

CITY COUNCIL MEETING AGENDA - VERSION 1

March 30, 2015

7:30 PM

HEARING – Continued Harnch's Way Discontinuance

7:40 PM

(Sound Check)

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

CONSENT AGENDA

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

8. APPROVAL OF MINUTES

March 9, 2015

(Approve)

9. TRANSFERS

1. Mayor Gen'l Fd Free Cash to Veterans Benefits \$17,000 (B&F)
2. Mayor Gen'l Fd Free Cash to YTH Access Accom. \$5,000, to YTH Brown School \$25,000 (B&F)

10. COMMUNICATIONS

1. Outdoor Seating Renewal Oregano Restaurant (Approve)
2. Outdoor Seating Renewal Middle Street Foods (Approve)
3. Amer. Diabetes Assoc. North Shore Tour De Cure Special Event App. May 17, 2015 (Public Safety)
4. Letter reappointing H. Nelson Burns rep to Whittier Voc Tech School Committee (R&F)
5. Block Party Cherry Hill Soccer Fields, June 20, 2015 (Approve)
6. Richard W. England, Energy Advisory Committee (R&F)
7. Coastal Trails Coalition Slow Bike Race July 29, 2015 (Public Safety)

11. APPOINTMENTS – First Reading

APPOINTMENTS

- | | | | |
|---------------------|-----------------|--------------------------------------|------------------|
| 1. Elizabeth Horne | 13 Moseley Ave. | Commission for Diversity & Tolerance | May 1, 2018 |
| 2. James Brugger | 4 Savoy St. | Planning Board | May 1, 2020 |
| 3. Andrew Shapiro | 20 Eagle St. | Planning Board | April 1, 2020 |
| 4. Donna Harrington | 20 Beacon Ave. | Highland Cemetery Commission | February 1, 2018 |
| 5. Karen K. Johnson | 120 High St. | Bartlet Mall Commission | February 1, 2018 |
| 6. Richard Goulet | 19 Kent St. | ZBA Alternate to Full member | June 30, 2016 |
| 7. Renee Bourdeau | 376 High St. | Alternate Zoning Board of Appeals | March 1, 2020 |

RE-APPOINTMENTS

- | | | | |
|-----------------------|------------------|--------------------------|---------------|
| 8. Joseph C. Teixeira | 44 Hale St. | Conservation Commission | March 1, 2018 |
| 9. Michael Dissette | 44 Jefferson St. | Community Pres. Act Com. | March 1, 2018 |
| 10. Stephen B. Sawyer | 15 Collins St. | Parks Commission | April 1, 2018 |
| 11. Kevin Hunt | 14 Tenth St. | Veterans Agent | April 1, 2016 |

END OF CONSENT AGENDA

REGULAR AGENDA

12. APPOINTMENTS - Second Reading

13. Jamie Pennington 16 Eagle St.

RE-APPOINTMENTS

Zoning Board of Appeals

January 5, 2020

12. ORDERS

1. TABLED - Discontinuance Harnch's Way - pending ZBA decision
2. Discontinuance Harnch's Way Revised
3. Licensed Contractor Peter D. Nicol Excavating, Inc.
4. Home Rule Petition Intermunicipal Agreement for Veterans Services
5. Harbormaster Rate Increase

13. ORDINANCES - None

14. COMMITTEE ITEMS

Budget & Finance

In Committee:

1. Mayor letter regarding Order for Revolving Fund Expenses *03/17/2014
2. Order Amend Revolving Fund expenses *03/17/2014
3. Order Home Rule Petition- supplementing education budget (COTW) *05/12/2014
4. Amend ORD Ch. 2 Section 2-45 City Council Salary *05/12/2014
5. Amend ORD Ch. 2 Section 2-61A School Committee Salary *05/12/2014
6. Human Resources Dependent Audit *06/30/2014
7. Letter from Hope Church regarding Master Box fee *11/10/2014
8. Snow Budget Deficit *02/12/2015
9. Mayor Gen'l Fd Free Cash to HS Renovations \$30,000 *03/09/2015

General Government

Joint Education

In Committee:

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

License & Permits

In Committee:

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

Neighborhoods and City Services

In Committee:

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

Planning & Development

In Committee:

1. Letter from Newburyport Preservation Trust *03/31/2014
2. First Refusal to Purchase Lot 8 Low Street *01/12/2015
3. Amend ORD Zoning Map Sec. III-C "Back Bay Area Zoning Map Change" *01/12/2015
4. Amend Zoning ORD Appendix A Sec. XXIX Smart Growth District (SGOD) *01/29/2015

Public Safety***In Committee:***

- | | |
|--|-------------|
| 1. Letter for use of Brown Square June 7, 2015 | *02/12/2015 |
| 2. Letter from Yankee Homecoming 2015 General Chair | *02/23/2015 |
| 3. Letter from Chamber of Commerce on 2015 use of streets | *02/23/2015 |
| 4. 4 th Annual Pan Mass Challenge Greater Newburyport Kids Ride June 28, 2015 | *03/09/2015 |

Public Utilities Committee***In Committee:***

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

Rules Committee**15. GOOD OF THE ORDER****16. ADJOURNMENT**

PROCLAMATION

March 30, 2015

NEWBURYPORT HIGH SCHOOL INDOOR TRACK STATE CHAMPIONS

WHEREAS the Newburyport High School Indoor Track team faced injuries, sicknesses, snow and a lack of available runners; and

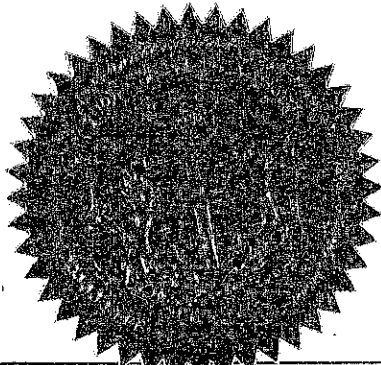
WHEREAS Newburyport overcame significant odds and recorded 46 points overall, edging out Littleton (38.5 points) and Norwell (33 points) for the top spot in their division.

WHEREAS Head Coach Tim Foley and Assistant Coach Don Hennigar have successfully brought five state championships home to Newburyport; and

WHEREAS there were terrific, individual accomplishments in 600-meter run with a meet record time, and the high jump with a first place jump of 6-2, and a fourth place jump of 5-10, combining to earn 15 points for the Clippers going into the later stage of the meet and, additionally, there was a third place finish in the mile as well as other outstanding runs, and

WHEREAS The Clippers actually trailed Littleton by two going into the final event, but Newburyport was able to win the 4x400 relay to clinch the title. and

BE IT RESOLVED the Newburyport City Council and Mayor Donna D. Holaday publicly congratulate the outstanding achievements by the Coaches and Teammates of the 2015 Newburyport High School Indoor Track Team on winning the 5th Straight State Championship



Councilor Thomas F. O'Brien

Mayor Donna D. Holaday

CONSENT AGENDA

CITY COUNCIL MEETING MINUTES - VERSION 1

March 9, 2015

7:30PM

Acting Council President Connell called the meeting to order at 7:30 pm. A moment of silence was held for Gertrude Jones, mother of former City Councillor Tom Jones and husband of the late Police Marshall Robert Jones, and active with the Maudslay State Park Association. This was followed by the Pledge of Allegiance. He then instructed the City Clerk to call the roll. The following Councillors answered present: Cameron, Cronin, Eigerman, Giunta, Heartquist, Herzog, Kinsey, Tontar, Vogel and Connell. 10 Present, 1 Absent (O'Brien).

1. LATE FILES – Communication #4 and #5

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

2. MAYOR'S UPDATE

The Mayor gave an update on the Plum Island water and sewer system and a general update.

3. PUBLIC COMMENT

- | | | |
|---------------------|----------------------------|-------------|
| 1. Joe & Linda Cmar | 16 Reservation Terrace | PI Sewer |
| 2. David McFarlane | 20 57 th Street | PI Sewer |
| 3. Renee Bourdeau | 376 High Street | Appointment |
| 4. Karen Majahad | 6 59 th Street | PI Sewer |

CONSENT AGENDA

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4. APPROVAL OF MINUTES

February 23, 2015

(Approved)

5. TRANSFERS

- | | |
|---|------------|
| 1. Mayor Gen'l Fd Free Cash to City Clerk Bdr Elections & Reg \$9,500 | (Approved) |
| 2. Mayor Gen'l Fd Free Cash to HS Renovations \$30,000 | (B&F) |

6. COMMUNICATIONS

- | | |
|--|------------|
| 1. Letter for Easter hat Parade April 5, 2015 on Inn Street | (Approved) |
| 2. Taxi Cab Company Renewal Seacoast Taxi | (L&P) |
| 3. 4 th Annual Pan Mass Challenge Greater Newburyport Kids Ride June 28, 2015 | (PS) |

7. APPOINTMENTS – First Reading

APPOINTMENTS

- | | | | |
|-------------------|--------------|-------------------------|---------------|
| 1. Renee Bourdeau | 376 High St. | Zoning Board of Appeals | March 1, 2020 |
|-------------------|--------------|-------------------------|---------------|

RE-APPOINTMENTS

- | | | | |
|---------------------|--------------|-------------------------|-----------------|
| 2. Jamie Pennington | 16 Eagle St. | Zoning Board of Appeals | January 5, 2020 |
|---------------------|--------------|-------------------------|-----------------|

END OF CONSENT AGENDA

Motion to approve the consent agenda by Councillor Cronin, seconded by Councillor Kinsey. So voted.

REGULAR AGENDA

8. COMMUNICATIONS

4. LATE FILE - Mayor's Update

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

5. LATE FILE - Updated Notification Snow budget Deficit FY2015

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

9. APPOINTMENTS – Second Reading – None

10. ORDERS

1. TABLED - Discontinuance Harnch's Way - pending ZBA decision

Motion to remove from the Table by Councillor Cronin, seconded by Councillor Cameron. Roll call vote, 10 yes, 1 absent (O'Brien). So voted. Motion to table by Councillor Cameron, seconded by Councillor Tontar. Roll call vote, 10 yes, 1 absent (O'Brien). So voted.

2. Resolution Public Service Recognition Week

Motion to approve by Councillor Cameron, seconded by Councillor Giunta. 10 yes, 1 absent (O'Brien). So voted.

3. Accept gifts for support of Plum Island residents

Motion to approve by Councillor Heartquist, seconded by Councillor Cameron. Councillor Heartquist also thanked the PTO and Beth Raucci for their assistance. 10 yes, 1 absent (O'Brien). So voted.

11. ORDINANCES

1. 2nd Reading - Amend ORD 13-174 Parking limited State Street 4 hour

Motion to approve 2nd reading by Councillor Eigerman, seconded by Councillor Cameron. Roll call vote, 10 yes, 1 absent (O'Brien). So voted.

2. 2nd Reading - Amend ORD 13-168 Parking restricted Norman Avenue

Motion to approve 2nd reading by Councillor Eigerman, seconded by Councillor Cameron. Roll call vote, 10 yes, 1 absent (O'Brien). So voted.

3. 2nd Reading - Amend ORD 13-168 Parking restricted Murphy Avenue

Motion to approve 2nd reading by Councillor Giunta, seconded by Councillor Cameron. Roll call vote, 10 yes, 1 absent (O'Brien). So voted.

4. 2nd Reading - Amend ORD 13-180 Resident Parking

Motion to approve by Councillor Eigerman, seconded by Councillor Cameron. Roll call vote, 10 yes, 1 absent (O'Brien). So voted.

12. COMMITTEE ITEMS

Budget & Finance

In Committee:

- | | |
|--|-------------|
| 1. Mayor letter regarding Order for Revolving Fund Expenses | *03/17/2014 |
| 2. Order Amend Revolving Fund expenses | *03/17/2014 |
| 3. Order Home Rule Petition- supplementing education budget (COTW) | *05/12/2014 |
| 4. Amend ORD Ch. 2 Section 2-45 City Council Salary | *05/12/2014 |
| 5. Amend ORD Ch. 2 Section 2-61A School Committee Salary | *05/12/2014 |
| 6. Human Resources Dependent Audit | *06/30/2014 |
| 7. Letter from Hope Church regarding Master Box fee | *11/10/2014 |
| 8. Snow Budget Deficit | *02/12/2015 |

General Government

Joint Education

In Committee:

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

License & Permits

In Committee:

1. Movable Sign Application Newburyport Brewing Company *02/10/2014
2. Amend ORD Sec. 9-114 Transient Vendors Restricted Areas *04/28/2014
3. Letter regarding transient vendor licensing *06/30/2014
4. Taxi License Renewal Harold Congdon Port Taxi, Inc. *01/12/2015

Neighborhoods and City Services

In Committee:

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

Planning & Development

Councillor Cameron stated that there will be an update on Smart Growth on May 6, 2015.

In Committee:

1. Letter from Newburyport Preservation Trust *03/31/2014
2. First Refusal to Purchase Lot 8 Low Street *01/12/2015
3. Amend ORD Zoning Map Sec. III-C "Back Bay Area Zoning Map Change" *01/12/2015
4. Amend Zoning ORD Appendix A Sec. XXIX Smart Growth District (SGOD) *01/29/2015

Public Safety

Councillor Cronin reported that he travelled to MA DOT and informed them of the City's position on the Tropic Star project (CVS) and the issue of turning left exiting the project.

In Committee:

1. Letter for use of Brown Square June 7, 2015 *02/12/2015
2. Letter from Yankee Homecoming 2015 General Chair *02/23/2015
3. Letter from Chamber of Commerce on 2015 use of streets *02/23/2015

Public Utilities Committee

Councillor Herzog noted that the PU Committee will be meeting March 30th at 6:30pm.

In Committee:

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

Rules Committee

13. GOOD OF THE ORDER

Councillor Kinsey said that Newburyport Says No to Prejudice is April 7th at 7pm at the Nock Middle School.

Councillor Herzog said that that Friday 3/13/15 will be the 5th annual Poker Tournament by the NEF.

14. ADJOURNMENT

Councillor Cameron moved to adjourn, seconded by Councilor Kinsey at 8:40pm. 10 yes, 1 absent (O'Brien). So voted.

TRANSFERS



Transfer #1
March 30, 2015

City of Newburyport
FY 2015
BUDGET TRANSFER REQUEST

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

7:15 MAR 24 P 12:34

Department: Veterans' Services

Submitted by: Kevin Hunt, Agent

Date Submitted: 3/24/2015

Transfer From:

Account Name	General Fund - Free Cash	YTD Bal:	\$ 1,846,443.57
Account Number:	01-35910	Trans In:	\$ -
Amount:	\$17,000.00	Trans Out:	\$ -
Why are Funds Available:	<i>The Massachusetts Department of Revenue certified Free Cash for FY2015 at \$2,373,046. These funds are available for any legal expenditure with the approval of the Mayor and a majority vote of the City Council.</i>		

Transfer To:

Account Name	Veterans Benefits	YTD Bal:	\$ 27,279.35
Account Number:	01543007-57700	Trans In:	\$ -
Amount:	\$17,000.00	Trans Out:	\$ -
Why are Funds Required:	<i>Payouts vary monthly. Underfunded to avoid surplus. This transfer will bring us through FY15 with a contingency of \$2,000 for a possible veteran's burial.</i>		

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

Donna D Holaday
Ethan Manning

Date: 3/23/15
Date: 3/23/15



Transfer #2
March 30, 2015

City of Newburyport
FY 2015
BUDGET TRANSFER REQUEST

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2015 MAR 24 P 12:34

Department: Youth Services

Submitted by: Andrea Egmont, Director

Date Submitted: 3/24/2015

Transfer From:

Account Name	General Fund - Free Cash	YTD Bal:	\$ 1,846,443.57
Account Number:	01-35910	Trans In:	\$ -
Amount:	\$30,000.00	Trans Out:	\$ -
Why are Funds Available:	<i>The Massachusetts Department of Revenue certified Free Cash for FY2015 at \$2,373,046. These funds are available for any legal expenditure with the approval of the Mayor and a majority vote of the City Council.</i>		

Transfer To:

Account Name	YTH Accessibility Accommodations	YTD Bal:	\$ (3,237.50)
Account Number:	01542002-53003	Trans In:	\$ -
Amount:	\$5,000.00	Trans Out:	\$ -
Why are Funds Required:	<i>Accessibility accommodations are made to allow children to participate in Youth Services programs. The number of children requiring accommodations, such as a nurse or aide, is not known until registrations occur.</i>		

Transfer To:

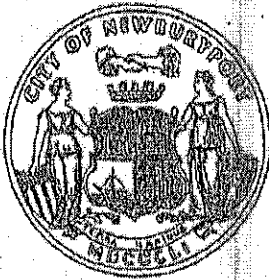
Account Name	YTH Brown School Expenses	YTD Bal:	\$ (3,592.59)
Account Number:	01542007-57843	Trans In:	\$ -
Amount:	\$25,000.00	Trans Out:	\$ -
Why are Funds Required:	<i>This line item was budgeted based on historical oil and electrical expenses for the Kelley School. Following the relocation of Youth Services to the Brown School in August 2014, oil and electricity for the building are now paid from this line item. Historically, \$45,000 had been budgeted by the schools for heating costs. This transfer would increase the FY2015 budget of \$23,000 to \$48,000, which accounts for heating and electricity costs through the end of the fiscal year. The decisions around the adaptive reuse of the facility will impact this line item going forward.</i>		

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

Donna D. Holaday
Ethan R. Manning

Date: 3/23/15
Date: 3/23/15

COMMUNICATIONS



City of Newburyport

2015 MAR 11 A 9 02

Application

Food Establishment Outdoor Seating on Public Property

Date: 2-11-15

Name of Business Owner: Claude Elias

Name of Property Owner: Newburyport Development

Business Name: Oregano Pizzeria

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

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

Number of Chairs Requested: 20 Dimensions: _____ Material: rod iron

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

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

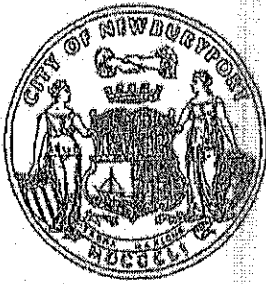
Application Requirements

Please submit the following documents with the completed application to:

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

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

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



Application

Food Establishment Outdoor Seating on Public Property (continued)

