

CITY COUNCIL MEETING AGENDA - VERSION 1

CITY COUNCIL CHAMBERS

JANUARY 13, 2020

7:30PM

(Sound Check)

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

CONSENT AGENDA

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

7. APPROVAL OF MINUTES

- December 16, 2019 (Approve)
- January 6, 2020 (Approve)

8. TRANSFERS

- TRAN066_01_13_2020 NHS Exterior Woodwork Phase III \$110,903, (B&F)
CIP Nock/Molin Parking Lot \$8,997.87 to CIP Sidewalk Repairs \$119,900.87

9. COMMUNICATIONS

- COMM213_01_13_2020 City Council Committee Assignments 2020 (R&F)
- COMM214_01_13_2020 Ltr from Central Cong Church re: CPA Funding, Historic Pres (P&D)
- COMM215_01_13_2020 Ltr re: Colby Farm Open Space Beautification (P&D)
- COMM216_01_13_2020 Ltr re: Ban the Use of Glyphosate (PS)
- COMM217_01_13_2020 2020 Class II Vehicle License - State Automotive Repair LLC (L&P)
- COMM218_01_13_2020 Town & Country Half Marathon - 6/14/2020 (PS)

10. APPOINTMENT

First Reading

- APPT132_01_13_2020 George Sass, Jr. 37 Jefferson St Harbor Commission (Alt) 1/13/2022
- APPT133_01_13_2020 Janet Morris 288 Merrimac St Tree Commission 1/13/2023

Re-Appointments

- APPT134_01_13_2020 Karen B. Wiener 7 Lincoln St Aff Hsng Trst 11/30/2022
- APPT135_01_13_2020 Paul Cardaci 135 Beach Rd C5, Slsbry Constable, City 12/1/2022
- APPT136_01_13_2020 Gary Gorski 18 Magnolia St Lib Brd of Dir 1/1/2027
- APPT137_01_13_2020 Sarah T. Spalding 280 High St Lib Brd of Dir 1/1/2027

To be Referred to Budget & Finance

- APPT138_01_13_2020 Ethan Manning 31 Howard St Dir of Finance 2/1/2023

To be Referred to Neighborhood & City Services

- APPT139_01_13_2020 Anthony Furnari 10 Olsen Rd, Peabody Dir of Public Works 2/1/2023

To be Referred to Public Safety

- APPT140_01_13_2020 Dr. Robert E. Slocum 38 Jefferson St Board of Health 1/13/2023

ALL ITEMS NOTED BELOW ARE REMOVED FROM THEIR RESPECTIVE COMMITTEES WITH THE MOTION TO APPROVE THE CONSENT AGENDA:

**END OF CONSENT AGENDA
REGULAR AGENDA**

11. MAYOR’S UPDATE

12. COMMUNICATIONS

- COMM211_01_13_2020 City Council Rules 2020
- COMM212_01_13_2020 City Council Schedule 2020

13. APPOINTMENTS

Second Reading - NONE

14. ORDERS

- ORDR164_01_13_2020 Connors Scholarship Gift Acceptance \$5,000
- ORDR165_01_13_2020 Greener Group, LLC - Licensed Contractor

15. ORDINANCES

-

16. COMMITTEE ITEMS

NOTE: UNDERLINED COMMITTEE ITEMS WILL BE CONSIDERED AT THIS MEETING

Budget & Finance

In Committee:

- ORDR132_07_15_19 CPC FY2020 Recommended Appropriations (COTW)
Project No. 9 held in committee.
- ORDR136_08_19_19 Fuller Track Phase II Loan Order
- COMM189_09_09_19 CPC Revised Recommendation for FY2020 Appropriations

Education

In Committee:

-

General Government

In Committee:

-

License & Permits

In Committee:

-

Neighborhoods & City Services

In Committee:

- COMM194_10_15_19 Ltr from Newburyport Livable Streets
- COMM196_10_15_19 Ltr re: Road and Sidewalk Work on Merrimac and High Streets (COTW)
- COMM197_10_28_19 Ltr re: Phillips Drive Neighborhood Drainage (COTW)

Planning & Development

In Committee:

-

Public Safety

In Committee:

- COMM198_10_28_19 Ltr re: Middle Street Parking/Curb Cuts

Public Utilities

In Committee:

- COMM206_11_25_19 Pole Hearing - Bayberry Road

Rules

In Committee:

-

17. GOOD OF THE ORDER

18. ADJOURNMENT

CONSENT AGENDA

CITY COUNCIL MEETING MINUTES
CITY COUNCIL CHAMBERS
DECEMBER 16, 2019

7:30PM

The City Council President, Barry Connell, called the meeting to order at 7:30pm, followed by the Pledge of Allegiance. A moment of silence was held to remember the 75th anniversary of the Battle of the Bulge. The City Council President then instructed the City Clerk to call the roll. The following Councillors answered present: Tontar, Vogel, Zeid, Devlin, Eigerman, Giunta, Khan, McCauley, Shand (remote), Connell. 10 present, 1 absent (OBrien).

(Sound Check)

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

- | | | |
|----------------------|-------------|------------------|
| 1. Michael Underwood | 21 Beck St | Retail Marijuana |
| 2. Hazem Mahmoud | 52 Ferry Rd | Retail Marijuana |

CONSENT AGENDA

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6. APPROVAL OF MINUTES

- December 9, 2019

(Approve)

END OF CONSENT AGENDA
REGULAR AGENDA

Motion to approve the Consent Agenda by Councillor Zeid, seconded by Councillor Devlin. Roll call vote, 10 yes, 1 absent (OBrien). Motion passed.

