AGGREGATE \$ Unlimited PRODUCTS - COMP/OP AGG \$ 2,000,000 Abuse and Molestation \$ 500,000
A	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS			KRO0000004913300	12/31/2014 12:01 AM	12/31/2015 12:01 AM	COMBINED SINGLE LIMIT (Ea accident) \$ 2,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	UMBRELLA LIAB EXCESS LIAB DED RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$ \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A				PER STATUTE OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
B	Excess Medical & Accident (\$250 Deductible/Claim)			SPX0000026656100	12/31/2014 12:01 AM	12/31/2015 12:01 AM	Excess Medical \$10,000 AD & Specific Loss \$2,500

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

CERTIFICATE HOLDER IS NAMED AS AN ADDITIONAL INSURED AS RESPECTS THEIR INTEREST IN THE OPERATIONS OF THE NAMED INSURED. DATE OF EVENT(S): 11/15/15 Harborside Half Marathon INSURED RRCA CLUB/EVENT MEMBER: LOCO Sports, Inc., Att'n: Arlon Chaffee, PO Box 423, Newmarket, NH 03857

## CERTIFICATE HOLDER

## CANCELLATION

11/15/15 City of Newburyport, MA PO Box 550 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 John Lefever/MMA
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RECEIVED  
CITY CLERK'S OFFICE  
NEWBURYPORT, MA

2015 SEP -8 A 10:37

LOCO Sports, Inc  
PO Box 423  
Newmarket, NH 03857



Newburyport City Council  
Newburyport, MA

August 24, 2015

Re: Road Race Request

Councilors,

We formally request permission to conduct a half marathon road race in Newburyport on Sunday, November 15th, 2015.

The event will start near 40 Parker Street and finish at the Harborside Restaurant. The event will bring hundreds of people to Newburyport to stay over for the weekend at local hotels and dine in local restaurants on a weekend in November that is normally quiet.

**Police:** We have already reviewed the course with Lieutenant Siemasko and have received a preliminary approval to seek city approval.

**Insurance:** The race will have a 1 million dollar liability insurance policy that names the City as additional insured

**Race Course:** The race course will have little impact on auto traffic, as only 2 miles of the course are on Newburyport roads and 1.2 miles on the rail trail. The rest are on rural roads in Newbury.

ALL Police and ambulance expenses to be paid by the race.

We would like to apply to hold this race at an upcoming City Council Meeting.

**Event Information**

The event will have at least 900 runners and over 1,000 spectators coming from all over New England, but include many locals. Volunteer groups from the Newburyport area will be encouraged to help out with the race in a variety of duties including handing out numbers and working at the start and the finish or food distribution.

The goal of the race is to distribute the proceeds locally to worthy school and non-profit groups. It is a great way for students to become involved in a healthy lifestyle event and earn money for their team or group. The event will be approved well in advance by the Town of Newburyport and Newbury and both Police departments.

**About us:** LOCO Sports conducts similar events with fields up to 5,000 runners including a half marathon in Hampton New Hampshire. Our goal is to provide a premier event that Newburyport can be proud of.

Thank you for your interest in helping us present this event.  
I await your comments and suggestions.

Sincerely,

Michael St. Laurent  
Owner, LOCO Sports, Inc.