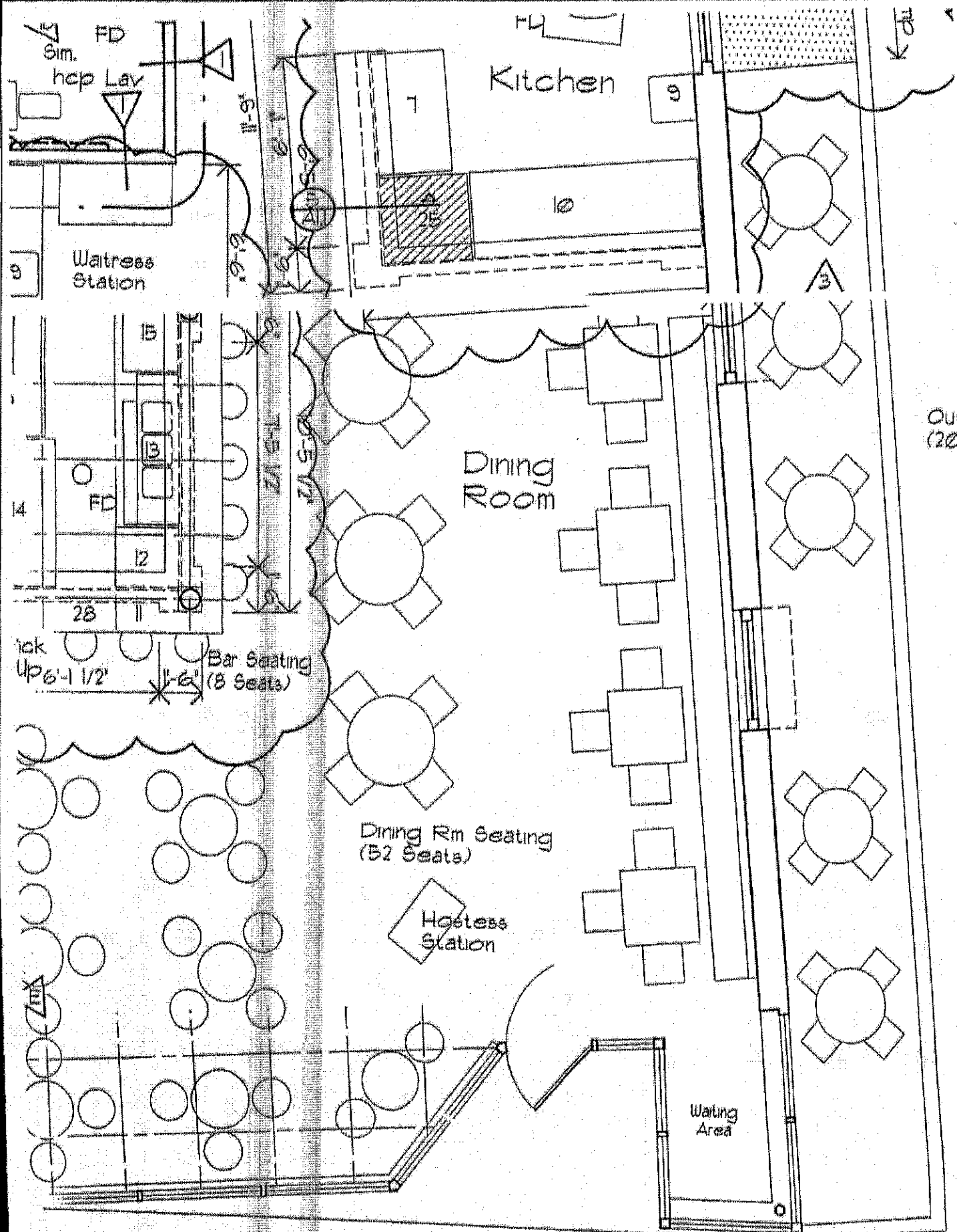
- 3) obstacles such as streetlights, signs, trees, benches, and garbage barrels.
- 4) Applicants seeking approval of outdoor seating for food and alcohol consumption must also submit:
 - a) Written and dated approval of the Newburyport License Commission for the outdoor service of alcohol, including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

RELEASE AND INDEMNITY AGREEMENT TO ENCUMBER A PUBLIC WAY

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

Chris Egan

Signature of Business Owner





CERTIFICATE OF LIABILITY INSURANCE

OREGA-1

OP ID: LK

DATE (MM/DD/YYYY)

02/11/2015

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
Chase & Lunt LLC
65 Parker Street
Newburyport, MA 01950
Marcos W. Shaner

CONTACT NAME: Marcos W. Shaner

PHONE (A/C, No, Ext): 978-462-4434

FAX (A/C, No): 978-465-6204

E-MAIL

ADDRESS:

INSURER(S) AFFORDING COVERAGE

NAIC #

INSURER A: Merchants Insurance Group

INSURER B: Massachusetts Retail Merchants

INSURER C:

INSURER D:

INSURER E:

INSURER F:

INSURED
Oregano's Pizzeria & Ristorant
c/o Medical Laser Technologies
1 Walton Road
Seabrook, NH 03874

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	ADDITIONAL INSURER	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> Liq Lib \$1M/\$1M GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input type="checkbox"/> LOC <input type="checkbox"/> OTHER		CMP9154135	04/01/2014	04/01/2016	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMPIOP AGG \$ 2,000,000
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS					COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
A	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> OCCUR DED <input checked="" type="checkbox"/> RETENTION \$ 10,000		GUP9146664	04/01/2014	04/01/2015	EACH OCCURRENCE \$ 1,000,000 AGGREGATE \$ 1,000,000
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N N/A	014005031850116	01/01/2015	01/01/2016	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTHER E.L. EACH ACCIDENT \$ 100,000 E.L. DISEASE - EA EMPLOYEE \$ 100,000 E.L. DISEASE - POLICY LIMIT \$ 500,000

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

Coverage applies to outdoor seating.

CERTIFICATE HOLDER

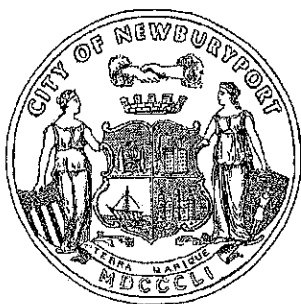
CANCELLATION

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

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

AUTHORIZED REPRESENTATIVE

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RECEIVED
CITY CLERK'S OFFICE
City of Newburyport

NEW FILING
RENEW ☒

2015 MAR 23 A 11:15
Application

Food Establishment Outdoor Seating on Public Property

Date: 3/19/15

Name of Business Owner: John Coyle

Name of Property Owner: Margaret DeGivie

Business Name: Middle Street Foods

Business Address: 25 Middle St. Business Telephone: 978-375-1906

Number of Tables Requested: 2 Dimensions: 30" x 30" Material: Metal

Number of Chairs Requested: 4 Dimensions: 17" Round Material: Metal

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

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

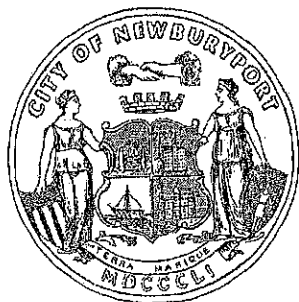
Application Requirements

Please submit the following documents with the completed application to:

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Newburyport City Hall
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60 Pleasant Street
Newburyport, MA 01950

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

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



Application

Food Establishment Outdoor Seating on Public Property (continued)

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

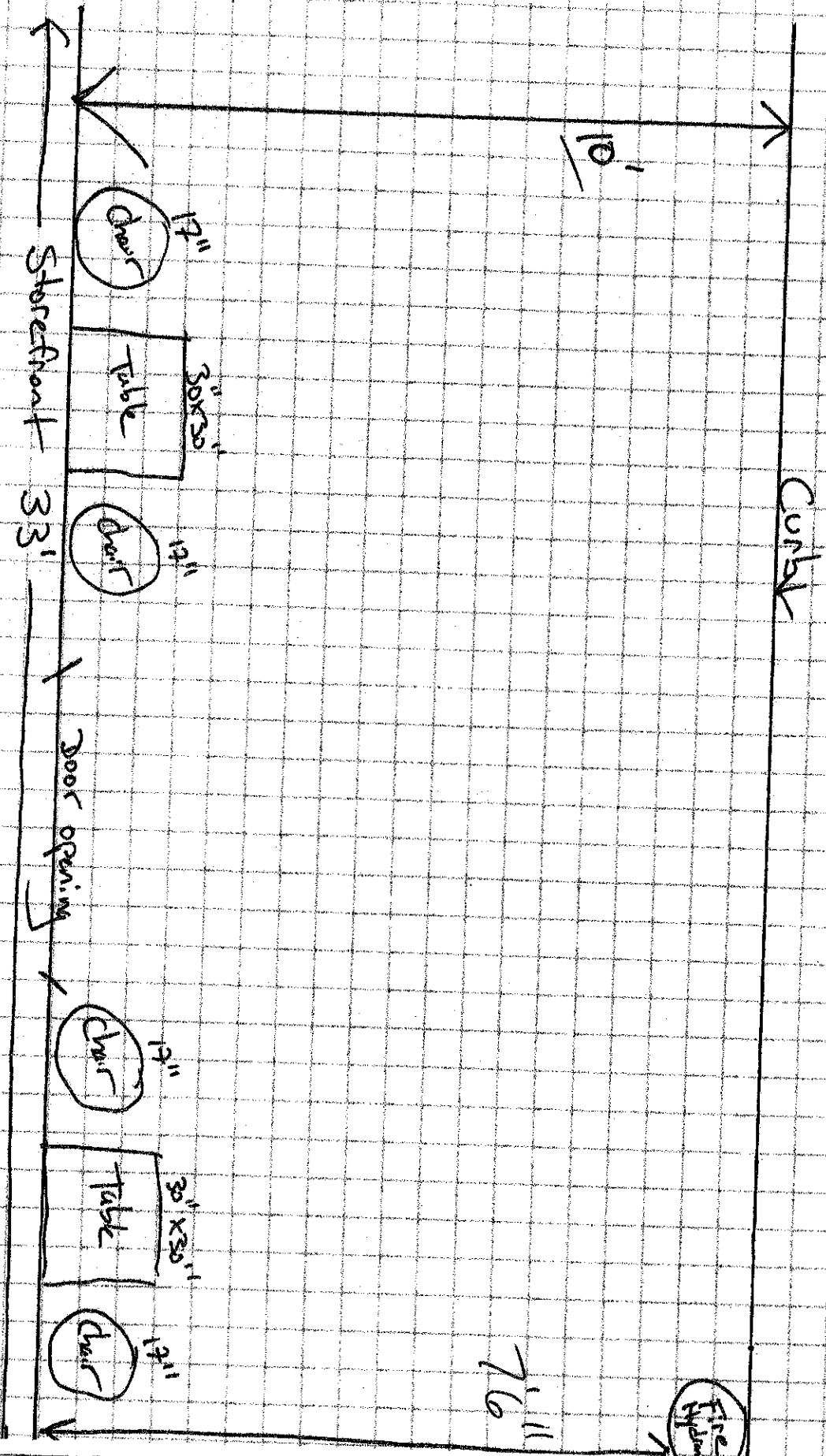
RELEASE AND INDEMNITY AGREEMENT TO ENCUMBER A PUBLIC WAY

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

Signature of Business Owner

Middle Street Foods Seating Proposal

← Middle Street





CERTIFICATE OF LIABILITY INSURANCE

MIDDLE-9

OP ID: AC

DATE (MM/DD/YYYY)

03/20/2015

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
Chase & Lunt LLC
65 Parker Street
Newburyport, MA 01950
Select Business Unit

CONTACT NAME: Select Business Unit

PHONE (A/C, No, Ext): 978-462-4434

FAX (A/C, No): 978-465-6204

E-MAIL ADDRESS:

INSURER(S) AFFORDING COVERAGE

NAIC #

INSURER A: Guard Insurance Group

INSURER B:

INSURER C:

INSURER D:

INSURER E:

INSURER F:

INSURED Middle Street Foods, DBA
John Coyle
4 Glenwood Street
Amesbury, MA 01913

COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

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

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY	X	MSBP510966	03/21/2015	03/21/2016	EACH OCCURRENCE \$ 1,000,000
	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY					DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 50,000
	<input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> OCCUR					MED EXP (Any one person) \$ 5,000
	<input checked="" type="checkbox"/> Business Owners					PERSONAL & ADV INJURY \$
	GEN'L AGGREGATE LIMIT APPLIES PER:					GENERAL AGGREGATE \$ 2,000,000
	<input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC					PRODUCTS - COMP/OP AGG \$
	AUTOMOBILE LIABILITY					COMBINED SINGLE LIMIT (Ea accident) \$
	<input type="checkbox"/> ANY AUTO					BODILY INJURY (Per person) \$
	<input type="checkbox"/> ALL OWNED AUTOS					BODILY INJURY (Per accident) \$
	<input checked="" type="checkbox"/> HIRED AUTOS					PROPERTY DAMAGE (PER ACCIDENT) \$
	<input type="checkbox"/> SCHEDULED AUTOS					
	<input checked="" type="checkbox"/> NON-OWNED AUTOS					
	UMBRELLA LIAB					EACH OCCURRENCE \$
	EXCESS LIAB					AGGREGATE \$
	<input type="checkbox"/> OCCUR					
	<input type="checkbox"/> CLAIMS-MADE					
	DED <input type="checkbox"/> RETENTION \$					
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY					WC STATU-TORY LIMITS <input type="checkbox"/> OTH-ER <input type="checkbox"/>
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)	Y/N <input type="checkbox"/>	N/A			E.L. EACH ACCIDENT \$
	If yes, describe under DESCRIPTION OF OPERATIONS below					E.L. DISEASE - EA EMPLOYEE \$
						E.L. DISEASE - POLICY LIMIT \$

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

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

CERTIFICATE HOLDER

CANCELLATION

City of Newburyport
60 Pleasant Street
Newburyport, MA 01950

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

AUTHORIZED REPRESENTATIVE



RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

3/4/2015

To Whom It May Concern,

2015 MAR 16 A 10:11

Attached are (1) the Special Events Application which needs to be signed-off on by the City Marshall, the Fire Chief, the Deputy Director, and the City Clerk, (2) an insurance document naming the Town of Newburyport as additionally insured, and (3) route maps and turn-by-turn directions. Please send these documents to the appropriate parties for the approval of the North Shore Tour de Cure, scheduled for May 17th, 2015. The cycling event will start and finish in Topsfield, MA from 7AM-3PM.

If you have any questions, concerns, or need any additional material, please do not hesitate to contact me directly at 617-482-4580 ext. 3476 or Kallaby@diabetes.org.

Thank you again for your continuous support!

Kait Allaby
American Diabetes Association
Specialist, Administration
617-482-4580 ext. 3476

Local Office

10 Speen Street 2nd Floor
Framingham, MA 01701

Diabetes Information

Call: 1-800-DIABETES (1-800-342-2383)
online: www.diabetes.org

The Association gratefully accepts gifts through your will.

The Mission of the American

Diabetes Association is to prevent and cure diabetes and to improve the lives of all people affected by diabetes.

SPECIAL EVENT APPLICATION

SPECIAL EVENTS

Tel. 617-482-4580 Fax. 508-626-4260

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

NAME OF EVENT: North Shore Tour de Cure

1. Date: May 17th, 2015 Time: from 7AM to 3PM
Rain Date: _____ Time: from _____ to _____
2. Location: Topsfield Fairground Topsfield, MA
3. Description of Property: Park Public _____ Private _____
4. Name of Organizer: American Diabetes Assoc. City Sponsored Event: Yes _____ No ☒
Contact Attn: Tara Greeley Person: _____
Address: 10 Speen Street Framingham, MA 01701 Telephone: _____
E-Mail: tgreeley@diabetes.org Cell Phone: 508-801-9125
Day of Event Contact & Phone: _____
5. Number of Attendees Expected: 1200
6. MA Tax Number: 13-11623888
7. Is the Event Being Advertised? Yes Where? our company website
8. What Age Group is the Event Targeted to? all ages
9. Have You Notified Neighborhood Groups or Abutters? Yes _____ No ☒ Who? _____

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

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

FOR PARADE, ROAD RACE AND WALKATHON EVENTS ONLY

PARADE _____

ROAD RACE X

WALKATHON _____

1. Name of the Group or Person Sponsoring the Road Race, Parade, Walkathon: It is a bike ride sponsored by the American Diabetes Association and our local sponsors
2. Name, Address & Daytime Phone Number of Organizer: Tara Greeley
10 Speen Street, 2nd Floor Framingham, MA 01701
508-801-9125
3. Name, Address & 24/7 Telephone Number of Person Responsible for Clean Up _____
same as above
4. Date of Event: May 17th, 2015 Expected Number of Participants: 1200
5. Start Time: 7Am Expected End Time: 3pm
6. Road Race, Parade or Walkathon Route: (List street names & **attach map of route**): _____
Please see attached road maps and turn-by-turn directions
7. Locations of Water Stops (if any): N/A
8. Will Detours for Motor Vehicles Be Required? NO If so, where? _____
9. Formation Location & Time for Participants: Toppsfield, MA @ 7AM
10. Dismissal Location & Time for Participants: Toppsfield, MA @ 3pm
11. Additional Parade Information:
 - Number of Floats: N/A
 - Locations of Viewing Stations: N/A

- Are Weapons Being Carried: Yes _____ No X
- Are Marshalls Being Assigned to Keep Parade Moving: Yes _____ No X

APPROVAL SIGNATURES REQUIRED FOR STREET CLOSURE/CROSSING

CITY MARSHAL Shane Howard 4 Green St FIRE CHIEF Dep Stab 3/9/15

DEPUTY DIRECTOR A. Pinner 1 Perry Way CITY CLERK _____

Greenleaf St.

60 Pleasant St

* the police Dept Approves this Race so long as a police Detail(s) are used to provide safety for motorists & riders on Low St or any other location if needed. TT.

DEPARTMENT APPROVAL (For Committee members use only):

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

Approval
Required

Date: _____ Signature: _____

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

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

Limitations

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

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

13-101 Enforcement

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

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

Signed: _____

Date: _____

3/3/2015



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
3/3/2015

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.