7. ORDINANCES

- ODNC043_11_12_19 Prohibition of Non-Medical Marijuana Retailers (2nd Reading)
Motion to waive Rule 12D, as one of the sponsoring councillors was not present, by Councillor Giunta, seconded by Councillor Khan. Roll call vote, 10 yes, 1 absent (OBrien). Motion passed.
Motion to approve second reading by Councillor Giunta, seconded by Councillor Khan. Roll call vote, 9 yes, 1 present (Vogel), 1 absent (OBrien). Motion passed.
- ODNC044_11_12_19 Zoning Amendment - Prohibition of Non-Medical Marijuana Establishments (2nd Reading)
Motion to waive Rule 12D, as one of the sponsoring councillors was not present, by Councillor Giunta, seconded by Councillor Khan. Roll call vote, 10 yes, 1 absent (OBrien). Motion passed.
Motion to approve second reading by Councillor Giunta, seconded by Councillor Khan. Roll call vote, 9 yes, 1 present (Vogel), 1 absent (OBrien). Motion passed.
- ODNC045_11_12_19 Zoning Amendment - Definition "Marijuana Retailers" (2nd Reading)
Motion to waive Rule 12D, as one of the sponsoring councillors was not present, by Councillor Giunta, seconded by Councillor Khan. Roll call vote, 10 yes, 1 absent (OBrien). Motion passed.

Motion to approve second reading by Councillor Giunta, seconded by Councillor Khan. Roll call vote, 9 yes, 1 present (Vogel), 1 absent (OBrien). Motion passed.

8. GOOD OF THE ORDER

Councillor Giunta said goodbye and thank you to all the councillors for working with him over the years; this is a break, not retirement. The Clerk stated the inauguration will be held Monday, January 6th at 7:00pm in the Council Chamber.

9. ADJOURNMENT

Motion to adjourn by Councillor Zeid, seconded by Councillor Khan. Roll call vote, 10 yes, 1 absent (OBrien). 8:05pm.

CITY OF NEWBURYPORT INAUGURATION CEREMONY MINUTES
CITY COUNCIL CHAMBERS
60 Pleasant Street
JANUARY 6, 2020

Opening Statement given by Richard B. Jones, City Clerk.

Acknowledgement of current and former elected officials. Representative James Kelcourse, Assistant Lauren LeBlanc, Sean Gallagher, Superintendent of Schools

Invocation by Reverend Rebecca M. Bryan of the First Religious Society of Newburyport

Pledge of Allegiance Councillors and Committee Members

National anthem sung by Neal Ferreira who is a most accomplished lyric tenor.

Mayor's Welcoming Comments

Mayor Donna Holaday offered her welcoming address to the incumbent and new Councillors and Committee members.

1. City Council Meeting Called to Order

a) Roll call:

Councillor-Elect Barry N. Connell	Present
Councillor-Elect Joseph H. Devlin	Present
Councillor-Elect Jared J. Eigerman	Present
Councillor-Elect Afroz Khan	Present
Councillor-Elect Byron J. Lane	Present
Councillor-Elect James J. McCauley	Present
Councillor-Elect Heather L. Shand	Present
Councillor-Elect Charles F. Tontar	Present
Councillor-Elect Bruce L. Vogel	Present
Councillor-Elect Christine E. Wallace	Present
Councillor-Elect Sharif I. Zeid	Present

b) Oath of Office City Councillors-Elect

c) Election of the President of the City Council

Councillor Eigerman by a majority vote was elected as City Council President for 2020.

Motion for a confirmatory vote by Councillor Connell, seconded by Councillor Tontar, so voted unanimously.

d) Council President's Address delivered by Councillor Eigerman

e) City Council Meeting Adjourned

i) the City Council will meet in regular session at 7:30PM on Monday, January 13, 2020

Musical selection sung and played by Neal Ferreira - America the Beautiful

2) Organization of the 2020 School Committee

a) Oath of Office

Bruce M. Menin,
Sean R. Reardon- **Absent**
Sheila Reardon Spalding

b) The City Clerk called the School Committee to order and Roll Call:

Brian Callahan	Present
Steven P. Cole	Present
David A. Hochheiser	Present
Donna D. Holaday	Present
Bruce M. Menin	Present
Sean R. Reardon	Absent
Sheila Reardon Spalding	Present

c) Mayor Holaday motioned to delay Election of Vice Chair of the School Committee until meeting of January 21, 2020, seconded Steven Cole. So voted.

School Committee Motion to adjourn Mayor Holaday seconded by Bruce Menin, So voted.

d) 7:30pm.

The City Clerk invited Councillors, Committee members and guests to the Port Tavern for a reception.

Attest: _____
Richard B. Jones, City Clerk

TRANSFERS



City of Newburyport

FY 2020

BUDGET TRANSFER REQUEST

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

JAN 13 2020 PM 2: 53

Department: Mayor's Office

Submitted by: Donna D. Holaday, Mayor

Date Submitted: 1/13/2020

Transfer From:

Account Name	<u>NHS Exterior Woodwork Phase III</u>	YTD Bal:	<u>\$ 213,839.45</u>
Account Number:	<u>7070013-58200</u>	Trans In:	<u>\$ -</u>
Amount:	<u>\$110,903.00</u>	Trans Out:	<u>\$ -</u>
Why are Funds Available:	<u>Funding was approved to complete Phase III of the NHS Exterior Woodwork Project out of Community Preservation Act funds. Therefore, the amount that was originally appropriated from the CIP Nock/Molin Parking Lot Project can be reappropriated.</u>		

Transfer From:

Account Name	<u>CIP Nock/Molin Parking Lot</u>	YTD Bal:	<u>\$ 8,997.87</u>
Account Number:	<u>3815-59600</u>	Trans In:	<u>\$ -</u>
Amount:	<u>\$8,997.87</u>	Trans Out:	<u>\$ -</u>
Why are Funds Available:	<u>The CIP Nock/Molin Parking Lot Project is complete.</u>		

Transfer To:

Account Name	<u>CIP Sidewalk Repairs</u>	YTD Bal:	<u>\$ 86,195.28</u>
Account Number:	<u>3002-49700</u>	Trans In:	<u>\$ -</u>
Amount:	<u>\$119,900.87</u>	Trans Out:	<u>\$ -</u>
Why are Funds Needed:	<u>The sidewalk in front of the Nock/Molin School is deteriorated and needs to repaired. Funding will allow for the sidewalk to be re-done during the 2020 construction season. The estimated cost is \$120,000.</u>		

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

Donna D. Holaday
Ethan R. Manning

Date: 1/6/2020
Date: 1/6/2020

COMMUNICATIONS

City of Newburyport
City Council COMMITTEE Assignments for 2020

Budget & Finance

Charles F. Tontar, Chairperson
Sharif I. Zeid
Afroz Khan

Education

Afroz Khan, Chairperson
Barry N. Connell
Sharif I. Zeid

Planning & Development

Heather L. Shand, Chairperson
Christine E. Wallace
James J. McCauley

Public Utilities

Sharif I. Zeid, Chairperson
Heather L. Shand
Charles F. Tontar

Neighborhoods and City Services

Barry N. Connell, Chairperson
James J. McCauley
Christine E. Wallace

Public Safety

James J. McCauley, Chairperson
Byron J. Lane
Christine E. Wallace

License & Permits

Joseph H. Devlin, Chairperson
Byron J. Lane
Bruce L. Vogel

General Government

Jared J. Eigerman, Chairperson
Barry N. Connell
Joseph H. Devlin

Rules Committee

Bruce L. Vogel, Chairperson
Jared J. Eigerman
Byron J. Lane



CENTRAL CONGREGATIONAL CHURCH
 AN OPEN AND AFFIRMING CONGREGATION OF THE UNITED CHURCH OF CHRIST
 14 Titcomb Street P.O. Box 372 Newburyport, MA 01950
 978-465-0533
 The Reverend Christopher Ney, Pastor

RECEIVED
 CITY CLERK'S OFFICE
 NEWBURYPORT, MA
 2019 DEC 20 AM 10:30

December 18, 2019

Topic: Central Congregational Church, CPA funding, Historic Preservation Restriction

Dear Members of the City Council:

Members of the Central Congregational Church greatly appreciate the support of the community by way of the Community Preservation Act funding. This funding was specifically granted for repair and maintenance of the exterior of the sanctuary portion of the building, including the steeple. That work was completed by November 2018. The initial CPA payment of \$50,000 went toward the total restoration expense of \$161,039.00.

The remaining approved funding of \$25,000 is not to be released until acceptance of Central Church's Historic Preservation Restriction (PR) Application by the Massachusetts Historical Commission, Newburyport City Council and the Mayor of Newburyport.

The initial application for the required Historic Preservation Restriction was submitted on March 4, 2019 to the Massachusetts Historical Commission. In May of 2019 it was returned to Central Church for corrections and revisions to be made and additional information to be provided. Specifically, the Massachusetts Historical Commission requested that a series of photographs be taken when there were no leaves on the trees.

As our Community Preservation Committee "Project Quarterly Status Reports" have indicated, the revised PR application will include a description and photos of the entire envelope of the building at 14 Titcomb Street, as directed by the Massachusetts Historical Commission. In addition to the photographs provided and as noted above, the Massachusetts Historical Commission requested the Preservation Restriction Exhibits include clear, concise, high definition photos showing the exterior of the entire building without leafed out trees blocking any aspect.

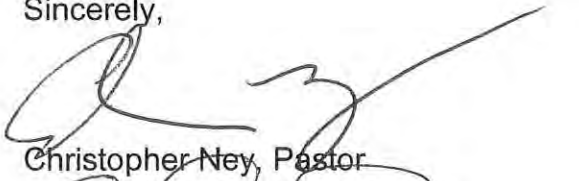
A call to Michael Steinitz, Deputy State Historic Preservation Officer, Massachusetts Historical Commission, affirmed that the photos should be taken when there are no leaves obstructing views of the building. The major part of our delay in completing the PR has been waiting for the leaves to fall- even in late November one tree on the south side of the building stubbornly clung to its leaves.

info@centralnewburyport.org
www.centralnewburyport.org

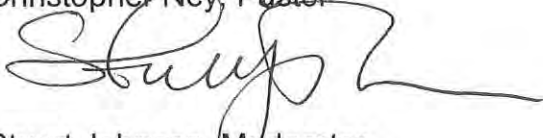
We are working to respond to every item as requested. To be clear, the Preservation Restriction which has been submitted is proposed to cover the entire structure, both the newer and older portions. We expect the next draft to be submitted to the Massachusetts Historic Commission around mid-January.

We have been diligent in this process and we assure the Council that as soon as the response is received from the Massachusetts Historical Commission and the Preservation Restriction is approved for signature, it will be provided immediately for signature to the Historic Commission, the City Council and the Mayor.

Sincerely,

A handwritten signature in black ink, appearing to read "Christopher Ney".

Christopher Ney, Pastor

A handwritten signature in black ink, appearing to read "Stuart Johnson".

Stuart Johnson, Moderator

A handwritten signature in black ink, appearing to read "Amantha Moore".

Amantha Moore, Church Member

Newburyport City Council
Barry Connell, President
60 Peasant St
Newburyport, MA 01950

CITY CLERK'S OFFICE
NEWBURYPORT, MA

2020 JAN -3 AM 11:17
January 2020

Subject: Colby Farm Open Space Beautification

Dear Councilor Connell,

Thank you to everyone involved for securing the majority of Colby Farm off Low St as open space. In order for our citizens to enjoy the full grandeur of this pastoral vista, please consider producing orders/requests for the following actions:

- 1) Remove the fence on City property.




- 2) Remove the guardrail along Colby Farm Lane.