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PRODUCER The Novick Group One Church Street Suite 400 Rockville MD 20850	CONTACT NAME: Margretta Palya, AAI PHONE (A/C No. Ext): (301) 795-6600 FAX (A/C No): (301) 795-6610 E-MAIL ADDRESS: mpalya@novickgroup.com														
INSURED American Diabetes Association National Center 1701 N. Beauregard Street Alexandria VA 22311	<table border="1"><tr><th>INSURER(S) AFFORDING COVERAGE</th><th>NAIC #</th></tr><tr><td>INSURER A: Philadelphia Indemnity</td><td>18058</td></tr><tr><td>INSURER B:</td><td></td></tr><tr><td>INSURER C:</td><td></td></tr><tr><td>INSURER D:</td><td></td></tr><tr><td>INSURER E:</td><td></td></tr><tr><td>INSURER F:</td><td></td></tr></table>	INSURER(S) AFFORDING COVERAGE	NAIC #	INSURER A: Philadelphia Indemnity	18058	INSURER B:		INSURER C:		INSURER D:		INSURER E:		INSURER F:	
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INSURER D:															
INSURER E:															
INSURER F:															

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

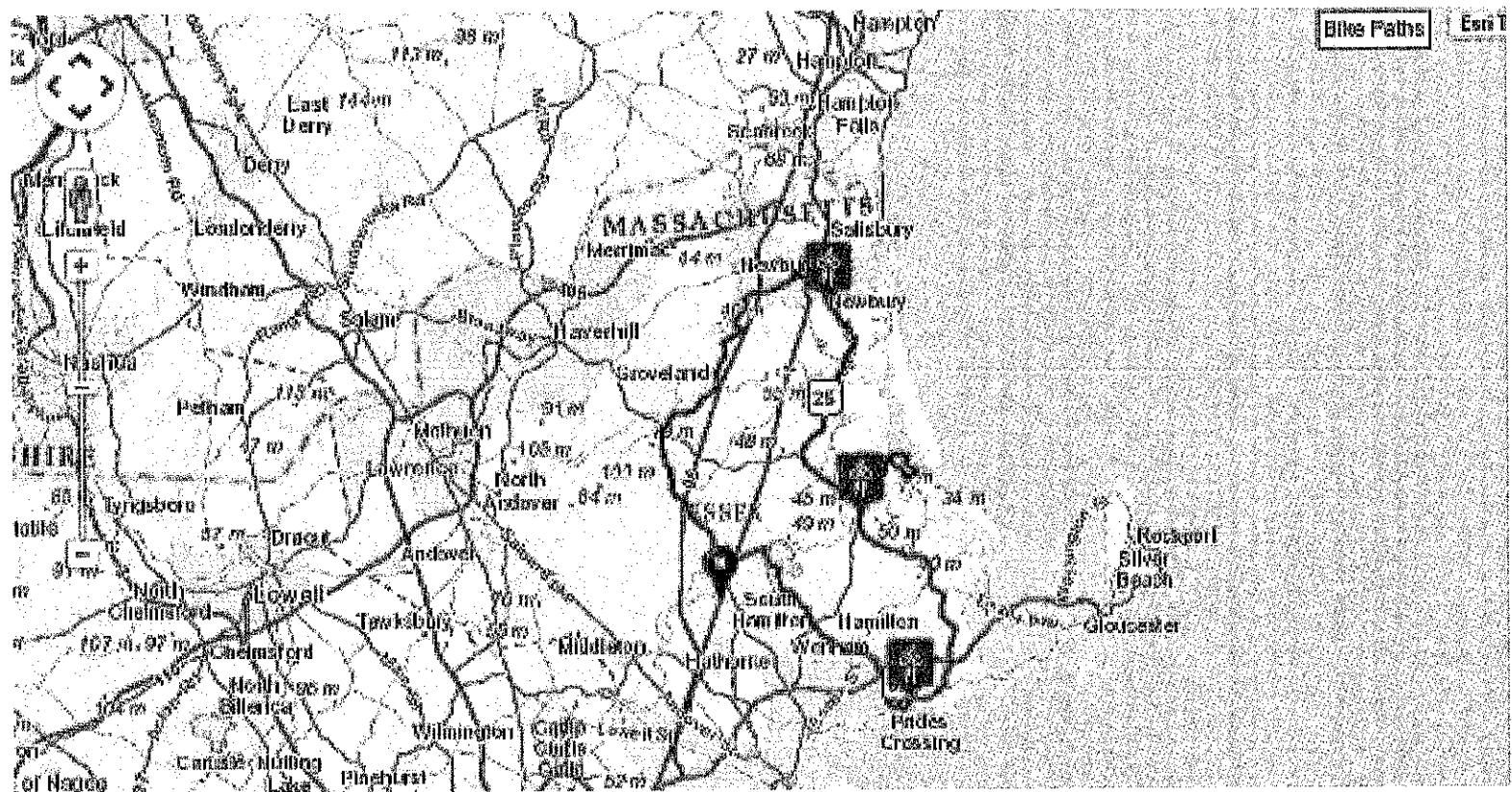
THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE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

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> Participant Liability GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input checked="" type="checkbox"/> LOC	X	PHPK1272862	1/1/2015	1/1/2016	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 1,000,000 MED EXP (Any one person) \$ 20,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS					COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
	UMBRELLA LIAB <input type="checkbox"/> EXCESS LIAB DED <input type="checkbox"/> 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 <input type="checkbox"/> N/A				WC STATUTORY LIMITS E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)
City of Newburyport, MA is an Additional Insured, but only with respect to claims arising out of the negligence of the Named Insured during the North Shore Tour de Cure event on 5/17/2015.

CERTIFICATE HOLDER**CANCELLATION**

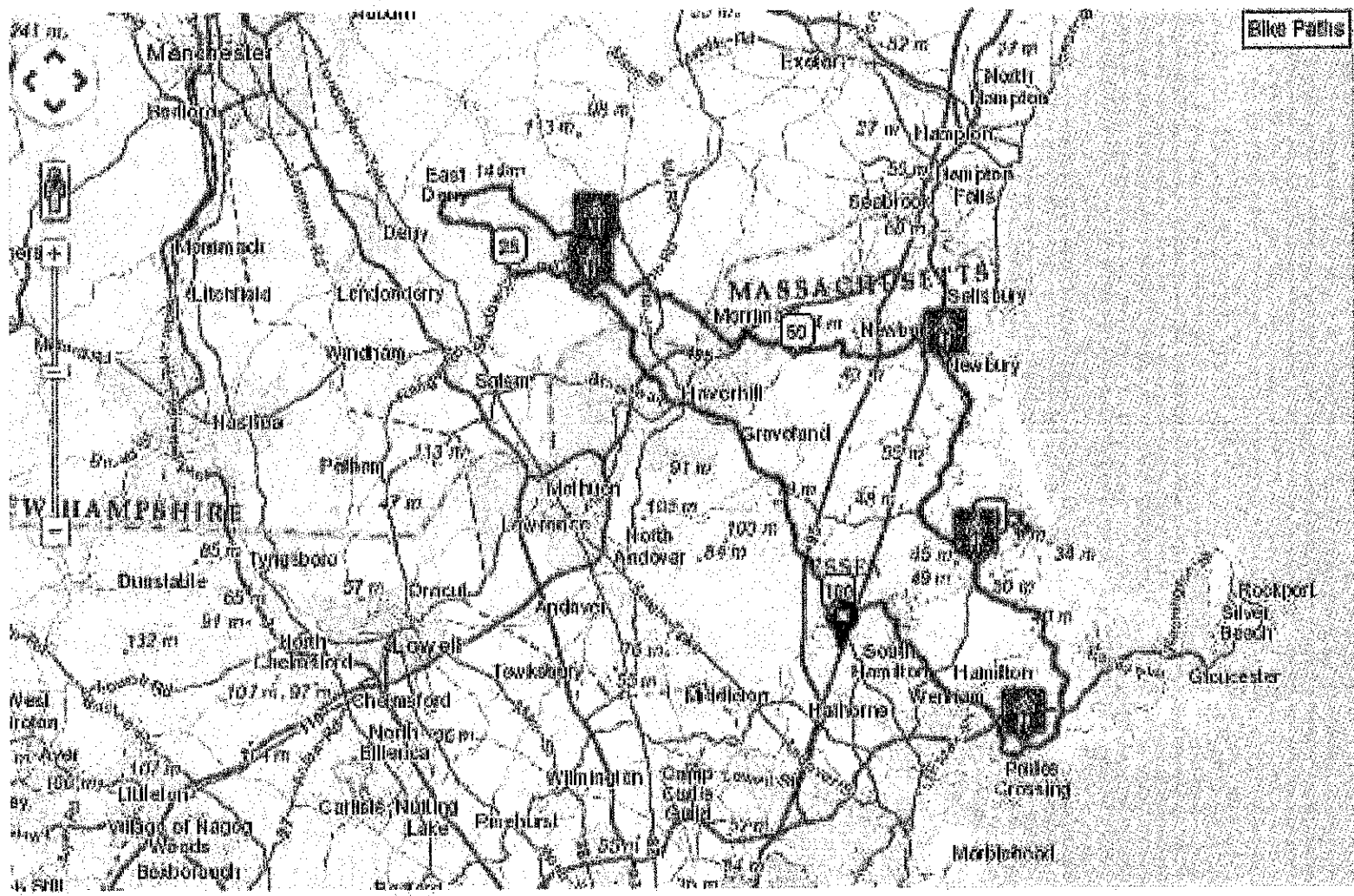
City of Newburyport, MA 60 Pleasant Street Newburyport, MA 01950	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE Louis Novick/PALYA



Biles Paths Est 1

62 mile Route

Type	Notes	Distance (n	Elevation (f	Description
Start	Start of route	0	0	
Right	Cross Rt.1, Slight turn right onto S Main St	0.01	36.42	
Left	Slight left onto MA-97 N/Haverhill Rd	1.51	77.1	
Straight	Continue onto Ipswich Rd	3.71	106.3	
Straight	Continue onto Killam Hill Rd	4.02	104.66	
Straight	Continue onto North St	7.71	87.93	
Straight	Continue onto Main St	10.65	64.96	
Straight	Continue onto South St	12.54	74.48	
Left	Turn left onto Turkey Hill Rd	13.34	64.96	
Straight	Continue onto Hale St	15.41	40.35	
Straight	Continue onto Toppans Ln	17.16	33.46	
Right	Turn right onto High St	17.6	73.49	
Water	RS4- 1st Rest Stop 62m, Upper Green, Newbury MA	19.49	37.4	
Straight	Continue onto East St	29.79	66.6	
Left	Turn left onto Jeffrey's Neck Rd	30.37	25.26	
Straight	Continue onto Little Neck Rd	32.07	14.44	
Straight	Continue onto Bayview Rd	33.5	15.42	
Right	Slight right onto Clark Rd	33.66	48.56	
Left	Turn left onto Northridge Rd	34.45	52.17	
Straight	Continue onto Jeffrey's Neck Rd	35.47	14.44	
Right	Turn right onto East St	37.17	25.26	
Straight	Continue onto County St	37.59	42.32	
Right	Sharp right toward S Village Green	38.07	21.98	
Left	Turn left onto S Village Green	38.1	22.31	
Right	Slight right onto MA-133 E/County Rd	38.24	28.54	
Left	Turn left onto MA-133 E	38.65	39.7	
Right	Turn right onto Southern Ave	43.6	14.76	
Straight	Continue onto School St	46.19	51.84	
Right	Turn right onto MA-127 S	47.78	24.28	
Right	Turn right onto Hale St	49.76	11.81	
Straight	Continue onto Hart St	50.28	44.95	
Straight	Continue onto Grapevine Rd	51.44	54.13	
Left	Slight left onto Larch Row	54.21	63.98	
Right	Turn right onto Walnut Rd	54.31	58.07	
Right	Turn right onto Massachusetts 1A N/Bay Rd	55.46	52.82	
Left	Turn left onto Asbury St	55.65	52.49	
Right	Turn right onto Highland St	56.67	51.84	
Left	Slight left onto Asbury St	56.75	54.46	
Left	Turn left onto Ipswich Rd	59.63	39.7	
Left	Ipswich Rd turns slightly left and becomes Main St	61.74	77.1	
Left	Slight left at Boston St/Newburyport Turnpike (Rt.1)	63.24	36.42	
End	End of route	63.25	37.73	



2015 NS TdC 100 Mile Grand Fondo

101.6 miles

Leg	Dir	Type	Notes	Total
	→	Right	Cross Rt.1, Slight turn right onto S Main St	0.0
1.5	←	Left	Slight left onto MA-97 N/Haverhill Rd	1.5
2.5	↑	Straight	Continue onto Killam Hill Rd	4.0
3.7	←	Left	Turn left onto MA-97 N/W Main St	7.7
0.2	↑	Sprint	Time Trial Starts	7.9
2.8	↑	Generic	Time Trial Ends	10.7
0.9	↑	Straight	Continue onto Groveland St	11.6
1.4	↑	Straight	Continue onto Water St	13.1
0.4	←	Left	Turn left to stay on Water St	13.4
0.4	↑	Straight	Continue onto Merrimack St	13.9
0.3	↑	Straight	Continue onto Washington Square	14.1
0.0	→	Right	Turn right onto Essex St	14.2
0.4	↑	Straight	Continue onto Lafayette Square	14.5
0.1	←	Left	Turn left to stay on Lafayette Square	14.6
0.1	→	Right	Turn right onto Hilldale Ave	14.7
3.5	←	Left	Turn Left onto Main St. NH-121	18.2
0.6	→	Right	Slight right onto Maple Ave	18.7
1.5	←	Left	Turn left onto Academy Ave	20.3
0.5	↑	Water	RS2- 1 st Rest Stop Grand Fondo, Atkinson FD, Atkinson NH	20.8
0.0	→	Right	Turn right onto NH-121 N/Main St	20.9
1.5	←	Left	Turn left onto Island Pond Rd	22.4
1.0	→	Right	Turn right onto W Rd	23.4
0.0	←	Left	Turn left onto NH-111 W	23.4
1.4	→	Right	Turn right onto Island Pond Rd	24.8
2.1	↑	Straight	Continue onto Warner Rd/Warner Hill Rd	26.9
0.7	↑	Sprint	Hill Climb Starts	27.7
1.6	↑	Sprint	Hill Climb Ends	29.2
0.1	→	Right	Turn right onto Floyd Rd	29.4
0.7	→	Right	Turn right onto Hampstead Rd	30.1
2.9	→	Right	Turn right onto NH-121/Main St	32.9
2.9	←	Left	Turn left onto Emerson Ave	35.8
0.6	→	Right	Slight right onto East Rd	36.4
1.6	↑	Water	RS3- Rest Stop, Hampstead Academy, Hampstead NH	38.0

1.8	↑	Danger	Slow: Left Turn Ahead	39.8
0.4	←	Left	Turn left onto Linebrook Rd	40.2
0.3	↑	Straight	Continue onto Greenough Rd	40.5
0.7	←	Left	Turn left onto Danville Rd	41.2
0.2	→	Right	Turn right onto Walton Rd	41.3
0.1	→	Right	Turn Right onto Main St- NH121A	41.4
1.1	←	Left	Turn left onto Elm St	42.5
0.3	→	Right	Turn right onto Palmer Ave	42.9
0.2	→	Right	Turn right onto Sweet Hill Rd	43.1
1.8	→	Right	Turn right onto NH-108 S/Route 108 S	44.9
0.2	←	Left	Turn left onto Newton Rd/Cortiss Hill Rd	45.0
0.0	↑	Straight	Continue onto Cortiss Hill Rd	45.0
1.1	←	Left	Turn left onto Whittier Rd	46.1
0.4	←	Left	Turn left onto Amesbury Rd	46.6
0.9	→	Right	Turn right onto Amesbury Line Rd	47.4
1.2	↑	Straight	Continue onto E Main St	48.7
0.4	↑	Straight	Continue onto Church St	49.0
0.1	↑	Straight	Continue onto Bridge St	49.1
0.8	←	Left	Turn left onto MA-113 E/Main St	49.9
2.1	→	Right	Turn right onto Garden St	52.0
0.6	←	Left	Turn left at Middle St	52.6
1.1	←	Left	Turn left onto Turkey Hill Rd	53.7
0.0	↑	Straight	Continue onto Hale St	53.7
1.8	↑	Straight	Continue onto Toppans Ln	55.5
0.4	→	Right	Turn right onto High St	55.9
1.9	↑	Water	RS4- Rest Stop, Upper Green, Newbury MA	57.8
10.3	↑	Straight	Continue onto East St	68.1
0.6	←	Left	Turn left onto Jeffreys Neck Rd	68.7
1.7	↑	Straight	Continue onto Little Neck Rd	70.4
1.4	↑	Straight	Continue onto Bayview Rd	71.8
0.2	→	Right	Slight right onto Clark Rd	72.0
0.8	←	Left	Turn left onto Northridge Rd	72.8
1.0	↑	Straight	Continue onto Jeffreys Neck Rd	73.8
1.7	→	Right	Turn right onto East St	75.5
0.4	↑	Straight	Continue onto County St	75.9
0.5	→	Right	Sharp right toward S Village Green	76.4

0.0	←	Left	Turn left onto S Village Green	76.4
0.1	→	Right	Slight right onto MA-133 E/County Rd	76.6
0.4	←	Left	Turn left onto MA-133 E	77.0
5.0	→	Right	Turn right onto Southern Ave	81.9
2.6	↑	Straight	Continue onto School St	84.5
1.6	→	Right	Turn right onto MA-127 S	86.1
2.0	→	Right	Turn right onto Hale St	88.1
0.5	↑	Straight	Continue onto Hart St	88.6
1.2	↑	Straight	Continue onto Grapevine Rd	89.8
2.8	←	Left	Slight left onto Larch Row	92.5
0.1	→	Right	Turn right onto Walnut Rd	92.6
1.2	→	Right	Turn right onto Massachusetts 1A N/Bay Rd	93.8
0.2	←	Left	Turn left onto Asbury St	94.0
1.0	→	Right	Turn right onto Highland St	95.0
0.1	←	Left	Slight left onto Asbury St	95.1
2.9	←	Left	Turn left onto Ipswich Rd	97.9
2.1	←	Left	Ipswich Rd turns slightly left and becomes Main St	100.0
1.5	←	Left	Slight left at Boston St/Newburyport Turnpike (Rt.1)	101.6

Ride With GPS • <http://ridewithgps.com>



NEWBURYPORT PUBLIC SCHOOLS

70 LOW STREET

NEWBURYPORT, MASSACHUSETTS 01950-4086

Communication #4
March 30, 2015

OFFICE OF THE SUPERINTENDENT

TELEPHONE 978.465.4456
FAX 978.462.3495

March 17, 2015

William DeRosa, Superintendent
Whittier Regional Vocational
115 Amesbury Line Rd.
Haverhill, MA 01830

105 MAR 20 A 9 24
NEWBURYPORT
MASSACHUSETTS

Dear Bill:

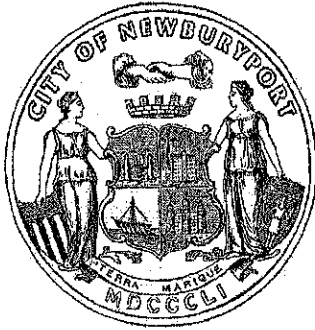
It is my pleasure to inform you that the Newburyport School Committee unanimously voted to re-appoint H. Nelson Burns as a Newburyport representative to the Whittier Vocational Technical School Committee for another three year term on March 2, 2015.