Thank you for your consideration.

Sincerely,


Jim McCarthy
17 Russia St
(978) 417-9373

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

January 6, 2020

From: Julie Masis, 2 Wildwood Drive, Newburyport. 978 573 6498 2020 JAN -7 PM 3: 34

Subject: Ban the use of Roundup and other herbicides that contain Glyphosate by commercial lawn care companies and on private land

Dear city councilors,

In June, the Newburyport City Council voted to ban the carcinogenic herbicide Glyphosate on all city land. Now we need to go further and ban the use of Glyphosate (the active ingredient in the Roundup weed killer) by commercial lawn care companies and on private land here in Newburyport.

Glyphosate was classified as "probably a carcinogen to humans" by the World Health Organization's International Agency for Research on Cancer in 2015. Since then, the weed killer has been banned in Austria, France, Italy and Denmark, as well as in some cities in the United States, including Seattle, Miami, and Austin, Texas. Here in Massachusetts, an increasing number of cities and towns, such as Marblehead, Wellesley, and Chatham, are also imposing bans on Glyphosate. In the town of Warwick, the ban does not allow people to spray glyphosate on any land within the town.

Given that cancer is the leading cause of death in Massachusetts, we should act now to decrease the risk of this deadly disease in our city. In particular, glyphosate and Roundup increase the risk of non-Hodgkin lymphoma, a cancer of the lymphatic system. This is according to a CNN story, that states that exposure to Glyphosate raises the risk of cancer by 41 percent (www.cnn.com/2019/02/14/health/us-glyphosate-cancer-study-scli-intl/index.html). My grandmother, who has loved gardening all her life, is currently living with lymphoma.

Glyphosate and Roundup is not only bad for butterflies. It is dangerous to human health.

This is why I am calling on the City Council of Newburyport to ban the application of the herbicide Roundup and other herbicides that contain Glyphosate by commercial lawn-care companies, as well as by individual homeowners, and, if possible, also ban the sale of Roundup in Newburyport and to impose a fine for its use.

We can have beautiful lawns and gardens without using a dangerous weed killer that was only developed in 1973.

Best regards,

-Julie Masis

THE COMMONWEALTH OF MASSACHUSETTS

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

City OF Newburyport

2019 DEC 5 PM 5:00

**APPLICATION FOR A LICENSE TO BUY, SELL, EXCHANGE
OR ASSEMBLE SECOND HAND MOTOR VEHICLES
OR PARTS THEREOF**

I, the undersigned, duly authorized by the concern herein mentioned, hereby apply for a 2 class license, to Buy, Sell, Exchange or Assemble second hand motor vehicles or parts thereof, in accordance with the provisions of Chapter 140 of the General Laws.

1. What is the name of the concern? State Automotive Repair LLC

Business address of concern. No. 196 Route One St.,
Newburyport MA 01950 City — Town.

2. Is the above concern an individual, co-partnership, an association or a corporation? LLC (single member)

3. If an individual, state full name and residential address.
LLC Manager: Andrew J. de Bernardo
16 Hickory Lane, Topsfield MA 01983

4. If a co-partnership, state full names and residential addresses of the persons composing it.
N/A

5. If an association or a corporation, state full names and residential addresses of the principal officers.

President _____

Secretary _____

Treasurer _____

6. Are you engaged principally in the business of buying, selling or exchanging motor vehicles? No

If so, is your principal business the sale of new motor vehicles? No

Is your principal business the buying and selling of second hand motor vehicles? No

Is your principal business that of a motor vehicle junk dealer? No

7. Give a complete description of all the premises to be used for the purpose of carrying on the business.

196 Route One, Newburyport is located just south of the Route One traffic circle. State Automotive Repair LLC occupies approximately 1/2 of a shared building with a retail vendor. Auto repair bays contain lifts, tools, and equipment consistent with any typical auto repair shop. Parking is in front, to the side, and to the rear of the building.

8. Are you a recognized agent of a motor vehicle manufacturer? No
(Yes or No)

If so, state name of manufacturer _____

9. Have you a signed contract as required by Section 58, Class 1? N/A
(Yes or No)

10. Have you ever applied for a license to deal in second hand motor vehicles or parts thereof? Yes
(Yes or No)

If so, in what city — town Newburyport MA

Did you receive a license? Yes For what year? 2016-2019
(Yes or No) (Yes or No)

11. Has any license issued to you in Massachusetts or any other state to deal in motor vehicles or parts thereof ever been suspended or revoked? No
(Yes or No)

Sign your name in full Andrew Zumbardo
(Duly authorized to represent the concern herein mentioned)

Residence 16 Hickory Lane, Topshfield MA

IMPORTANT

EVERY QUESTION MUST BE ANSWERED WITH FULL INFORMATION, AND FALSE STATEMENTS HEREIN MAY RESULT IN THE REJECTION OF YOUR APPLICATION OR THE SUBSEQUENT REVOCATION OF YOUR LICENSE IF ISSUED.

NOTE: If the applicant has not held a license in the year prior to this application, he must file a duplicate of the application with the registrar. (See Sec. 59)

APPLICANT WILL NOT FILL THE FOLLOWING BLANKS

Application after investigation _____
(Approved or Disapproved)

License No. _____ granted _____ 20 _____ Fee \$ _____

Signed _____

CHAPTER 140 OF THE GENERAL LAWS, TER. ED., WITH AMENDMENTS THERETO (EXTRACT)

SECTION 57. No person, except one whose principal business is the manufacture and sale of new motor vehicles but who incidentally acquires and sells second hand vehicles, or a person whose principal business is financing the purchase of or insuring motor vehicles but who incidentally acquires and sells second hand vehicles, shall engage in the business of buying, selling, exchanging or assembling second hand motor vehicles or parts thereof without securing a license as provided in section fifty-nine. This section shall apply to any person engaged in the business of conducting auctions for the sale of motor vehicles.