Please feel free to call or e-mail me with any other information that you may need. Thank you.

Sincerely,

Susan L. Viccaro
Superintendent of Schools

cc. Mayor Donna Holaday
Thomas O'Brien, City Council President
Richard Jones, City Clerk ✓



RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2015 MAR 24 P 1:1



CITY OF NEWBURYPORT
60 PLEASANT STREET
NEWBURYPORT, MA 01950

BLOCK PARTY APPLICATION

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

DATE OF REQUEST: 3/10/15

CONTACT INFORMATION

FIRST AND LAST NAME: Douglas Johnson

MAILING ADDRESS: 2 Arthur Welch Dr, Newburyport, MA

PHONE NUMBER: 617-413-1084

E-MAIL ADDRESS: djohnson@equipnet.com

BLOCK PARTY INFORMATION

BLOCK PARTY DATE: Sat, 6/20/15

DESIRED STREET CLOSING LOCATION: NONE (@ Cherry Hill)

Please indicate cross streets when requesting the closing of street sections Steel Fields

STREET TO BE BARRICADED: NONE

DESIRED STREET CLOSING TIME: NONE

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

AMPLIFIED MUSIC: ☒ YES ☐ NO

REGULATIONS

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

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

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

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

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

Applicant Signature _____

Date 3/10/15

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.

Thomas H. Hennessey

Dep Stb 3/10/15

Al Durren Director 3/17/15

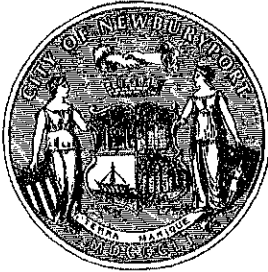
Richard B. Jones

City use only:

Approved _____

-Denied _____

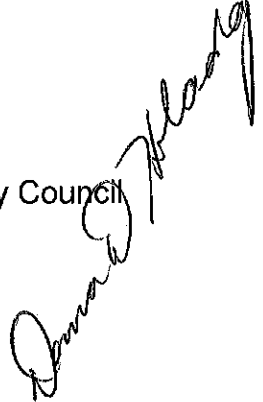
Date _____



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

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

To: President and Members of the City Council
From: Donna D. Holaday, Mayor
Date: March 24, 2015
Subject: Communication



Please be advised that the following named individual has been named as a member of the Energy Advisory Committee. There is no term limit.

Richard W. England
73 Washington Street
Newburyport, MA 01950

RICHARD W. ENGLAND

73 WASHINGTON STREET • NEWBURYPORT, MA 01950
EMAIL: RWENGLAND2@GMAIL.COM • PHONE: (970) 672-6903

SUMMARY

Proven success delivering to business leaders. Engineering, sales, marketing and business development success combined with talent for rapidly learning and working with technology-based hardware/software solutions. Skilled at reaching and selling to C-level executives; quickly building lasting relationships; rapidly resolving technical challenges and working projects to mutual success.

KEY HIGHLIGHTS

MARKETING

- Won 2nd largest verification booking (\$11M) and largest static verification booking (\$2.3M) – *Cadence President's Club* recipient.
- Launched new HW/SW acceleration & emulation solutions into new markets, expanding installed base.
- Conducted WW analyst and press briefings to launch new hardware products into software markets.
- Created highly effective, credible presentations clearly differentiating products from competitors'.
- *Rising Tide Award* recipient for leadership and execution for improving software performance.

SALES

- 2013-2014: Exceeded syndicated research sales target; \$1.7M quota
- 2008: Achieved 105% of \$3.6M Run-Rate quota. Won 23 new installations and bookings in deeply entrenched competitive installed base.
- 2007: Achieved 96% of \$8.57M quota.
- Secured new sales at "closed" competitive accounts often replacing competitors' products.
- Promoted to key named accounts based on success in geography accounts.

BUSINESS DEVELOPMENT

- 2010-2013: Founder and CEO of energy startup.
- Developed vertical market business plan that increased sales and market share worldwide.
- Created ROI calculator used to justify business value of \$MM emulation systems.
- Led and executed worldwide market development campaigns which boosted hardware emulation sales.
- Built sales strategy and business justification to win \$16M verification sale.
- Selected for *Chairman's Club Achievement Award* for enabling competitive sales wins.

PROFESSIONAL EXPERIENCE

TECHNOLOGY BUSINESS RESEARCH

2013 – PRESENT

ACCOUNT EXECUTIVE (HAMPTON, NH)

Growing syndicated research subscriptions by 20% within TBR's strategic accounts, IBM and EMC. \$1.6M quota for sales of cloud based, IT, telecommunications and professional services research.

MARIANAS BLUE

2010 – 2013

OWNER/FOUNDER (FORT COLLINS, CO)

Bootstrapped a successful electrical energy monitoring startup targeting government, business and educational facilities. Performed energy monitoring for facility, lighting and HVAC energy use; used to justify ROI for retro-commissioning projects. Experienced using Energy Star Building Portfolio Manager. Community outreach activities include FortZED (Fort Collins Zero Energy District) and teaching Electrical Energy conservation at local schools.

CADENCE DESIGN SYSTEMS

2001 – 2008

ACCOUNT MANAGER OF TECHNOLOGY (LOUISVILLE, CO)

Successfully drove new product displacement campaigns for embattled products in deeply entrenched competitive territory with few existing relationships. Displaced competitors' tools at enterprise and strategic accounts. Delivered educational workshops targeting new user community to grow territory and bookings. Drove successful technical engagements to completion by prospecting, qualifying and delivering on business needs. Articulated and quantified differential product value and ROI.

CHANNEL MARKETING MANAGER, VERIFICATION AND VERTICAL MARKETS (CHELMSFORD, MA)

Boosted bookings, technical engagements, and product awareness by engaging customers and repositioning products versus competitors' offerings.

SENIOR PRODUCT MARKETING MANAGER, FUNCTIONAL VERIFICATION (CHELMSFORD, MA)

Managed inbound and outbound marketing of advanced verification tools: pricing, packaging, positioning of simulation, assertion-based verification, static verification, formal verification, functional coverage and SystemC.

QUICKTURN DESIGN SYSTEMS

1999 – 2001

STRATEGIC MARKETING MANAGER (LOWELL, MA)

MENTOR GRAPHICS

1997 – 1999

PRODUCT MARKETING MANAGER II (BILLERICA, MA)

SYNOPSYS, INC.

1989 – 1997

PRODUCT LINE MANAGER (MOUNTAIN VIEW, CA)

SENIOR PRODUCT MARKETING MANAGER (MOUNTAIN VIEW, CA)

FIELD APPLICATIONS ENGINEERING MANAGER (IRVINE, CA)

EDUCATION & PROFESSIONAL DEVELOPMENT

B.S. Electrical Engineering – IEEE Chapter President

Fairleigh Dickinson University

Certified Energy Manager (CEM) – Association of Energy Engineers

Cert# 20606

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: Slow Bike Race

1. Date: July 29 2015 Time: from 5:30 pm to 7:30 pm
Rain Date: n/a Time: from _____ to _____
2. Location: Pleasant St. between Green and Titcomb Streets
3. Description of Property: Pleasant Street and Brown Square Public ☒ Private ☐
4. Name of Organizer: Coastal Trails Coalition City Sponsored Event: Yes ☐ No ☒
Contact: Cynthia "Cyd" Raschke Person:
Address: 207 High St. Telephone:
E-Mail: cyd.natr@comcast.net Cell Phone: 978 807 4709
Day of Event Contact & Phone: (Same)
5. Number of Attendees Expected: 30 participants, 200 spectators
6. MA Tax Number: 04-3395856
7. Is the Event Being Advertised? yes Where? Yankee Homecoming Program Book
8. What Age Group is the Event Targeted to? Adults but children are welcome with adult supervision.
9. Have You Notified Neighborhood Groups or Abutters? Yes ☒ No ☐ Who? _____

* We notify by letter the residents & businesses on the block 1 week ahead.

ACTIVITIES: (Please check where applicable.) Subject to Licenses & Permits from Relevant City Departments - None -

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

Coastal Trails Coalition

2. Name, Address & Daytime Phone Number of Organizer: Cyd Raschke

207 High St

978 807 4709

3. Name, Address & 24/7 Telephone Number of Person Responsible for Clean Up (same)

4. Date of Event: July 29 2015 Expected Number of Participants: 40

5. Start Time: 5³⁰ Expected End Time: 7³⁰

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

Pleasant St. between Green and Titcomb Streets
(one block)

7. Locations of Water Stops (if any): _____

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

9. Formation Location & Time for Participants: 5:30pm Brown Square

10. Dismissal Location & Time for Participants: 7:30pm Brown Square

11. Additional Parade Information:

• Number of Floats: _____

• Locations of Viewing Stations: _____

• Are Weapons Being Carried: Yes _____ No _____

• Are Marshalls Being Assigned to Keep Parade Moving: Yes _____ No _____

APPROVAL SIGNATURES REQUIRED FOR STREET CLOSURE/CROSSING

CITY MARSHAL _____

4 Green St

FIRE CHIEF _____

Greenleaf St

DEPUTY DIRECTOR _____

1 Perry Way CITY CLERK _____

60 Pleasant St

DEPARTMENT APPROVAL (For Committee members use only):

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

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

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

Limitations

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

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

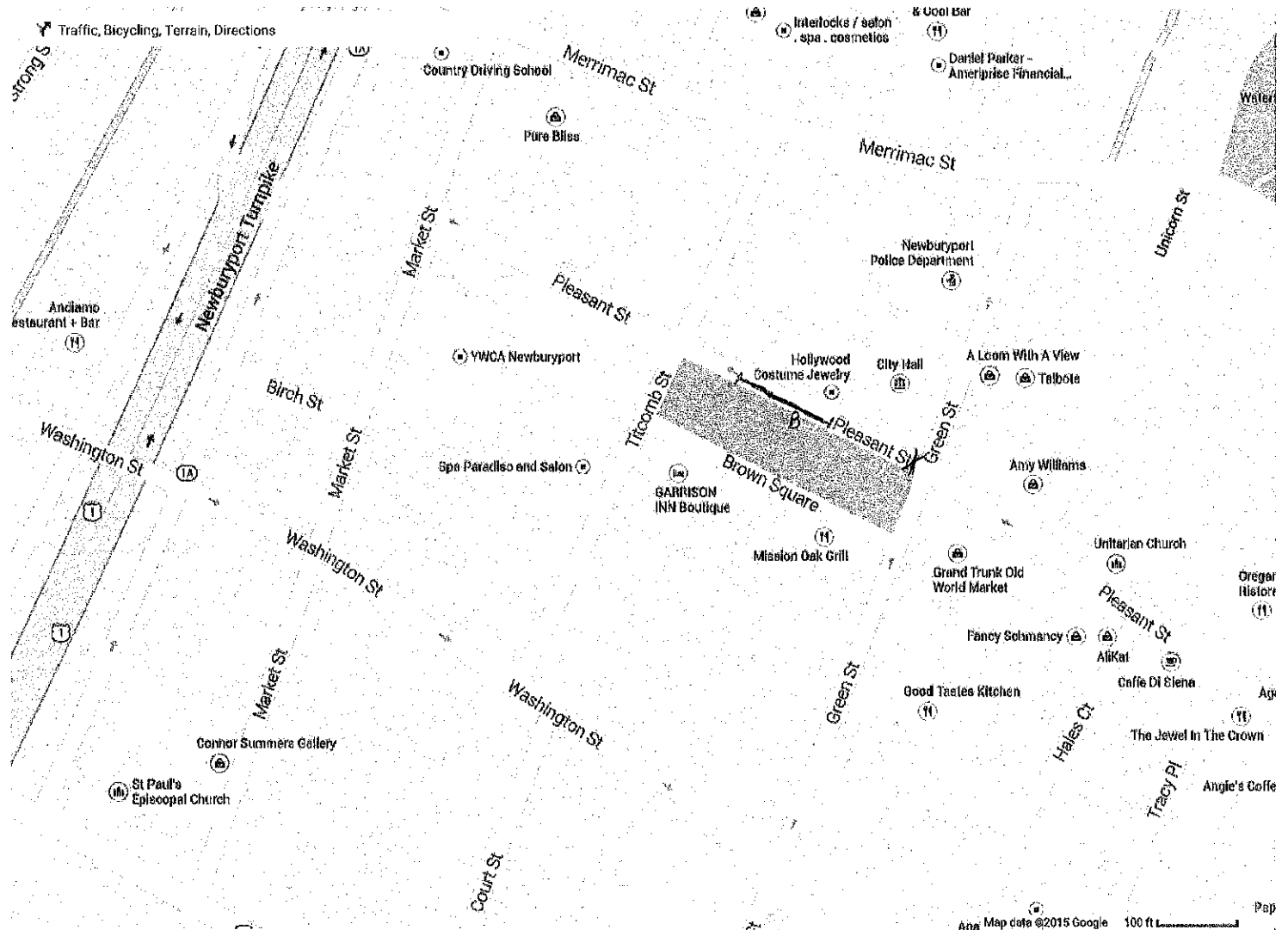
13-101 Enforcement

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

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

Signed: _____

Date: _____



Slow Bike Race

July 29 2015 5:30pm

— Route of race

x Road closure

B Bullhorn

Please note The Coastal Trails Association will obtain the required insurance and Parks Department permit for Brown Square.



Coastal Trails Coalition

www.coastaltrails.org

March 18 2015

Newburyport City Council
City Hall, Pleasant Street
Newburyport MA 01950

Dear City Council:

The Coastal Trails Coalition respectfully asks the Council to consider a repeat request to hold an event on Pleasant Street between Green and Titcomb Streets during Yankee Homecoming week. We propose to once again run the Slow Bike Race on Pleasant Street between City Hall and Brown Square on Wednesday July 29 from 530 pm to 7:30 pm. We will also obtain the approval of the Parks Department by applying for a permit for Brown Square. This event is a fundraiser for the Coastal Trails Coalition and Newburyport Rail Trails, and a portion of the proceeds are donated to the City's Parks Department.

We would also like to take this opportunity to thank the City for its support for our successful 2014 event. The format would stay the same: in each heat 4 to 6 bikes ride a short length in the middle of block. We appreciate the supervision of the Police Department for the street closing last year, and will coordinate with them again. For your information, the draft flyer attached contains more details about the event. Please contact Cyd Raschke at 978 462 2733 for further information.

Thank you in advance for your consideration. We look forward to another successful Yankee Homecoming!

Sincerely,

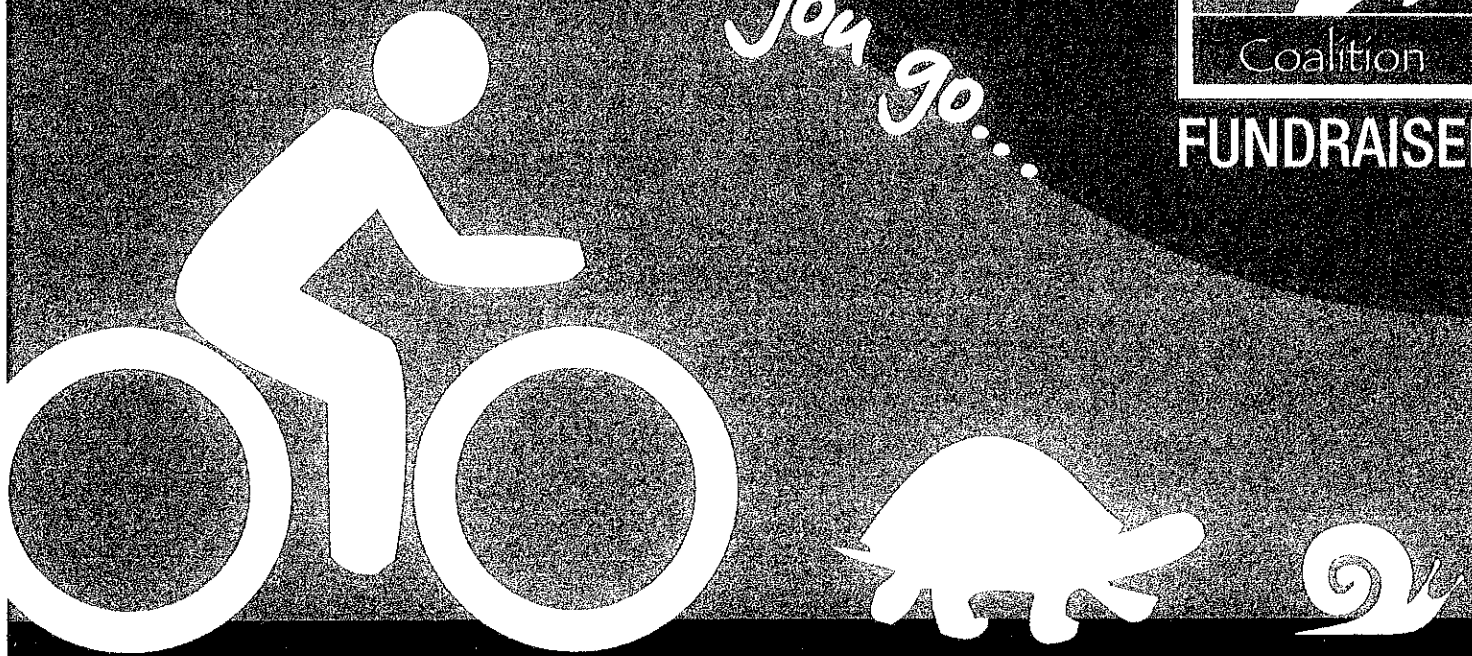
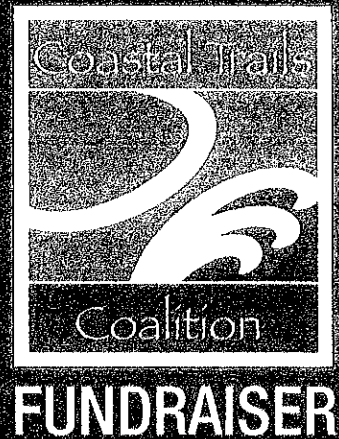
A handwritten signature in black ink, appearing to read "Cyd Raschke", written over a horizontal line.

Cyd Raschke
Event Director, Slow Bike Race
Asst. Clerk, Coastal Trails Coalition

The Coastal Trails Coalition, Inc. (CTC) is an all-volunteer, non-profit organization whose mission is to assist in the development, promotion, and stewardship of the Coastal Trails Network, a 30-mile public system of bicycle and pedestrian trails connecting communities surrounding greater Newburyport.

PO Box 1016, Newburyport, MA 01950

How slow can you go...



Last one across the finish line wins!

SLOW BIKE RACE

Wednesday July 29 - 6:00 pm (registration begins at 5:30 pm)
Brown Square - Pleasant/Green St. Newburyport MA

PRIZES AWARDED

Last Place Winner • Most Donations Raised • Best Attire/Costume

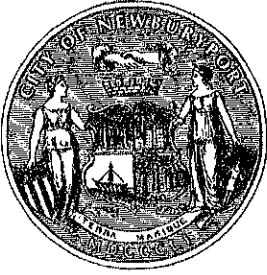
For details and rules visit: coastaltrails.org

To pre-register email info@coastaltrails.org or call 978.462.2733

All donations go to local Rail Trail maintenance - \$25 fee to enter

**APPOINTMENTS
FIRST READING**

Appointment #1
March 30, 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

7:15 MAR 24 A 9:08

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

Donna D. Holaday

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

Elizabeth Horne
13 Moseley Avenue
Newburyport, MA 01950

Elizabeth F. Horne
13 Moseley Place
Newburyport, MA 01950

Mayor Donna Holaday
Newburyport City Hall
60 Pleasant Street
Newburyport, MA

March 23, 2015

Dear Mayor Holaday:

Should a vacancy become available on the Commission for Diversity and Tolerance, please consider me for the opening. I was a founding member of the Commission and its predecessor organization the No Place for Hate Committee. I have a deep commitment to human rights, anti-bias and cultural competency. In 2002, in recognition of my anti-bias work, I was awarded the Nancy Peace Prize. For the past six years, I have served as the clergy liaison to the Melrose Human Rights Commission and initiated the community's annual MLK Day of Service. My term in Melrose ends this spring, and I would be delighted to return to once again do this work in Newburyport.

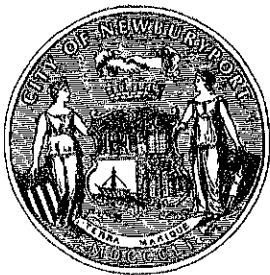
I apologize for a lack of resume. In ministry, we use a profile system, and because of this I have no current resume. I have included some highlights here but understand completely if this is not sufficient. In May of 2005, I received a Master of Divinity from Andover Newton Theological School. Since that time, I have served several churches as pastor. For the past six years, I have served as a senior pastor at Melrose Highlands Congregational Church www.mhcc-ucc.org. I came to ministry as a second career, having worked professionally in marketing communications and technical sales in the compound semiconductor industry. My undergraduate degree is from Boston College. My training in the area of anti-bias shows my passion for human rights and includes anti-bias training with the ADL, conflict transformation training with the Lombard Institute and the Brookfield Institute. My background also includes community organizing and training with the Industrial Areas Foundation. In addition to the above, I was a founding member of the Newburyport Youth Commission and also served in Newburyport on the Bresnahan School Council.

Thank you so much for your consideration.

Sincerely,

Beth

Elizabeth F. Horne



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

MAR 24 A 9:08

Donna D. Holaday

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

I hereby appoint, subject to your approval, the following named individual as a member of the Planning Board. This term will expire on May 1, 2020.

James Brugger
4 Savoy Street
Newburyport, MA 01950

January 28th, 2015

James Brugger
4 Savory Street
Newburyport, MA 01950

Mayor Donna D. Holaday
60 Pleasant Street
Newburyport, MA 01950


Dear Mayor Holaday,

I am writing to express my interest in serving on the Newburyport Planning Board. As you can see from my resume, I am an engineer by training and profession. I have lived in Newburyport since 1996. My wife, daughter, son and I moved here so I could be part of startup medical company, which lead to my current employer, NxStage Medical in Lawrence. Since that time my focus has been on bringing a home hemodialysis machine to market and making time for my family. My volunteering since moving to Newburyport has been limited to being the Cub Master for my son's Cub Scouts when he was younger. It was fulfilling getting to know new people and helping a worthy cause. Now both my children are in the back half of college and I now find I have more time on my hands. I would like to use some of that time to serve my community.

I have had a long interest in planning. In college I took an elective course in urban planning. I have followed the development of Newburyport over the years through reading of the Daily News and going to various city meeting related to the master plan, pedestrian paths, and the High Street work, among others. I think I can bring my skills and talents as an engineer to help my community set its development path for years to come.

If you have any questions or concerns, please feel free to contact me. (978) 376-8033.

Sincerely,



James Brugger

CURRICULUM VITAE

James Brugger
4 Savory Street
Newburyport, MA 01950
Home: 978-463-9370
Cell: 978-376-8033
email: jamesmbrugger@gmail.com

Professional Objective

A career in Mechanical Engineering Design and Engineering Management in the field of Medical Devices. My goal is to provide value through innovation, delivering a high return on investment to stakeholders, and work with talented people who are committed to excellence.

Education

Masters of Engineering, Engineering Management
University of Colorado, Boulder, May 1996.

Bachelor of Science with Honors, Mechanical Engineering
University of Colorado, Boulder, May 1985.

Strengths

- Product Development, Medical Devices.
- High level of Creativity and Innovation.
- Excellent conceptual skills.
- Driven to deliver with sense of urgency.
- Valued team player.
- Extracorporeal hemodynamics
- High volume plastic disposables.
- Vascular access implanted devices.
- Intellectual Property Management.

Experience

Vice President, Research: (01/10 to present) **NxStage Medical, Inc.**, Lawrence, Massachusetts.

- Developing next generation NxStage home dialysis machine.
- Developed Streamline Express Dialyzer with Bloodline.
- Developed OneSite Needle, dual lumen needle.
- Developed a low cost pressure measurement disposable component.
- Developed Bifurcated Connector for elimination of misconnections.

Vice President, Disposables Engineering: (12/99 to 12/09) **NxStage Medical, Inc.**, Lawrence, Massachusetts.

- Developed Streamline bloodline for Gambro Phoenix dialysis machine.
- Developed SecureClip luer disconnection protection device.
- Improved cartridge leak rate from a high of 150 per week in 2008 to 15 in January 2009.
 - Redesign of the FMP, Skinny Weld
 - Moved FMP manufacture to Medimexico with an increase in quality and improved efficiencies.
- Reduced direct material costs of Cartridge disposable by 50% in 2007.
 - Took advantage of cost reduction changes to integrate marketing and quality driven product enhancements.
 - Lead design and process changes to double Cartridge production in 2007, preparing for doubling in 2008.
- Responsible for Disposables Development and Engineering.
 - Taken designs from concept through to production and into the market.
- Developed Innovative Blood and Fluid Handling Disposable for NxStage™ System One Hemodialysis Machine
- Member of management team developing a Renal Replacement Therapy Business
 - Developing disposable products for home dialysis therapy.
 - Developing disposable products for the Acute/ICU environment.
- Innovative design and Intellectual Property developed.
- MassMedic 2005 Design Innovation Award for NxStage System One.

Director of Engineering: (6/99 to 12/99) NxStage Medical, Inc., Tewksbury, Massachusetts.

- Fifth employee of start up venture funded company.
- Responsible for Disposables Development and Intellectual Property management.
- Key team member in design and development of the LifeMate™ Hemofiltration Machine.
- Developed Innovative Disposable for LifeMate™ Hemofiltration Machine.

Director of Engineering: (6/96 to 5/99) VascA, Inc., Tewksbury, Massachusetts.

- Second employee of start up venture funded company.
- Responsible for New Product Development, Intellectual Property, Design Drafting and Product Test Lab.
- Developed a vascular access device for hemodialysis, Innovative Implantable Valve, LifeSite™
- VascA Venous LifeSite, developed from concept, through beginning of feasibility clinicals in 12 months.
- LifeSite had first sale within 27 months.
- Patent Officer, responsible for managing VascA's patent portfolio.

Manager of Disposables Development: (8/95 to 5/96) Gambro Healthcare (formerly COBE Renal Care, Inc.), Advanced Technology Group and Disposables Development, Lakewood, Colorado.

- Member of Disposables Management Team consisting of R&D, Marketing, Quality and U.S. and Mexico Production
- Managing Validation of Production Automation for U.S. and Mexico Production facilities.
- Designed Blunt Needle system for Hemodialysis Blood Tubing Sets.
- Disposable Packaging Redesign for \$420,000 per year savings.

Research and Development Engineer: (6/92 to 8/95) COBE Renal Care, Inc. (formerly CGH Medical, Inc.) Advanced Technology Group and Disposables Development, Lakewood, Colorado.

- Member of Disposables Product Team consisting of R&D, Marketing and U.S. and Mexico Production groups. –
- Implemented product improvements, cost reductions and new product offerings.
- Sole Research and Development Engineer for COBE Renal Care's \$24 million blood line business from 6/92 until 3/95.
- Designed and developed the Side Entry Blow Molded Drip Chamber for hemodialysis blood lines.
- Designed and lead development of COBE's Hemodynamic Monitor and fluid loop disposable, a device that uses non-invasive conductivity measurement to determine access recirculation.
- Designed and developed improvements to COBE Centrysystem 3 Cartridge Blood Lines.
- Developed cost reductions for Blood Lines, conversion to gamma sterilization, etc. Included performing lab and field evaluations of disposable blood lines.

Quality Engineer: (6/90 to 6/92) CGH Medical, Inc. (formerly COBE Laboratories, Inc., Nephrology Division) Blood Tubing Set Group, Tijuana, Mexico.

- Responsible for developing, maintaining and enhancing the FDA GMP compliance of the plant and product line during a time when volumes increased by over 50%.
- Responsible for resolving quality issues dealing with customer complaints, vendor quality, process quality, and component design.

Research and Development Engineer: (2/87 to 6/90) COBE Laboratories, Nephrology Division, Lakewood, Colorado.

- Designed, analyzed and tested plastic components for disposable hemodialysis BTS.
- Continuing engineering and redesign work on Centrysystem3 hemodialysis machine.
- Research work on a differential conductivity fistula monitor for measuring patient access performance.

Miscellaneous

- Eagle Scout, 1976
- 1999 Medical Design Excellence Awards Winner for the LifeSite® Hemodialysis Access System
- 2000 Design News Excellence in Design, Grand Prize winner, LifeSite® Hemodialysis Access System
- AAMI/ISO Small Bore Connector Committee

Patents (107 US, and multiple patents pending)

Patent 8,876,777, "Safe Needle Methods, Apparatus, and Systems"
Patent 8,641,615, "Method and Apparatus for Machine Error Detection by Combining Multiple Sensor Inputs"
Patent 8,608,658, "Method and Apparatus for Machine Error Detection by Combining Multiple Sensor Inputs"
Patent 8,585,096, "Fluid Line Safety Device"
Patent 8,496,625, "Safe Needle Methods, Apparatus, and Systems"
Patent 8,480,608, "Methods and Apparatus for Leak Detection in Blood Processing Systems"
Patent 8,469,331, "Filtration System for Preparation of Fluids for Medical Applications"
Patent 8,460,558, "Batch Filtration System for Preparation of Sterile Fluid for Renal Replacement Therapy"
Patent 8,460,228, "Methods, Devices, and Systems for Parallel Control of Infusion Device"
Patent 8,235,931, "Waste Balancing for Extracorporeal Blood Treatment Systems"
Patent 8,210,049, "Pressure Measurement Device"
Patent 8,202,420, "Batch Filtration System for Preparation of Sterile Fluid for Renal Replacement Therapy"
Patent 8,192,387, "Last-Chance Quality Check and/or Air/Pathogen Filter for Infusion Systems"
Patent 8,042,838, "Fluid Line Connector Safety Device"
Patent 8,002,727, "Methods and Apparatus for Leak Detection in Blood Processing Systems"
Patent 7,976,711, "Batch Filtration System for Preparation of Sterile Fluid for Renal Replacement Therapy"
Patent 7,901,579, "Blood Treatment Dialyzer/Filter for Permitting Gas Removal"
Patent 7,790,043, "Systems and Methods for Handling Air and/or Flushing Fluids in a Fluid Circuit"
Patent 7,780,619, "Blood Treatment Apparatus"
Patent 7,776,219, "Methods, Devices, and Systems for Hemodilution"
Patent 7,776,001, "Registration of Fluid Circuit Components in a Blood Treatment Device"
Patent 7,758,082, "Fluid Line Connector Safety Device"
Patent 7,749,393, "Batch Filtration System for Preparation of Sterile Fluid for Renal Replacement Therapy"
Patent 7,686,778, "Waste Balancing for Extracorporeal Blood Treatment Systems"
Patent 7,588,684, "Systems and Methods for Handling Air and/or Flushing Fluids in a Fluid Circuit"
Patent 7,544,300, "Batch Filtration System for Preparation of Sterile Fluid for Renal Replacement Therapy"
Patent 7,473,238, "Hemofiltration Systems and Methods that Maintain Sterile Extracorporeal Processing Conditions"
Patent 7,470,265, "Dual Access Spike for Infusate Bags"
Patent 7,419,597, "Fluid, Circuits, Systems, and Processes for Extracorporeal Blood Processing"
Patent 7,347,849, "Modular Medical Treatment Replacement Component"
Patent 7,338,460, "Blood Processing Machine Fluid Circuit Cartridge"
Patent 7,337,674, "Pressure Detector for Fluid Circuits"
Patent 7,300,413, "Blood Processing Machine and System Using Fluid Circuit Cartridge"
Patent 7,267,658, "Renal Replacement Therapy Device for Controlling Fluid Balance of Treated Patient"
Patent 7,226,538, "Fluid Processing Apparatus"
Patent 7,214,312, "Fluid Circuits, Systems, and Processes for Extracorporeal Blood Processing"
Patent 7,147,613, "Measurement of fluid pressure in a blood treatment device"
Patent 7,087,033, "Method and apparatus for leak detection in a fluid line"
Patent 7,056,316, "Valve Port and Method for Vascular Access"
Patent 7,025,750, "Set for Blood Processing"
Patent 7,004,924, "Methods, Systems and Kits for the Extracorporeal Processing of Blood"
Patent 6,979,309, "Systems and Methods for Performing Blood Processing and/or Fluid Exchange Procedures."
Patent 6,955,655, "Hemofiltration System."
Patent 6,929,631, "Method and Apparatus for Percutaneously Accessing a Pressure Activated Implanted Port."
Patent 6,912,917, "Differential Fluid Parameter Determination."
Patent 6,852,090, "Fluid Processing Systems and Methods Using Extracorporeal Fluid Flow Panels Oriented within a Cartridge."
Patent 6,830,553, "Blood Treatment Systems and Methods that Maintain Sterile Extracorporeal Processing Conditions"
Patent 6,743,193, "Hermetic Flow Selector Valve."
Patent 6,702,561, "Devices for Potting a Filter for Blood Processing."
Patent 6,685,694, "Methods and Kits for Locking and Disinfecting Implanted Catheters."
Patent 6,679,870, "Methods and Kits for Locking and Disinfecting Implanted Catheters."
Patent 6,649,063, "Method for Performing Renal Replacement Therapy Including Producing Sterile Replacement Fluid in a Renal Replacement Therapy Unit."
Patent 6,638,478, "Synchronized Volumetric Fluid Balancing Systems and Methods."
Patent 6,638,477, "Fluid Replacement Systems and Methods for Use in Hemofiltration."
Patent 6,614,212, "Differential Conductivity Hemodynamic Monitor."
Patent 6,589,482, "Extracorporeal Circuits for Performing Hemofiltration Employing Pressure Sensing without an Air Interface."
Patent 6,585,681, "Methods and Apparatus for Performing Flow-Through Peritoneal Dialysis."
Patent 6,582,385, "Hemofiltration System including Ultrafiltrate Purification and Re-Infusion System."
Patent 6,579,253, "Fluid Processing Systems and Methods Using Extracorporeal Fluid Flow Panels Oriented within a Cartridge."
Patent 6,572,641, "Devices for Warming Fluid and Method of Use."
Patent 6,572,576, "Method and Apparatus for Leak Detection in a Fluid Line."
Patent 6,565,525, "Valve Port Assembly with Interlock."
Patent 6,554,789, "Layered Fluid Circuit Assemblies and Methods for Making Them."
Patent 6,482,197, "Methods and Apparatus for Inhibiting Infection of Subcutaneously Implanted Devices."
Patent 6,452,371, "Differential Conductivity Hemodynamic Monitor."
Patent 6,436,084, "Methods and apparatus for disinfecting subcutaneously implanted devices."
Patent 6,398,764, "Subcutaneously Implanted Cannula and Method for Arterial Access."
Patent 6,322,551, "Break-Apart Tubing Connectors for Use in Dialysis Blood Tubing Sets."
Patent 6,299,610, "Methods and Apparatus for Disinfecting Subcutaneously Implanted Devices."
Patent 6,299,609, "Methods and Apparatus for Inhibiting Infection of Subcutaneously Implanted Devices."
Patent 6,258,079, "Method and Systems for Establishing Vascular Access."
Patent 6,254,567, "Flow-Through Peritoneal Dialysis Systems and Methods with On-Line Dialysis Solution Regeneration."
Patent 6,245,039, "Methods and Apparatus for Performing Flow-Through Peritoneal Dialysis."
Patent 6,238,369, "Method and System for Establishing Vascular Access."
Patent 6,193,684, "Device for Percutaneous Peritoneal Dialysis."