SECTION 58. Licenses granted under the following section shall be classified as follows:

Class 1. Any person who is a recognized agent of a motor vehicle manufacturer or a seller of motor vehicles made by such manufacturer whose authority to sell the same is created by a written contract with such manufacturer or with some person authorized in writing by such manufacturer to enter into such contract, and whose principal business is the sale of new motor vehicles, the purchase and sale of second hand motor vehicles being incidental or secondary thereto, may be granted an agent's or a seller's license; provided, that with respect to second hand motor vehicles purchased for the purpose of sale or exchange and not taken in trade for new motor vehicles, such dealer shall be subject to all provisions of this chapter and of rules and regulations made in accordance therewith applicable to holders of licenses of class 2.

Class 2. Any person whose principal business is the buying or selling of second hand motor vehicles may be granted a used car dealer's license.

Class 3. Any person whose principal business is the buying of second hand motor vehicles for the purpose of remodeling, taking apart or rebuilding the same, or the buying or selling of parts of second hand motor vehicles or tires, or the assembling of second hand motor vehicle parts, may be granted a motor vehicle junk license.

SECTION 59. The police commissioner in Boston and the licensing authorities in other cities and towns may grant licenses under this section which will expire on January first following the date of issue unless sooner revoked. The fees for the licenses shall be fixed by the licensing board or officer, but in no case shall exceed \$100. Application for license shall be made in such form as shall be approved by the registrar of motor vehicles, in sections fifty-nine to sixty-six, inclusive, called the registrar, and if the applicant has not held a license in the year prior to such application, such application shall be made in duplicate, which duplicate shall be filed with the registrar. No such license shall be granted unless the licensing board or officer is satisfied from an investigation of the facts stated in the application and any other information which they may require of the applicant, that he is a proper person to engage in the business specified in section fifty-eight in the classifications for which he has applied, that said business is or will be his principal business, and that he has available a place of business suitable for the purpose. The license shall specify all the premises to be occupied by the licensee for the purpose of carrying on the licensed business. Permits for a change of situation of the licensed premises or for addition thereto may be granted at any time by the licensing board or officer in writing, a copy of which shall be attached to the license. Cities and towns by ordinance or by-law may regulate the situation of the premises of licensees within class 3 as defined in section fifty-eight, and all licenses and permits issued hereunder to persons within said class 3 shall be subject to the provisions of ordinances and by-laws which are hereby authorized to be made. No license or permit shall be issued hereunder to a person within said class 3 until after a hearing, of which seven days' notice shall have been given to the owners of property abutting on the premises where such license or permit is proposed to be exercised. All licenses granted under this section shall be revoked by the licensing board or officer if it appears, after hearing, that the licensee is not complying with sections fifty-seven to sixty-nine, inclusive, or the rules and regulations made thereunder; and no new license shall be granted to such person thereafter, nor to any person for use on the same premises, without the approval of the registrar. The hearing may be dispensed with if the registrar notifies the licensing board or officer that a licensee is not so complying. Any person aggrieved by any action of the licensing board or officer refusing to grant, or revoking a license for any cause may, within ten days after such action, appeal therefrom to any justice of the superior court in the county in which the premises sought to be occupied under the license or permit applied for are located. The justice shall, after such notice to the parties as he deems reasonable, give a summary hearing on such appeal, and shall have jurisdiction in equity to review all questions of fact or law and may affirm or reverse the decision of the board or officer and may make any appropriate decree. The decision of the justice shall be final.

APPLICATION FOR A LICENSE TO BUY, SELL,
EXCHANGE OR ASSEMBLE SECOND HAND
MOTOR VEHICLES OR PARTS THEREOF.

APPLICANT WILL NOT FILL THE FOLLOWING BLANKS

Application No. _____

Class _____ License No. _____

Name _____

St. and No. _____

City — Town _____

Date Issued _____

Remarks _____

CNA SURETY

CNA Plaza, Chicago IL 60685-0001

Jennifer B. Schaller
Counsel
Telephone 312-822-7049
Facsimile 312-755-3737

Re: Second Hand Motor Vehicle Dealer Bond Certificate of
Continuance for Western Surety Bonds

Western Surety is an underwriting company of CNA Surety and we are contacting your office because several of our bond principals received correspondence indicating the need for a Certificate of Continuance for their Second Hand Motor Vehicle Dealer Bonds issued by Western Surety.

Western Surety's standard bond form expressly states: "This bond shall be continuous and may be cancelled by the Surety by giving (30) days' written notice of cancellation to the municipal licensing authority at (address) by First Class Mail." (emphasis added)." Since, Western Surety's bond form is continuous, it would be inappropriate for Western Surety to issue a Continuation Certificate.

The Commonwealth of Massachusetts, Registry of Motor Vehicles has reviewed Western Surety's bond form and has clearly stated that municipalities do not need to require additional evidence that the bond is in effect. (See attached letter from Attorney William McVey dated November 19, 2004).

If you have any questions, or we can be of any further assistance, please feel free to contact me at (312) 822-7049.