Patent 6,189,388, "Access Flow Monitoring using Reversal of Normal Blood Flow."
 Patent 6,132,415, "Systems and Methods for Removing Retained Fluids and Infusing Therapeutic Fluids."
 Patent 6,120,492, "Method and Apparatus for Percutaneously Accessing and Implanted Port."
 Patent 6,075,367, "Differential Conductivity Hemodynamic Monitor."
 Patent 6,053,901, "Subcutaneously Implanted Cannula and Method for Arterial Access."
 Patent 6,042,569, "Subcutaneously Implanted Cannula and Methods for Vascular Access."
 Patent 6,007,516, "Valve Port and Method for Vascular Access."
 Patent 6,003,556, "Hinged Cap Fluid Connector."
 Patent 5,997,524, "Catheter Assembly for Percutaneous Access to Subcutaneous Port."
 Patent 5,989,239, "Method and Apparatus for Percutaneously Accessing and Implanted Port."
 Patent 5,948,251, "Technique for Using a Dialysis Machine to Disinfect a Blood Tubing Set."
 Patent 5,931,829, "Methods and Systems for Establishing Vascular Access."
 Patent 5,931,801, "Valve Port Assembly with Interlock."
 Patent 5,928,177, "Technique for Loading a Pump Header within a Peristaltic Pump of a Dialysis Machine."
 Patent 5,922,162, "Gas Permeable Pathogen-Resistant Labyrinthine Seal and Method for Making Labyrinthine Seal."
 Patent 5,900,726, "Differential Conductivity Hemodialysis Monitor."
 Patent 5,776,091, "Technique for Priming and Recirculating Fluid Through a Dialysis Machine to Prepare the Machine for Use."
 Patent 5,693,008, "Dialysis Blood Tubing Set."
 Patent 5,685,835, "Technique for Using a Dialysis Machine to Disinfect a Blood Tubing Set."
 Patent 5,674,199, "Top Flow Bubble Trap Method."
 Patent 5,650,071, "Technique for Priming and Recirculating Fluid Through a Dialysis Machine to Prepare the Machine for Use."
 Patent 5,644,240, "Differential Conductivity Hemodynamic Monitor."
 Patent 5,641,144, "Dialyzer Holder."
 Patent 5,639,810, "Internally Lubricated Elastomer For Use In Biomedical Applications."
 Patent 5,631,552, "Hemodynamic Monitor for Detecting Air Bubbles."
 Patent 5,591,251, "Side Flow Bubble Trap Apparatus and Method."
 Patent 5,570,026, "Altered Fluid Conductivity Monitor."
 Patent 5,510,717, "Differential Conductivity Recirculation Monitor."
 Patent 5,510,716, "Differential Conductivity Recirculation Monitor."
 Patent 5,503,801, "Top Flow Bubble Trap Apparatus."
 Patent 5,453,089, "Safety Needle System and Method for Using Same."
 Patent 5,322,516, "Safety Needle System and Method for Using Same."

Publications:

Marina V. Kameneva, Paul F. Marad, **James M. Brugger**, Brandon M. Repko, John H. Wang, John Moran, and Harvey Borovetz, "In-Vitro Evaluation of Hemolysis and Sublethal Blood Trauma in a Novel Subcutaneous Vascular Access System for Hemodialysis", ASAIO Journal, January - February 2002.

David Finch, Jr., **James Brugger**, "Early Experience with a New Subcutaneous Port and Blunt Needle", Journal of the American Society of Nephrology, September 1999.

M. V. Kameneva, **J. M. Brugger**, B. M. Repkp, J. H. Wang, H. S. Borovetz, "In-Vitro Evaluation of Hemolysis and Sublethal Blood Trauma in the New Hemodialysis Vascular Access System (LifeSite™) Compared to 15G Needle and Percutaneous Catheter", ASAIO Journal, March-April 1999.

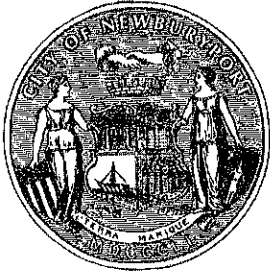
Gerald Posen, Alice Smith, John Wang, **James Brugger**, John Moran, "A New Subcutaneous Vascular Access for Hemodialysis", Blood Purification 1998;16:230-249.

James Brugger and David Finch, "Flow Rate Comparisons for Long Term, Cuffed Central Venous Catheters and a Novel Subcutaneous Venous Access System", Journal of the American Society of Nephrology, September 1997.

Jeff Burbank, David Finch, Hendrich Kuiper and **James Brugger**, "A New Subcutaneous Vascular Access System for Hemodialysis and Apherisis: Animal Studies", Journal of the American Society of Nephrology, September 1997.

C. David Finch, Jr., Hendrick Kuiper, **James Brugger**, John Wang and Jeff Burbank, "Early Experience with a New Subcutaneous Port for Peritoneal Dialysis", Journal of the American Society of Nephrology, September 1997.

R. M. Lindsay, J. Burbank, **J. Brugger**, E. Bradfield, R. Kram, P. Malek, P. G. Blake, "A Device and a Method for Rapid and Accurate Measurement of Access Recirculation During Hemodialysis", Kidney International, April 1996.



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

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

Appointment #3
March 30, 2015

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2015 MAR 24 A 9:08

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

Donna D. Holaday

I hereby appoint, subject to your approval, the following named individual as a member of the Planning Board. This term will expire on April 1, 2020.

Andrew C. Shapiro
20 Eagle Street
Newburyport, MA 01950

Andrew C. Shapiro: 240-643-3683 (Cell) | acshapiro@gmail.com

**20 Eagle Street
Newburyport, MA 01950**

February 3, 2015

Attn: Lois Honegger
Mayor's Office
City Hall, 60 Pleasant Street
Newburyport, MA 01950

Re: Interest in Serving on City of Newburyport Planning Board

Ms. Honegger:

I am writing to express my sincere interest in serving on the City of Newburyport's Planning Board. I believe that I will be able to contribute positively to the Planning Board by drawing from my experience as the City of Salem's Economic Development Planner, my educational background in urban and regional planning, and other professional and academic experiences in land use planning.

In my role as Economic Development Planner for the City of Salem I staff the Design Review Board and Salem Redevelopment Authority. These Boards have approval authority over projects occurring in Salem's "Urban Renewal Area," which is concentrated primarily in the City's downtown. As such, I routinely work with property owners, business owners, and developers, on issues pertaining to the form and function of downtown properties. Examples of projects that I have reviewed and guided through local board approvals include:

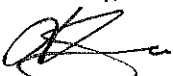
- Phase II of the "Old Salem Jail" development: 13 residential condominium units
- Washington and Dodge Street mixed use development: 190 sq/ft total, including a 111 room hotel, 84 residential units, and 22,000 sq/ft of commercial space.
- "Riverview Place" Apartments: 130 residential rental units

Before coming to Salem I had stints with the City of Boston's Office Emergency Management, where I managed regional homeland security and emergency management projects, as well as with the Community Redevelopment Agency of the City of Los Angeles, where I interned in the downtown office. I also interned in both municipal and quasi-public settings during and directly after attending Virginia Tech, where I earned a Master's of Urban and Regional Planning with a concentration in Land Use and Physical Development Planning. I am confident that all of the experience outlined above will serve me well if I am appointed to serve on Newburyport's Planning Board.

I have lived in Newburyport for a little over a year and a half; therefore my perspective on the City's land use challenges and opportunities is still developing. That being said, I have already taken a strong interest in local issues, such as the City's pursuit of a 40R district in the area around the Route 1 rotary and development of the waterfront. If I were to be appointed to the Planning Board I would be enthusiastic about lending my expertise and participating in the City's future development.

I would be more than happy to further discuss this opportunity, as well my background and/or qualifications. My resume is enclosed and I can be reached at 240-643-3683 or acshapiro@gmail.com. I look forward to hearing from you and I thank you for your consideration.

Sincerely,



Andrew Shapiro

Enclosure

EXPERIENCE IN THE FIELD OF URBAN / REGIONAL PLANNING:

Economic Development Planner: *City of Salem, Salem, MA*

(Apr. 2013 – Present)

- Manage the City's business incentive programs, business recruitment and retention initiatives, and coordination with state and local economic development organizations.
- Staff the Salem Redevelopment Authority and Design Review Board, which have approval authority over development projects occurring within the City of Salem's Urban Renewal Area (downtown).
- Write grant applications for and manage capital improvement and public service projects; currently managing over \$1.5 million in grant funded projects, including roadway and historic building improvements, as well as public service programming benefitting low income residents.

Regional Planner, Mayor's Office of Emergency Management: *City of Boston, Boston, MA*

(Mar. 2012 – Apr. 2013)

- Managed over \$7.3 million in Urban Area Security Initiative (UASI) grant funded projects for the Metro Boston Homeland Security Region, which includes: Boston, Brookline, Cambridge, Chelsea, Everett, Quincy, Revere, Somerville, and Winthrop.
- Projects entailed significant planning, project/budget management, subject matter comprehension, and stakeholder engagement.
- Examples of projects: emergency sheltering of functional needs populations, regional evacuation planning, emergency and pet sheltering initiatives.

Intern: *Community Redevelopment Agency of the City of Los Angeles (CRA/LA), Los Angeles, CA*

(Nov. 2011 – Feb. 2012)

- Assisted with the administration and tracking of over \$17 million in grant-funded projects aimed at catalyzing economic and community improvements in Downtown project areas.
- Worked with community stakeholders (public and private) on a variety of projects, including façade and streetscape improvements, park expansions, and pedestrian safety improvements.
- Prepared and edited materials that were presented at CRA/LA Board of Commissioner meetings.

Planning Intern: *Central Maryland Regional Transit (CMRT), Laurel, MD*

(Jan. 2011 – May 2011)

- Monitored ridership and reconciliation of payments for subscription bus service running from northern Virginia to Ft. Meade in Howard County, MD.
- Involved in logistical route planning efforts and travel demand forecasting for subscription bus services.
- Communicated policies and procedures on utilizing subscription bus service to federal government employees.

Intern, Planning & Zoning Division (Community Dev. Dept.): *City of Manassas, Manassas, VA*

(Oct. 2009 – April 2010)

- Participated in many planning/zoning functions, including but not limited to the following: site plan reviews, pre zoning application meetings, special use permit amendment consultations, land use committee hearings, planning commission meetings, zoning violation inspections, and area plan reviews.
- Produced research-based reports on issues relevant to the city's planning/zoning issues, including a report on a potential hospital expansion that was included in one of the City's area plans.
- Took inventory of and reorganized the office's planning/zoning resource materials.

EDUCATION:

Virginia Polytechnic Institute and State University (Virginia Tech): Alexandria, VA

- Master's, Urban and Regional Planning, 2011 (Concentration: Land Use and Physical Development Planning)
- Graduated with 3.81 GPA
- Capstone Major Paper: GIS and Census-Based Examinations of the Variables that Influence the Success of Carsharing and Carsharing Market Strength in San Francisco

Syracuse University, Maxwell School of Citizenship and Public Affairs: Syracuse, NY

- Bachelor of Arts, 2004 (Major: Political Science / Minor: Management Studies)
- Syracuse University London Program, Spring 2003
- Theta Chi International Fraternity, Alpha Chi Chapter

VOLUNTEER EXPERIENCE:

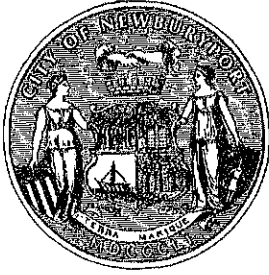
- Member, North Shore Workforce Investment Board: Salem, MA (2014 – Present)
- Member, Salem Main Streets Steering Committee: Salem, MA (2014 – Present)
- Fair Housing Researcher, Equal Rights Center: Washington, DC (2009 – 2011)

ADDITIONAL SKILLS:

- Proficient in Arc GIS Desktop 9.3/10, all MS Office applications, basic accounting principles, and Internet research
- Proficient in French language; dual citizen (American/French)

REFERENCES: Available upon request

Appointment #4
March 30, 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

2015 MAR 24 A 9:00

Donna D. Holaday

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

I hereby appoint, subject to your approval, the following named individual as a member of the Highland Cemetery Commission. This term will expire on February 1, 2018.

Donna Harrington
20 Beacon Avenue
Newburyport, MA 01950

Mayor's Office
City Hall
60 Pleasant Street
Newburyport, MA, 01950
ATTN: Lois Honegger

January 28th, 2015

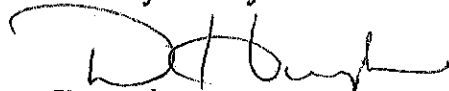
I am writing express my interest in serving on either the Bartlet Mall Commission or the Highland Cemetery Commission.

I have lived in Newburyport since 2003, and have an unending appreciation for the natural resources of this great city, and a strong interest in helping to preserve and support these resouces.

I am a frequent visitor to the Mall. It's blend of history, ambiance, nature and recreation is unique and a balm in times of stress. I have had an interest in being a member of the commission for some time now. I have kept up with the progress of the work of the commission in terms of remediation of the Frog Pond and repair of the grass (runoff), statue and fountain. I would love the opportunity to be an advocate in its care and preservation. A degree in Community Planning could be an asset in terms of working with groups, problem solving, consensus gathering, financial considerations, etc.

I would also be interested in the Highland Cemetery position, as I am a veteran cemetery Rambler, most recently acquainting myself with the veteran's cemetery at Pond and Rte. 1, as well as Oak Hill. I am a fan of Ghlee Woodworth, and appreciate all that she has done towards repair of markers at Old Hill and New Hill (Highland). I would like to learn more about the Commission.

Thank you for your time and consideration,



Sincerely,
Donna Harrington

DONNA HARRINGTON

20 Beacon Avenue
Newburyport, MA 01950

PROFESSIONAL EXPERIENCE

- **HARBORSIDE COUNSELING SERVICES:** 143 State St. Newburyport, MA. 08/2007-Present.
Supervisor – Richard Healy, LICSW
Licensed Clinician
Individual and group psychotherapy with specialization in substance abuse, trauma and women's issues.
- **CAB HEALTH AND RECOVERY:** 27 Congress St. Salem, MA. 09/1999 - Present
Supervisor – Micheal Levy, Ph.D
Clinical Supervisor
Supervision, quality assurance, training, hiring and regulation compliance.
Licensed Clinician
Individual, group, court and intensive outpatient services in an outpatient setting. Clinical trials include the W.E.L.L Project adaptation of Seeking Safety – Trauma group for women, and NIDA Clinical Trials Network – Job Seekers, Lead therapist.
- **S. BOSTON COMMUNITY HEALTH CENTER:** S. Broadway, S. Boston, MA. 05/1999-09/2000
Supervisor – Andrew Ward, LICSW
Counselor/Educator
Facilitator of school-based adolescent support groups, relapse prevention, individual counseling with adults and adolescents, outreach and community networking.
- **CASPAR'S WOMANPLACE:** 11 Russell St. Cambridge, MA. 04/1995 – 05/1999.
Supervisor – Helen Fresolo, LICSW
Intake Coordinator
Assessment, intake, referrals and outreach with related services and agencies
Substance Abuse Counselor
Individual counseling, case management, advocacy, group facilitation within a residential setting. **HIV Services Coordinator**
Networking, information distribution and referrals.

INTERNSHIP/PRACTICA

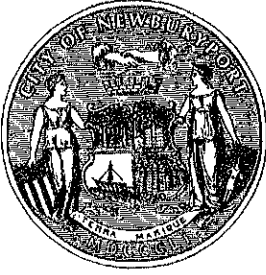
- **BUNKER HILL COMMUNITY COLLEGE:** Charlestown, MA. 09/1999 – 05/2000
Supervisor - Kathleen McKenna, LMHC, LCSW/Susan Dole, LMHC
Graduate-level internship. Advising and counseling, individual/group counseling, mental health/substance abuse and vocational focus. Academic advising.
- **DISCOVER DAY TREATMENT:** Quincy, MA. 02/1999 - 05/2000
Supervisor – Daniel Murphy, LMHC
Graduate-level practicum. Observation and co-facilitation of group/art therapy with a dually-diagnosed clientele. Introduction to DBT.
- **STEP, INC.** Boston, MA. 1992.
Three-month practicum incorporating counseling, assessment/intake, case management and group facilitation in a triage setting.

EDUCATION

- **UNIVERSITY OF MASSACHUSETTS-BOSTON:** Morrissey Blvd, Boston, MA. 06/2000
Master of Education (M.Ed.) in Counseling, Mental Health Track.
- **UNIVERSITY OF MASSACHUSETTS-BOSTON:** Morrissey Blvd, Boston, MA. 06/1994
Bachelor of Arts (BA) in Community Planning.

LICENSURE/CERTIFICATION

- **Licensed Mental Health Counselor # 5193** December 2002.
- **Licensed Alcohol and Drug Counselor-I # 247** August 2004
- **Certified Alcohol and Drug Abuse Counselor (CADAC) # 0959AL** 1998. **CADAC-II** 2002.



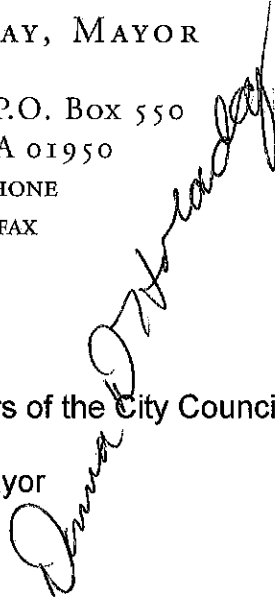
CITY OF NEWBURYPORT
OFFICE OF THE MAYOR
DONNA D. HOLADAY, MAYOR

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

MAR 24 A 9:00

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



I hereby appoint, subject to your approval, the following named individual as a member of the Bartlett Mall Commission. This term will expire on February 1, 2018.