Sincerely,



Jennifer B. Schaller



The Commonwealth of Massachusetts

Registry of Motor Vehicles

One Copley Place, Boston 02146

Kimberly Hinden
Registrar

Mail:
P.O. Box 199100
Boston, MA 02119-0100
www.ota.gov/rmv

November 19, 2004

Jennifer B. Schaller, Esq.
Law Department
CNA Surety, 13th Floor
CNA Plaza 13 South
Chicago, IL 60685

Re: Western Surety Company Bond for Massachusetts

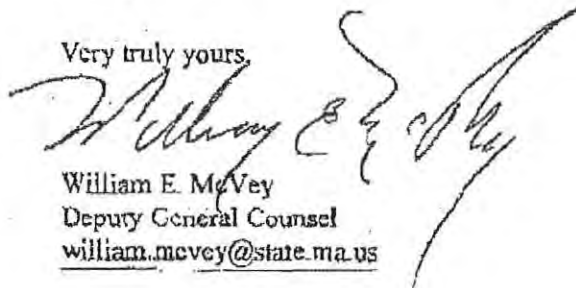
Dear Attorney Schaller:

1. This is in response to your inquiry concerning the bond required by Class 2 motor vehicle dealers in Massachusetts. You have indicated that licensing authorities in some municipalities have insisted that dealers attempting to renew a "Class 2 Dealer's License" must provide proof that the dealer's existing bond is still valid and will remain so throughout the renewal term of one calendar year (January 1, to December 31).
2. Chapter 422 of the Acts of 2002 does state that:
A municipal licensing authority shall not issue or renew a Class 2 license unless it is satisfied that a bond or equivalent proof of financial responsibility meeting the requirements of this section is in effect during the term under which the license shall be issued or renewed...
3. I have reviewed a copy of a bond you have provided which is issued by Western Surety Company (apparently a related company to CNA). The Form Number of the Western Surety Second Hand Motor Vehicle Dealer Bond is F6333-7-2003 and you have provided oral assurance that this is the only bond form used in Massachusetts by Western Surety Company for Class 2 dealers.
4. The last paragraph of the Western Surety Second Hand Motor Vehicle Dealer Bond states:
This bond shall be continuous and may be cancelled by the Surety by giving thirty (30) days written notice of cancellation to the municipal licensing authority at _____ by First Class U.S. Mail.

5. Based upon the wording contained in the Bond as stated in paragraph # 4, the Registrar is satisfied that the above identified Western Surety Second Hand Motor Vehicle Dealer Bond (F6333-7-2003) provides continuous coverage under the law (unless the municipality is notified of cancellation). As such, a municipality in Massachusetts that is processing a renewal for a Class 2 Dealer License from a dealer who has a Western Surety Second Hand Motor Vehicle Dealer Bond (F6333-7-2003) on file with the municipality, should not require additional evidence that the bond is still valid.

6. I trust this is responsive to your inquiry.

Very truly yours,



William E. McVey
Deputy General Counsel
william.mcvey@state.ma.us



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

12/05/2019

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 have ADDITIONAL INSURED provisions or 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 Bernard M. Sullivan Insurance Agency 12 Market St P.O. Box 568 Ipswich MA 01938		CONTACT NAME: Jeremiah Lewis PHONE (A/C, No, Ext): (978) 356-5511 E-MAIL ADDRESS: jllewis@sullivaninsurance.com FAX (A/C, No): (978) 356-0214	
INSURED State Automotive Repair, LLC. 196 Route One Newburyport MA 01950		INSURER(S) AFFORDING COVERAGE INSURER A: C N A Surely INSURER B: INSURER C: INSURER D: INSURER E: INSURER F:	
		NAIC # CNAS01	

COVERAGES
CERTIFICATE NUMBER: CL1912505942

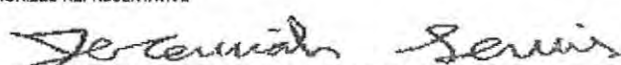
REVISION NUMBER:

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

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
	COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:						EACH OCCURRENCE \$ DAMAGE TO RENTED PREMISES (Ea occurrence) \$ MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$ GENERAL AGGREGATE \$ PRODUCTS - COMP/OP AGG \$
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
	UMBRELLA LIAB <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A				PER STATUTE OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
A	Used Auto Dealer Bond			62659263	02/01/2019	02/01/2020	Bond Penalty \$25,000

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

CERTIFICATE HOLDER**CANCELLATION**

City of Newburyport 60 Pleasant St. Newburyport MA	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE 
--	---

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Massachusetts



Western Surety Company

SECOND HAND MOTOR VEHICLE DEALER BOND

(Mass. Gen. Laws Ann. 140, § 58(c))

Bond No. 62659263

KNOW ALL PERSONS BY THESE PRESENTS:

Effective Date: February 1st, 2016

That we, State Automotive Repair, LLC., as Principal, and WESTERN SURETY COMPANY, a corporation authorized to do surety business in the Commonwealth of Massachusetts, as Surety, are held and firmly bound unto persons who purchase a vehicle from the Principal and who suffer loss on account of a breach of the condition of this bond described below, in the sum of not to exceed TWENTY-FIVE THOUSAND AND NO/100 DOLLARS (\$25,000.00), for the payment of which well and truly to be made, we bind ourselves and our legal representatives, firmly by these presents.

WHEREAS, the Principal is a second hand motor vehicle dealer and is required to furnish a bond or equivalent proof of financial responsibility pursuant to Mass. Gen. Laws Ann. 140, § 58(c)(1).

NOW, THEREFORE, the condition of this obligation is such that if the Principal shall pay the amount of actual damages, not to exceed the amount of this bond, to any person who purchases a vehicle from the Principal and who suffers loss on account of: (a) the Principal's default or nonpayment of valid bank drafts, including checks drawn by the Principal for the purchase of motor vehicles; (b) the Principal's failure to deliver, in conjunction with the sale of a motor vehicle, a valid motor vehicle title certificate free and clear of any prior owner's interests and all liens, except a lien created by or expressly assumed in writing by the buyer of the vehicle; (c) the fact that the motor vehicle purchased from the Principal was a stolen vehicle; (d) the Principal's failure to disclose the vehicle's actual mileage at the time of sale; (e) the Principal's unfair and deceptive acts or practices, misrepresentations, failure to disclose material facts or failure to honor a warranty claim or arbitration order in a retail transaction; or (f) the Principal's failure to pay off a lien on a vehicle traded in as part of a transaction to purchase a vehicle when the Principal had assumed the obligation to pay off the lien, then this obligation to be void; otherwise to remain in full force and effect.