Karen K. Johnson
120 High Street
Newburyport, MA 01950

Karen K. Johnson

120 High Street
Newburyport, MA 01950

617 448-7378
kormwj@yahoo.com

PROFILE

Dedicated, committed, enthusiastic team player with numerous community volunteer and leadership experiences and, a sincere appreciation for the significance of Newburyport and its historical buildings and properties.

EXPERIENCE

Manufacture's Representative - Boston, MA. , 1984-2006

Owned and operated New England based manufacturer's representative agency in women's sportswear and swimwear. Managed showroom and office at Bayside Merchandise Mart and represented domestic and international manufacturers for all sales in New England and New York state. Manufacturers included Gottex Industries, Bleyle, John Partidge, and Amherst Sportswear. Managed accounts such as Talbots, Talbots Catalog, J. Jill, Orvis, Jordan Marsh and Filene's, in addition to working closely with independently owned businesses.

Associate Sales Representative, Katz Communication - National Television Broadcast Rep.

Boston, MA., 1982-84 Assistant to Senior V.P. Sales for Advertising sales from greater Boston Market to Katz represented national television stations in the top fifty markets.

Paralegal. Parker, Coulter, Daley and White, Boston Ma 1981-82

Paralegal for senior partner in medical malpractice and products liability.

ADDITIONAL RELEVANT EXPERIENCE -

Friends of Norwell Center - Co-Founder and Committee Chair - 2001-2008

Established F.N.C. with the overall goal of 'beautifying' the historic Norwell Center. Established committee to identify goals necessary to bring awareness and recognition to our Center and designated volunteers to manage various objectives. Worked closely with community and officials, as well as community volunteers to help accomplish F.N.C. many objectives which included organizing annual 'community day clean up - "Trash Bashes', working with local businesses to install and maintain flower boxes seasonally, to obtain approval and funding for previously painted crosswalks to be converted into 'bricked' crosswalks, to design pathways connecting Norwell Center with the James Library, Town Common, Norris Reservation and Gaffield Park playground, as well as identifying rusty and 'tired' signage which was replaced with new, hand painted historically "appropriate " signage. An additional primary objectives included obtaining funding for a new town clock for the Center, as well organizing a community design contest, manufacturing and raising of new Norwell banners.



Friends of Norwell Center - Town Clock Committee Chair -

Worked closely with town to obtain permits, funding, site etc. for the new town clock. Responsible for researching manufacturers, as well as contracting and designing "new" historic town clock with Electric Time Clock Co., Medfield, MA.

< Celebrating the installation of Norwell's new town clock with sons, Mason and Will. -2007

Friends of Gaffield Park - Committee 2002

Helped

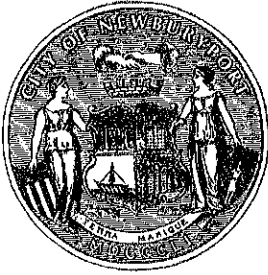
organize community support and \$100,000 through various fundraising efforts to rebuild dated playground on historic town property. Worked closely with committee members, volunteers, town officials and entire community from initial stages through completion of project.

- Derby Academy - Parents' Association, volunteer, "Derby Closet" founder and coordinator (Clothes donation program) '07-11. Art liaison/assistant '07-11, Associate Costume Coordinator (Theater) '08-11, Parent Class Rep '10-11, Athletic Class Rep. ('11-12) ,
- Norwell Education Foundation (N.E.F.)- member and supporter
- Vinal School - Art Liaison 2001-06

Affiliations - Rosie's Place. Boston, MA. current volunteer, Museum Fine Arts, Boston, Peabody Essex Museum, Boston Atheneum, Lowell's Boat Shop, volunteer; Parker River Wildlife Refuge, Audubon Society, Hingham Historical Society (former member), Norwell Historical Society (former member)

EDUCATION

Vassar College, B.A., 1981



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

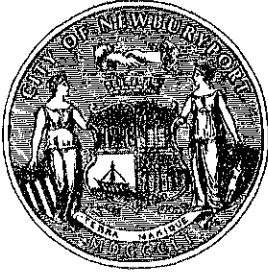
Appointment #6
March 30, 2015

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

To: President and Members of the City Council
From: Donna D. Holaday, Mayor
Date: March 24, 2015
Subject: Alternate to Full Member Appointment

I hereby appoint, subject to your approval, the following
named individual as a full member of the Zoning Board of
Appeals. This term will expire on June 30, 2016.

Richard Goulet
19 Kent Street
Newburyport, MA 01950



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

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

To: President and Members of the City Council

From: Donna D. Holaday, Mayor

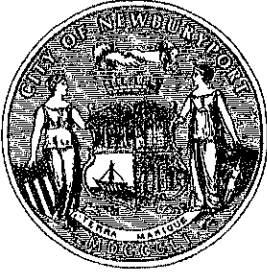
Subject: Appointment

Date: March 23, 2015

I hereby appoint, subject to your confirmation, the following
named individual as an alternate member of the Zoning Board of
Appeals. This term will expire on March 1, 2020.

Renee Bourdeau
376 High Street
Newburyport, MA 01950

Re-Appointment #8
March 30, 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

MAR 24 A 9 08

To: President and Members of the
City Council

From: Donna D. Holaday, Mayor

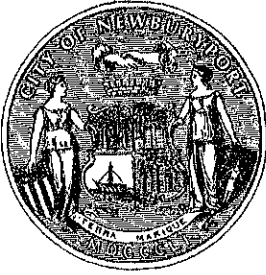
Date: March 23, 2015

Subject: Re-Appointment

I hereby reappoint, subject to your approval, the following
named individual as a member of the Conservation
Commission. This term will expire on March 1, 2018.

Joseph C. Teixeira
44 Hale Street
Newburyport, MA 01950

Re-Appointment #9
March 30, 2015



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

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

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

978-465-4413 PHONE

978-465-4402 FAX

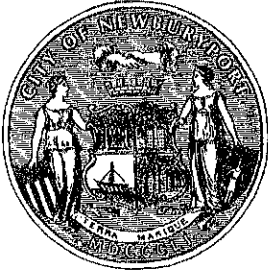
2015 MAR 24 A 9:08

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

DDH

I hereby reappoint, subject to your approval, the following named individual as a member of the Community Preservation Act Committee. This appointment will expire on March 1, 2018.

Michael Dissette
44 Jefferson Street
Newburyport, MA 01950



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

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

978-465-4413 PHONE

978-465-4402 FAX

735 MAR 24 A 9:00

To: President and Members
of the City Council

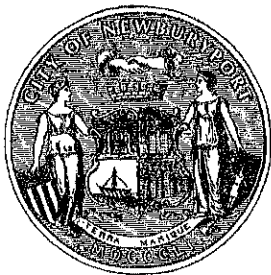
From: Donna D. Holaday, Mayor

Date: March 23, 2015

Subject: Re-Appointment

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

Stephen B. Sawyer
15 Collins Street
Newburyport, MA 01950



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

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

978-465-4413 PHONE

978-465-4402 FAX

MAR 24 P 1:36

To: President and Members
of the City Council

From: Donna D. Holaday, Mayor

Date: March 24, 2015

Subject: Re-Appointment

I hereby re-appoint, subject to your approval, the following named individual
as Veterans Agent for Newburyport. This term will expire on April 1, 2016.

Kevin Hunt
14 Tenth Street
Newburyport, MA 01950

END OF CONSENT AGENDA

BEGINNING OF REGULAR AGENDA

**APPOINTMENTS
SECOND READING**

**MAYOR'S APPOINTMENTS
MARCH 30, 2015
SECOND READING**

RE-APPOINTMENTS

12. Jamie Pennington 16 Eagle St. Zoning Board of Appeals January 5, 2020

In City Council March 9, 2015

Motion to approve the consent agenda by Councillor Cronin, seconded by Councillor Kinsey. So voted.

ORDERS

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

November 24, 2014

THAT pursuant to General Laws Chapter 82, Sections 21 and 32A the City Council of the City of Newburyport hereby abandon and discontinue permanently a portion of Harnch's Way (a public way) as shown on a plan, a copy of which is on file with the City Clerk and Office of Planning & Development, entitled "2 Ferry Road Discontinuance," prepared by DGT Survey Group - North Shore and dated 10-12-12. Said portion of Harnch's Way hereby abandoned and discontinued is bounded and described, according to said plan, as the area labeled "Portion of Harnchs Way to be Discontinued," consisting of approximately 731 sq.ft.

Said portion of Harnch's Way 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.

Councillor Thomas F. O'Brien
Councillor Larry Giunta, Jr.

In City Council November 24, 2014

Motion to refer to Planning & Development by Councillor Connell, seconded by Councillor Cameron. Motion withdrawn. Motion to Table by Councillor Giunta, seconded by Councillor Cameron. So voted.

In City Council December 8, 2014

Motion to remove from the Table by Councillor Cameron, seconded by Councillor Giunta. So voted. Motion to Table by Councillor Cameron, seconded by Councillor Giunta. So voted.

In City Council January 12, 2015

Motion to remove from the Table by Councillor Cronin, seconded by Councillor Cameron. So voted. Motion to Table by Councillor Cronin, seconded by Councillor Vogel. So voted.

In City Council January 29, 2015

Motion to remove from the Table by Councillor Cameron, seconded by Councillor Cronin. So voted. Motion to Table pending ZBA decision by Councillor Herzog, seconded by Councillor Cameron. So voted.

In City Council February 12, 2015

Motion to remove from the Table by Councillor Cronin, seconded by Councillor Eigerman. Roll call vote, 10 yes, 1 absent (Kinsey). So voted. Motion to Table pending ZBA decision by Councillor Cronin, seconded by Councillor Eigerman. Roll call vote, 10 yes, 1 absent (Kinsey). So voted.

CITY OF NEWBURYPORT



IN CITY COUNCIL

March 30, 2015

ORDERED:

Whereas: The City of Newburyport is record owner of the so-called Harnch's Way right-of-way between Storey Avenue and Ferry Road; and

Whereas: S&D Realty Trust, Sotirios Asprogiannis, Trustee has received approval from the Newburyport Zoning Board of Appeals for renovations to the existing "Famous Pizza" business located on the adjacent property known as 2 Storey Avenue, Newburyport, MA (ZBA File # 2014-079, 2014-080, and 2014-081), including on such plans proposed removal of the existing guardrail along Harnch's Way and the widening and repaving of said Harnch's Way, as indicated on a plan entitled "Proposed Site Plan - 2 Storey Avenue," prepared by DGT Survey Group - North Shore, dated 9-26-2014 and revised to February 3, 2015:

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

THAT pursuant to General Laws Chapter 82, Sections 21 and 32A the City Council of the City of Newburyport hereby abandon and discontinue permanently a portion of Harnch's Way (a public way) as shown on a plan, a copy of which is on file with the City Clerk and Office of Planning & Development, entitled "2 Ferry Road Discontinuance," prepared by DGT Survey Group - North Shore and dated 10-12-12. Said portion of Harnch's Way hereby abandoned and discontinued is bounded and described, according to said plan, as the area labeled "Portion of Harnchs Way to be Discontinued," consisting of approximately 731 sq.ft. Said portion of Harnch's Way 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.

AND FURTHER THAT, pursuant to General Laws Chapter 40, Section 15 the City Council of the City of Newburyport hereby transfers the care, custody, management and control of said portion of land from the board or office currently having custody of said portion to the Mayor, and authorizes the Mayor to convey said discontinued portion to S&D Realty Trust, Sotirios Asprogiannis, Trustee, owners of property lying adjacent to said discontinued portion, on such terms and conditions, and for such consideration, as the Mayor deems appropriate, such terms to include:

- a. That S&D Realty Trust pay the appraised value of such property (\$7,000) as documented in an appraisal report by Richard Carter, of North Wind Appraisal, 12 Waterboro Road, Alfred, ME 04002, on file with the City Clerk and Office of Planning & Development; and
- b. That S&D Realty Trust provide a properly recorded easement over and under such land for the purposes of maintaining any existing or proposed underground and overhead utilities deemed necessary by the City, including but not limited to an existing subsurface sewer main traversing said land.
- c. That all such construction work undertaken by S&D Realty Trust or its agents within the Harnch's Way right-of-way shall be subject to review and approval by the City of Newburyport Director of Public Services, City Engineer or their designee.

Councilor Thomas F. O'Brien
Councilor Larry Giunta, Jr.

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

March 30, 2015

THAT the City Council of the City of Newburyport approves the following Licensed Contractor application for the 2015 construction year:

Peter D. Nicol Excavating, Inc.
6 Gale Village
Newton, NH 03858

Paperwork on file in the City Clerk's office.

Councillor Ari B. Herzog
Public Utilities Chairperson

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

March 30, 2015

Order Relative to Legislation Creating a new Regional Veterans' Services' District to Include the City of Newburyport, the City of Amesbury, the Town of Merrimac, and the Town of Salisbury.

Whereas, the City of Newburyport and one or more of its neighboring communities, which may include the City of Amesbury, the Town of Merrimac and the Town of Salisbury, wish to create a new regional veterans' services district, and

Whereas, Massachusetts General Laws Chapter 115, Section 10 limits participation in such a regional district to adjacent municipalities and only one city per district, and

Whereas, said communities are in essential agreement as to the terms of an Intermunicipal Agreement for operation of such new regional veterans' services district,

Now therefore, be it **Ordered** that:

The City Council of the City of Newburyport hereby authorizes the Mayor, on behalf of the City, to submit a Petition to the General Court of the Commonwealth of Massachusetts to enact an Act creating a new regional veterans' services district, including the City of Newburyport and one or more of its neighboring communities, which may include the City of Amesbury, the Town of Merrimac, and the Town of Salisbury, provided, however, that the General Court may make clerical or editorial changes of form only to the bill, unless the Mayor approves amendments to the bill before enactment by the General Court, and to further authorize the Mayor to act on behalf of the City relative to any inquiries and/or changes made by the General Court concerning the proposed Act, and to approve amendments which shall be within the scope of the general public objectives of the petition and to cooperate with the City of Amesbury, the Town of Merrimac, and the Town of Salisbury in jointly submitting such petition, as needed:

AN ACT RELATIVE TO A REGIONAL VETERANS' SERVICES DISTRICT IN ESSEX COUNTY.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

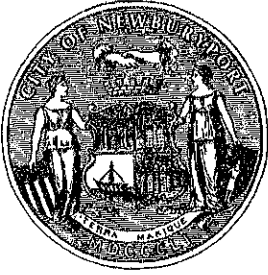
SECTION 1. The cities of Newburyport and Amesbury and the towns of Merrimac and Salisbury, or any two or more of them, may establish a regional veterans' services district under the provisions of section 10 of chapter 115 of the General Laws, notwithstanding that said section

10 limits participation in such a district to adjacent municipalities and only one city per district. Such district shall, other than as set forth herein, comply with the provisions of said section 10 and shall be known as the Hines/Shay Veterans' District.

SECTION 2. Said district may continue so long as the combined population of the cities of Newburyport and Amesbury shall not, by reference to the most recent US Census data, exceed 50,000. In any year in which the combined population of the cities of Newburyport and Amesbury is determined, by reference to the most recent US Census data, to exceed 50,000, the members of said district shall convene a district meeting. The purpose of such district meeting shall be to address a method of reforming the district in compliance with the population requirements of this Act and to establish a reasonable time frame in which to accomplish the transition necessary to such reformation without sacrificing services to the veterans of each community involved in such transition.

SECTION 2. This act shall take effect upon its passage.

Councillor Thomas F. O'Brien



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 OF NEWBURYPORT
MAYOR'S OFFICE
NEWBURYPORT, MA

MAR 24 P 4:00

To: President and Members of the City Council

From: Peter Lombardi, Director of Policy and Administration

Date: March 18, 2015

Subject: Intermunicipal Agreement for Veterans' Services

Attached is an updated intermunicipal agreement (IMA) for the regional delivery of veterans' services under Massachusetts General Law Chapter 40 Section 4A. As you will recall, Amesbury, Merrimac, and Newburyport approved a slightly different version of this agreement last year which did not include Salisbury. Salisbury has since decided to join our regional IMA for FY16.

Newburyport will continue to be the lead community under this IMA, with Kevin Hunt fulfilling all duties as the Veterans Service Officer. Once this IMA is approved by the respective legislative bodies, each community will pay an apportionment based on the Schedule A attachment. For FY16, the annual expense (exempting Chapter 115 veterans' benefits) for Newburyport to participate in this regional agreement will be \$38,348.22 – basically level funding the FY15 expense of \$38,208.86. By way of comparison, the City Council appropriated \$52,523.80 in the FY14 Operating Budget for the veterans' service line items that will be covered under this regional agreement. Accordingly, the City is projected to continue to save approximately \$15,000 annually by operating under this regional IMA.

In adding Salisbury for FY16, the (now) four communities decided to change how the funding formula was structured. In FY15, it was based solely on population. For FY16, we plan to implement a hybrid formula based 75% on population and 25% on existing caseload. We believe that this approach most accurately reflects the amount of staff time spent working for the veterans of each community.

The FY15 IMA with Merrimac and Amesbury provided funding for the City to hire a part-time position (approximately 10 hours per week) to help Mr. Hunt with much needed clerical and administrative support. This time commitment was based on Mr. Hunt's

estimate for handling the shared workload. This summer, Mr. Hunt hired Bob Stanwood to fulfill these part-time administrative needs for the three communities. Coincidentally, Salisbury's VSO retired shortly after the start of the fiscal year and Mr. Stanwood has also been providing interim VSO services for Salisbury ever since. Salisbury has been very satisfied with Mr. Stanwood's work to date and expressed interest in joining the regional IMA for next year, essentially formalizing what has been in place for most of this fiscal year.

Mr. Hunt and Mr. Stanwood will continue to split their time between Newburyport City Hall and the Costello Center in Amesbury, and may have limited office hours in Merrimac and Salisbury as needed. Under the IMA, Mr. Hunt and Mr. Stanwood would continue to be City of Newburyport employees.

Also attached is a Home Rule Petition regarding the proposed regional veterans' district. Since 2010, MGL Chapter 115 Section 10 has provided a mechanism that allows municipalities to form a regional veterans' district. However, the statutory language specifies that the district shall be comprised of *one* city and surrounding towns. Accordingly, we must initiate a Home Rule Petition to allow the two cities (Amesbury and Newburyport) to participate in this newly proposed Hines/Shay Veterans' District. A combined population cap of 50,000 for the two cities has been incorporated into the Petition to alleviate any broader political concerns about the precedent set by allowing two cities to participate in a district.

Once the Act is approved by the legislature, the participating communities will then submit an application to the Massachusetts Department of Veterans' Services seeking formal recognition as a regional veterans' district. Before that application is submitted, the City Council will have to approve a different, slightly revised intermunicipal agreement that is more closely aligned with the statutory provisions of Chapter 115.

I look forward to discussing the details of the updated IMA and Home Rule Petition when this item is referred to Committee.

VETERANS' SERVICES
INTERMUNICIPAL AGREEMENT

THIS AGREEMENT is entered into by and between the Cities of Amesbury and Newburyport and the Towns of Merrimac and Salisbury, Massachusetts (hereafter referred to individually as Amesbury, Newburyport, Merrimac, and Salisbury respectively, and hereafter referred to collectively as the "Municipalities"), this ____ day of _____ 2015, pursuant to the provisions of G.L. c. 40, §4A.

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

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

WHEREAS, the Municipalities have obtained authorization for this Agreement in accordance with the requirements of G.L. c. 40, §4A pursuant to a vote of the City of Amesbury's City Council and the approval of its Mayor on _____ 2015; a vote of the City of Newburyport's City Council and the approval of its Mayor on _____ 2015; a vote of the Town of Merrimac's Board of Selectmen on _____ 2015, and a vote of The Town of Salisbury's Board of Selectmen on _____ 2015.

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

- (1) For the purpose of implementing this Agreement, Newburyport shall act as the Lead Municipality acting for and on behalf of the Municipalities.
- (2) The Newburyport Veteran's Agent (the "Agent") shall serve as the veteran's agent for each of the Municipalities pursuant to the terms of this Agreement. The Agent shall for all purposes be deemed an employee of Newburyport. An Assistant Veteran's Agent will serve under the discretion of the Veteran's Agent and will be available to all municipalities, and will also be an employee of Newburyport. Both agents will be certified as Veteran Services Officers by the Massachusetts State Department of Veterans' Services.
- (3) The duties of the Veteran Agents shall include, but not be limited to, the following:
 - Furnishing information, advice and assistance to veterans, and their dependents as may be necessary to enable them to procure benefits to which they are entitled relative to employment, vocational or other educational opportunities, hospitalization, medical care, pensions and other benefits; and
 - Counseling and advising veterans and dependents and survivors in:

- finding employment;
 - obtaining an education;
 - finding alternative sources of income;
 - assisting in drug/alcohol rehabilitation;
 - obtaining medical assistance and nursing home placement;
 - assisting with burials;
 - and aiding with myriad issues relating to veteran's questions and problems; and
 - Working with federal agencies established for the aid of veterans, enlist support of hospitals; and
 - Acquiring and making available copies of current booklets and other printed materials pertaining to the statutory rights of veterans provided under state and federal laws, and
 - Such other responsibilities as may be set forth in M.G.L. Chapter 115.
- (4) Permanent offices will be maintained in Newburyport at 333 High Street, and in Amesbury at 68 Elm Street. Office Hours will be commensurate with normal office hours within each community. Amesbury office phones will be answered live by a staff member between 9:00AM and 3:00PM Monday through Thursday, and from 8:00AM until 12:00M on Friday. Each permanent location will afford private space for meetings, phone lines, fax lines, standard office equipment, record storage and supplies.

Additionally, at the discretion of the Town Manager or designated Town Official(s), space within Merrimac and Salisbury municipal buildings may be provided for selected private meetings. Veterans Service Officers will also travel to private residences in any municipality for meetings when requested. In each municipality, the emphasis will be to accommodate the travel requirements of each client.

- (5) A notice shall be posted conspicuously and in a readily accessible format in each office specified herein and in the main municipal building of each of the Municipalities stating the name of the Agents; and the hours of operation, address, and telephone numbers for each office provided for under this Agreement. Such information shall also be made available on each of the Municipalities' website.
- (6) The respective expenses of the Municipalities will be apportioned on the basis of the population (75%) and on the basis of caseload (25%) of each of the Municipalities based on the figures noted in Schedule A. These apportionments may be modified by a unanimous vote of all municipalities on the anniversary of the agreement, or on an annual basis. Each of the Municipalities will continue to bear its respective M.G.L. Chapter 115 financial obligations to its own veterans.
- (7) Pursuant to the provisions of M.G.L. Chapter 40, §4A, the Agent shall provide each of the Municipalities with periodic financial statements that shall include: accurate and comprehensive records of the services performed under this agreement; the costs incurred; and the reimbursements and contributions received.

Such reports shall be compiled and distributed by the Agent on a quarterly basis, or, as requested.

- (8) A Municipality may withdraw from this Agreement by vote of the appropriate City Council or Board of Selectmen not less than one hundred and eighty (180) days prior to the close of the then fiscal year and notice of the vote must be filed with the other Municipalities which are parties to this Agreement.
- (9) This agreement may be amended to permit the addition of adjoining municipalities. The apportionment of the expenses of such adjoining municipality and of all current district municipalities shall be accomplished in compliance with the provisions of G.L. c. 115, §11.
- (10) This agreement shall remain in effect until dissolved by unanimous vote of the Municipalities, but in no event for longer than twenty-five (25) years. A vote to dissolve the agreement in this manner must be taken not less than one hundred and eighty (180) days prior to the close of the then fiscal year.
- (11) If any term or condition of this Agreement or any application thereof shall to any extent be held invalid, illegal or unenforceable by the court of competent jurisdiction, the validity, legality, and enforceability of the remaining terms and conditions of this Agreement shall not be deemed affected thereby unless one or both parties would be substantially or materially prejudiced.
- (12) This Agreement may be amended from time to time in writing, by a vote of the Municipalities through their respective authorities as specified herein.

The City of Amesbury
City Council

[illegible]

Approved:
City of Amesbury Mayor

[illegible]

Approved:
City of Newburyport Mayor

The Town of Merrimac
Board of Selectmen

The Town of Salisbury
Board of Selectmen

VETERANS' DISTRICT SCHEDULE A - FY16

<u>TOWN</u>	<u>2010 POP.</u>	<u>POP. %</u>	<u>EXISTING CLIENTS</u>	<u>CLIENT %</u>
Newburyport	17,416	36.12%	25	17.86%
Amesbury	16,283	33.77%	67	47.86%
Merrimac	6,230	12.92%	11	7.86%
Salisbury	<u>8,283</u>	17.18%	37	<u>26.43%</u>
Totals	48,212	100.00%	140	100.00%

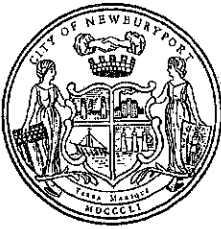
DISTRICT OPERATING COSTS:

	<u>MONTHLY</u>	<u>ANNUAL</u>	
Salary*	\$ 8,666.67	\$ 104,000.00	
Materials	\$ 150.00	\$ 1,800.00	
Postage	\$ 40.00	\$ 480.00	
Mileage	\$ 600.00	\$ 7,200.00	
Cell phone	\$ 120.00	\$ 1,440.00	
sbscriptns/dues	\$ 15.00	\$ 180.00	
training	\$ 20.00	\$ 240.00	100% reimbursed
Medical	\$ 500.00	\$ 6,000.00	
Maintenance	<u>\$ 15.00</u>	<u>\$ 180.00</u>	
	\$ 10,126.67	\$ 121,520.00	
*1 F/T VSO		\$ 66,000.00	
1 P/T ASST VSO - 30 hours		<u>\$ 38,000.00</u>	
		\$ 104,000.00	

COSTS DISTRIBUTED BY 75% POPULATION / 25% CASELOAD

	<u>Monthly</u>	<u>Annual</u>
Newburyport	\$ 3,195.68	\$ 38,348.22
Amesbury	\$ 3,776.70	\$ 45,320.40
Merrimac	\$ 1,180.35	\$ 14,164.20
Salisbury	<u>\$ 1,973.93</u>	<u>\$ 23,687.19</u>
	\$ 10,126.67	\$ 121,520.00

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

March 30, 2015

The Harbor Commission requests an update to the City of Newburyport Code of Ordinances with respect to the Harbor Masters department fee structure. The following changes are requested for implementation this boating season

Regarding the Central Waterfront docking fees:

Current Rates:

NEWBURYPORT PUBLIC DOCK FEES - CURRENT						
# of Hours	UNDER 20'	20 to 30	40 to 50	60 to 80	Day Rates Only	
1	\$ 2.00	\$ 3.00	\$ 4.00		\$80	
2	\$ 4.00	\$ 6.00	\$ 8.00			
3	\$ 6.00	\$ 9.00	\$ 12.00		\$120	
4	\$ 8.00	\$ 12.00	\$ 16.00			
5	\$ 10.00	\$ 15.00	\$ 20.00		\$150	
6	\$ 12.00	\$ 18.00	\$ 24.00			
7	\$ 14.00	\$ 21.00	\$ 28.00		\$180	
8	\$ 16.00	\$ 24.00	\$ 32.00			
9	\$ 18.00	\$ 27.00	\$ 36.00		\$210	
10	\$ 20.00	\$ 30.00	\$ 40.00			
Overnight (6PM to 10AM)	\$30	\$45	\$60	over 160	\$240	
2 NIGHT STAY	\$74	\$111	\$148			
3 NIGHT STAY	\$118	\$177	\$236			

Boats staying overnight will be charged the overnight rate plus the hourly rate for any hours before 6PM and after 10AM
 MAXIMUM 3 DAYS PER STAY
 GUEST MOORINGS \$25.00 PER DAY
 NO CHARGE FOR POWER/WATER
 EXTENDED STAY BEYOND 3 DAYS ONLY WITH HARBORMASTER'S APPROVAL

Requested & approved by the Harbor Commission proposed rates:

NEWBURYPORT PUBLIC DOCK FEES - Proposal March 2015						
# of Hours	UNDER 20'	20 to 30	40 to 50			Day Rates Only
1	\$ 10.00	\$ 10.00	\$ 10.00		80 to 80	\$120
2	\$ 13.00	\$ 14.00	\$ 15.00			
3	\$ 16.00	\$ 18.00	\$ 20.00		81 to 100	\$150
4	\$ 19.00	\$ 22.00	\$ 25.00			
5	\$ 22.00	\$ 26.00	\$ 30.00		101 to 120	\$180
6	\$ 25.00	\$ 30.00	\$ 35.00			
7	\$ 28.00	\$ 34.00	\$ 40.00		121 to 140	\$210
8	\$ 31.00	\$ 38.00	\$ 45.00			
9	\$ 34.00	\$ 42.00	\$ 50.00		141 to 160	\$240
10	\$ 37.00	\$ 46.00	\$ 55.00			
					over 160	\$325
Overnight (5PM to 10AM)	\$45	\$60	\$75			
2 NIGHT STAY	\$110	\$154	\$190			
3 NIGHT STAY	\$181	\$240	\$305			
Boats staying overnight will be charged the overnight rate plus the hourly rate for any hours before 5PM and after 10AM						
MAXIMUM 3 DAYS PER STAY GUEST MOORINGS \$25.00 PER DAY						
NO CHARGE FOR POWER/WATER						
EXTENDED STAY BEYOND 3 DAYS ONLY WITH HARBORMASTER'S APPROVAL						

The major change in the rates is the addition of a \$10. minimum fee for the first hour. This is standard in many of the surrounding communities and has been in practice in some communities for years. This fee will not be charged for a boater who is coming to the central waterfront for use as a short time transient tie up. The current ordinances allow for 20 minutes without a fee and we propose no changes with respect to that.

The Harbor Commission requests the following fee changes and additions:

- Cashman Park Usage Fee

\$300.00

This fee will only be charged to "For-Profit" events. Non-Profit events will not be charged a fee
- Dingy Fee

\$225.00

(increase from \$175.00)
- Plum Island Parking

\$10.00

(increase from \$8.00)
- Fish Pier Docks

\$1,200.00

(increase from \$900.00)
- Late Waterways Renewal Fee

\$25.00

(applies after July 1)
- Waterways Permit

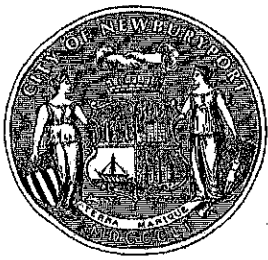
\$4.00 per foot

(Not to be implemented until FY-2016)

Councillor Charles F. Tontar

COMMITTEE ITEMS

BUDGET AND FINANCE



CITY OF NEWBURYPORT

Late File Communication #7
February 9, 2015

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2015 FEB -5 A 9:50

DEPARTMENT OF PUBLIC SERVICES

ANTHONY J. FURNARI
DIRECTOR

WAYNE S. AMARAL
DEPUTY DIRECTOR

16A PERRY WAY
NEWBURYPORT, MA 01950

TEL: 978-465-4463

TEL: 978-465-4464

FAX: 978-465-1623

WWW.CITYOFNEWBURYPORT.COM

Memorandum:

Date: February 4, 2015

To: Mayor Donna D. Holaday
Council President Thomas F. O'Brien
And Respected Members of the City Council

From: Anthony J. Furnari, DPS Director

CC: Wayne S. Amaral, DPS Deputy Director
Ethan Manning, Finance Director
Lisa Valcich, Business Manager
Peter Lombardi, Director of Policy and Administration

Re: Notification of Snow Budget Deficit FY 2015

This year's FY 2015 Snow and Ice Expense (Account # 01423002-52901) Snow and Ice Labor (Account # 01423001-51301) were budgeted at \$90,000 each.

Due to the impact of the snow storms over the past couple of weeks, the FY 2015 Snow and Ice Budget has and will exceed the appropriation for the next warrant. The Department of Public Services requests that these accounts be placed in deficit spending.

Estimated Snow and Ice Expenditures as of February 4, 2015

	Budget	Actual	Surplus/(Deficit)
Snow & Ice Expense	\$90,000	\$190,473	(\$100,473)
<u>Snow & Ice Labor</u>	<u>\$90,000</u>	<u>\$67,536</u>	<u>\$22,464</u>
Total	\$180,000	\$258,009	(\$78,009)



City of Newburyport

FY 2015

BUDGET TRANSFER REQUEST

Transfer #2
March 9, 2015

B+K

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

Department: Mayor's Office

Submitted by: Mayor Donna D. Holaday

Date Submitted: 3/3/2015

Transfer From:

Account Name	General Fund - Free Cash	YTD Bal:	\$ 1,855,943.57
Account Number:	01-35910	Trans In:	\$ -
Amount:	\$30,000.00	Trans Out:	\$ -
Why are Funds Available:	<i>The Massachusetts Department of Revenue certified Free Cash for FY2015 at \$2,373,046. These funds are available for any legal expenditure with the approval of the Mayor and a majority vote of the City Council.</i>		

Transfer To:

Account Name	HS Renovations	YTD Bal:	\$ 26,204.87
Account Number:	45-49700	Trans In:	\$ -
Amount:	\$30,000.00	Trans Out:	\$ -
Why are Funds Required:	<i>This gap funding is needed to cover the remaining balance of Phase 2 of the High School exterior fascade renovation project and will leverage \$100k in CPC funds awarded this past year.</i>		

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

Donna D. Holaday
Ethan R. Manning
Asst City Auditor

Date: 3/3/15
Date: 3.3.2015

late this Comm #5



CITY OF NEWBURYPORT

DEPARTMENT
OF
PUBLIC SERVICES

ANTHONY J. FURNARI
DIRECTOR

WAYNE S. AMARAL
DEPUTY DIRECTOR

16A PERRY WAY
NEWBURYPORT, MA 01950

TEL: 978-465-4463

TEL: 978-465-4464

FAX: 978-465-1623

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Memorandum:

Date: March 9, 2015

To: Mayor Donna D. Holaday
Council President Thomas F. O'Brien
And Respected Members of the City Council

From: Anthony J. Furnari, DPS Director

CC: Wayne S. Amaral, DPS Deputy Director
Ethan Manning, Finance Director
Lisa Valcich, Business Manager
Peter Lombardi, Director of Policy and Administration

Re: Updated Notification of Snow Budget Deficit FY 2015

This year's FY 2015 Snow and Ice Expense (Account # 01423002-52901) Snow and Ice Labor (Account # 01423001-51301) were budgeted at \$90,000 each.

Due to the impact of the snow storms over the past couple of weeks, the FY 2015 Snow and Ice Budget has and will exceed the appropriation for the next warrant. The Department of Public Services requests that these accounts be placed in deficit spending.

Estimated Snow and Ice Expenditures as of March 9, 2015

	Budget	Actual	(Deficit)
Snow & Ice Expense	\$90,000	\$672,377	(\$582,377)
<u>Snow & Ice Labor</u>	<u>\$90,000</u>	<u>\$164,489</u>	<u>(\$74,489)</u>
Total	\$180,000	\$836,866	(\$656,866)

RHF
AM
EK



City of Newburyport
Snow & Ice Expenditures
Updated 3/9/2015

Breakdown of FY 2015 Snow & Ice Expenditures

	Plowing/ Sanding	Snow Removal	Fleet Maintenance	Total
OT Labor	\$119,815	\$44,674		\$164,489
Contractors	\$169,588	\$274,307		\$443,894
Parts/Maintenance			\$49,394	\$49,394
Salt	\$104,413			\$104,413
Calcium	\$3,982			\$3,982
Other Material	\$1,695			\$1,695
Pending		\$69,000		\$69,000
Total	\$399,491	\$387,981	\$49,394	\$836,866

Historical Snow & Ice Expenditures

	Winter Season	Budgeted	Actual Expense	Surplus/(Deficit)
FY 2015	2014-2015	\$180,000	\$836,866	(\$656,866)
FY 2014	2013-2014	\$180,000	\$418,241	(\$238,241)
FY 2013	2012-2013	\$170,000	\$322,959	(\$152,959)
FY 2012	2011-2012	\$170,000	\$115,293	\$54,707
FY 2011	2010-2011	\$170,000	\$438,260	(\$268,260)
FY 2010	2009-2010	\$170,000	\$223,840	(\$53,840)