PROVIDED, that recovery against this bond may be made only by a person who obtains a final judgment in a court of competent jurisdiction against the Principal for an act or omission on which this bond is conditioned, if the act or omission occurred during the term of this bond. No suit may be maintained to enforce any liability on this bond unless brought within one (1) year after the event giving rise to the cause of action. This bond shall cover only those acts and omissions described above. The Surety shall not be liable for total claims in excess of the bond amount, regardless of the number of claims made against this bond or the number of years this bond remains in force.

This bond shall be continuous and may be cancelled by the Surety by giving thirty (30) days' written notice of cancellation to the municipal licensing authority at 60 Pleasant St, Newburyport, MA 01950

by First Class U.S. Mail. _____ Address _____

Dated this 1st day of February, 2016



State Automotive Repair, LLC. _____, Principal

By: _____

WESTERN SURETY COMPANY, Surety

By: Paul T. Bruflat
Paul T. Bruflat, Senior Vice President

Western Surety Company

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS:

That WESTERN SURETY COMPANY, a corporation organized and existing under the laws of the State of South Dakota, and authorized and licensed to do business in the States of Alabama, Alaska, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, District of Columbia, Florida, Georgia, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, Washington, West Virginia, Wisconsin, Wyoming, and the United States of America, does hereby make, constitute and appoint

Paul T. Bruflat of Sioux Falls,
State of South Dakota, its regularly elected Vice President,
as Attorney-in-Fact, with full power and authority hereby conferred upon him to sign, execute, acknowledge and deliver for and on its behalf as Surety and as its act and deed, the following bond:

One Second Hand Motor Vehicle Dealer

bond with bond number 62659263

for State Automotive Repair, LLC.

as Principal in the penalty amount not to exceed: \$ 25,000.00

Western Surety Company further certifies that the following is a true and exact copy of Section 7 of the by-laws of Western Surety Company duly adopted and now in force, to-wit:

Section 7. All bonds, policies, undertakings, Powers of Attorney, or other obligations of the corporation shall be executed in the corporate name of the Company by the President, Secretary, any Assistant Secretary, Treasurer, or any Vice President, or by such other officers as the Board of Directors may authorize. The President, any Vice President, Secretary, any Assistant Secretary, or the Treasurer may appoint Attorneys-in-Fact or agents who shall have authority to issue bonds, policies, or undertakings in the name of the Company. The corporate seal is not necessary for the validity of any bonds, policies, undertakings, Powers of Attorney or other obligations of the corporation. The signature of any such officer and the corporate seal may be printed by facsimile.

In Witness Whereof, the said WESTERN SURETY COMPANY has caused these presents to be executed by its Vice President with the corporate seal affixed this 1st day of February, 2016.

ATTEST

L. Nelson

L. Nelson, Assistant Secretary

WESTERN SURETY COMPANY

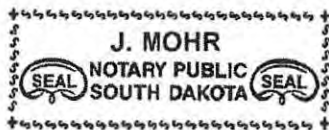
By *Paul T. Bruflat*
Paul T. Bruflat, Vice President

STATE OF SOUTH DAKOTA }
COUNTY OF MINNEHAHA } ss



On this 1st day of February, 2016, before me, a Notary Public, personally appeared Paul T. Bruflat and L. Nelson

who, being by me duly sworn, acknowledged that they signed the above Power of Attorney as Vice President and Assistant Secretary, respectively, of the said WESTERN SURETY COMPANY, and acknowledged said instrument to be the voluntary act and deed of said Corporation.



My Commission Expires June 23, 2021

J. Mohr

Notary Public

To validate bond authenticity, go to www.cnasurety.com > Owner/Obligee Services > Validate Bond Coverage.



NEWBURYPORT SPECIAL EVENT APPLICATION

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

Tel.

Fax.

2019 DEC 14 AM 8:20

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

NAME OF EVENT: Town and Country Half Marathon

Date: 6/14/20 Time: from 8am to 11am

Rain Date: n/a Time: from _____ to _____

2. Location: 40 Park St, Newburyport, MA

3. Description of Property: Riverwalk Brewing Co. Public Private

4. Name of Organizer: Yukan Sports LLC City Sponsored Event: Yes No

Contact Person Rich Morrell

Address: PO Box 780 Rockport, MA 01966 Telephone: 978-879-9007

E-Mail: RMORRELL@YUKANRUN.COM Cell Phone: _____

Day of Event Contact & Phone: same as above

5. Number of Attendees Expected: @ 300

6. MA Tax Number: 27-3695540

7. Is the Event Being Advertised? Yes Where? online

8. What Age Group is the Event Targeted to? 18-70

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

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

If yes:

- a) How many trash receptacles will you be providing? 5
- b) How many recycling receptacles will you be providing? 5
- c) Will you be contracting for disposal of: **Trash** Yes No **Recycling** Yes No
 - i. If yes, size of dumpster(s): **Trash** _____ **Recycling** _____
 - ii. Name of disposal company: **Trash** _____ **Recycling** _____
 - iii. If no, will you remove trash & recycling with organizers' cars or trucks? Yes No
 - iv. If no, where will the trash & recycling be disposed? _____

If no:

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

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

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

10 Standard # _____ ADA accessible

Name of company providing the portable toilets: United Site Services

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:

Rich Morrell Yukon Sports LLC

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

Rich Morrell
Yukon Sports LLC
PO Box 780
Rockport, MA 01966

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

same

4. Date of Event:

6/14/20

Expected Number of Participants:

@ 300

5. Start Time:

8am

Expected End Time:

11am

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

Please see attached map

7. Locations of Water Stops (if any):

8. Will Detours for Motor Vehicles Be Required?

No

If so, where?

9. Formation Location & Time for Participants:

40 Parker St. Newburyport, MA 7am

10. Dismissal Location & Time for Participants:

40 Parker St. Newburyport, MA 12 noon

11. Additional Parade Information:

• Number of Floats:

n/a

• Locations of Viewing Stations:

• Are Weapons Being Carried:

Yes _____ No

• Are Marshalls Being Assigned to Keep Parade Moving:

Yes _____ No

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

CITY MARSHAL _____

4 Green St.

FIRE CHIEF _____

0 Greenleaf St.

DEPUTY DIRECTOR _____

16A Perry Way

CITY CLERK _____

60 Pleasant St.

DEPARTMENT APPROVAL (for Committee Member use only):

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

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

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

Limitations

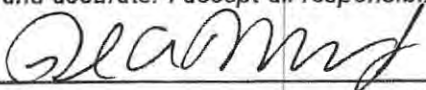
- (a) *"Procedure"* All road racing, walkathon, bicycle, or swimming events shall, through that event's organizer, board of directors, charity foundation or designee apply for authorization to hold the event through the Office of the City Clerk. The City Clerk upon review of the completed form will place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

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

13-101 Enforcement

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

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

Signed:  Date: 11/14/19

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:
Rich Morrell Yukon Sports LLC

2. Name, Address & Daytime Phone Number of Organizer: Rich Morrell
Yukon Sports LLC
PO Box 780
Rockport, MA 01966

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

4. Date of Event: 6/14/20 Expected Number of Participants: @ 300

5. Start Time: 8am Expected End Time: 11am

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

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

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

9. Formation Location & Time for Participants: 40 Parker St. Newburyport, MA 7am

10. Dismissal Location & Time for Participants: 40 Parker St. Newburyport, MA 12 noon

11. Additional Parade Information:

- Number of Floats: n/a
- Locations of Viewing Stations: _____
- Are Weapons Being Carried: Yes _____ No
- Are Marshalls Being Assigned to Keep Parade Moving: Yes _____ No

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

CITY MARSHAL [Signature] 4 Green St. FIRE CHIEF [Signature] 0 Greenleaf St.
DEPUTY DIRECTOR _____ 16A Perry Way CITY CLERK _____ 60 Pleasant St.

FOR PARADE, ROAD RACE AND WALKATHON EVENTS ONLY

PARADE _____ ROAD RACE WALKATHON _____

1. Name of the Group or Person Sponsoring the Road Race, Parade, Walkathon: Rich Morrell Yukon Sports LLC

2. Name, Address & Daytime Phone Number of Organizer: Rich Morrell
Yukon Sports LLC
PO Box 780
Rockport, MA 01966

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 - Locations of Viewing Stations: _____
 - Are Weapons Being Carried: Yes _____ No
 - Are Marshalls Being Assigned to Keep Parade Moving: Yes _____ No

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

CITY MARSHAL [Signature] 4 Green St. FIRE CHIEF [Signature] 0 Greenleaf St.

DEPUTY DIRECTOR [Signature] 6A Perry Way CITY CLERK [Signature] 60 Pleasant St.

CERTIFICATE OF INSURANCE

PRINT DATE: 11/13/2019

CERTIFICATE NUMBER: 20191113750971

AGENCY:

Edgewood Partners Insurance Center
 2727 Paces Ferry Road, Building Two, Suite 1500
 Atlanta, GA 30339
 678-324-3300 (Phone), 678-324-3303 (Fax)

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

NAMED INSURED:

USA Track & Field, Inc. YuKan Sports, LLC
 130 East Washington Street, Suite 800
 Indianapolis IN 46204

INSURERS AFFORDING COVERAGE:

INSURER A: Philadelphia Indemnity Ins. Co. NAIC #: 18058
 INSURER B: Philadelphia Indemnity Ins. Co. NAIC #: 18058

EVENT INFORMATION:

Town & Country Half Marathon (6/14/2020 - 6/15/2020)

POLICY/COVERAGE INFORMATION:

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. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INS	TYPE OF INSURANCE:	POLICY NUMBER(S):	EFFECTIVE:	EXPIRES:	LIMITS:
A	GENERAL LIABILITY				
	<input checked="" type="checkbox"/> Occurrence	PHPK2050515	11/1/2019 12:01 AM	11/1/2020 12:01 AM	GENERAL AGGREGATE (Applies Per Event) \$3,000,000
	<input checked="" type="checkbox"/> Participant Legal Liability				EACH OCCURRENCE \$1,000,000
					DAMAGE TO RENTED PREMISES (Each Occ.) \$1,000,000
					MEDICAL EXPENSE (Any one person) EXCLUDED
					PERSONAL & ADV INJURY \$1,000,000
					PRODUCTS-COMP/OP AGG \$3,000,000
B	UMBRELLA/EXCESS LIABILITY				
	<input checked="" type="checkbox"/> Occurrence	PHUB697455	11/1/2019 12:01 AM	11/1/2020 12:01 AM	EACH OCCURRENCE \$10,000,000
					AGGREGATE \$10,000,000

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/EXCLUSIONS ADDED BY ENDORSEMENT/SPECIAL PROVISIONS:

Coverage applies to USA Track & Field sanctioned events and registered practices, including any directly related activities, such as event set-up and tear-down, participant check-in and award ceremonies.

The certificate holder is an additional insured per the following endorsement: Additional Insured - Certificate Holders (Form PI-AM-002)

The General Liability policy is primary and non-contributory with respect to the negligence of the Named Insureds (Form CG 00 01)

The General Liability policy contains a blanket Waiver of Subrogation as required by contract per Waiver of Transfer of Rights of Recovery Against Others (Form CG 24 04).

Excess policy follows form of underlying General Liability.

CERTIFICATE HOLDER:

City of Newburyport
 60 Pleasant Street
 Newburyport MA 01950

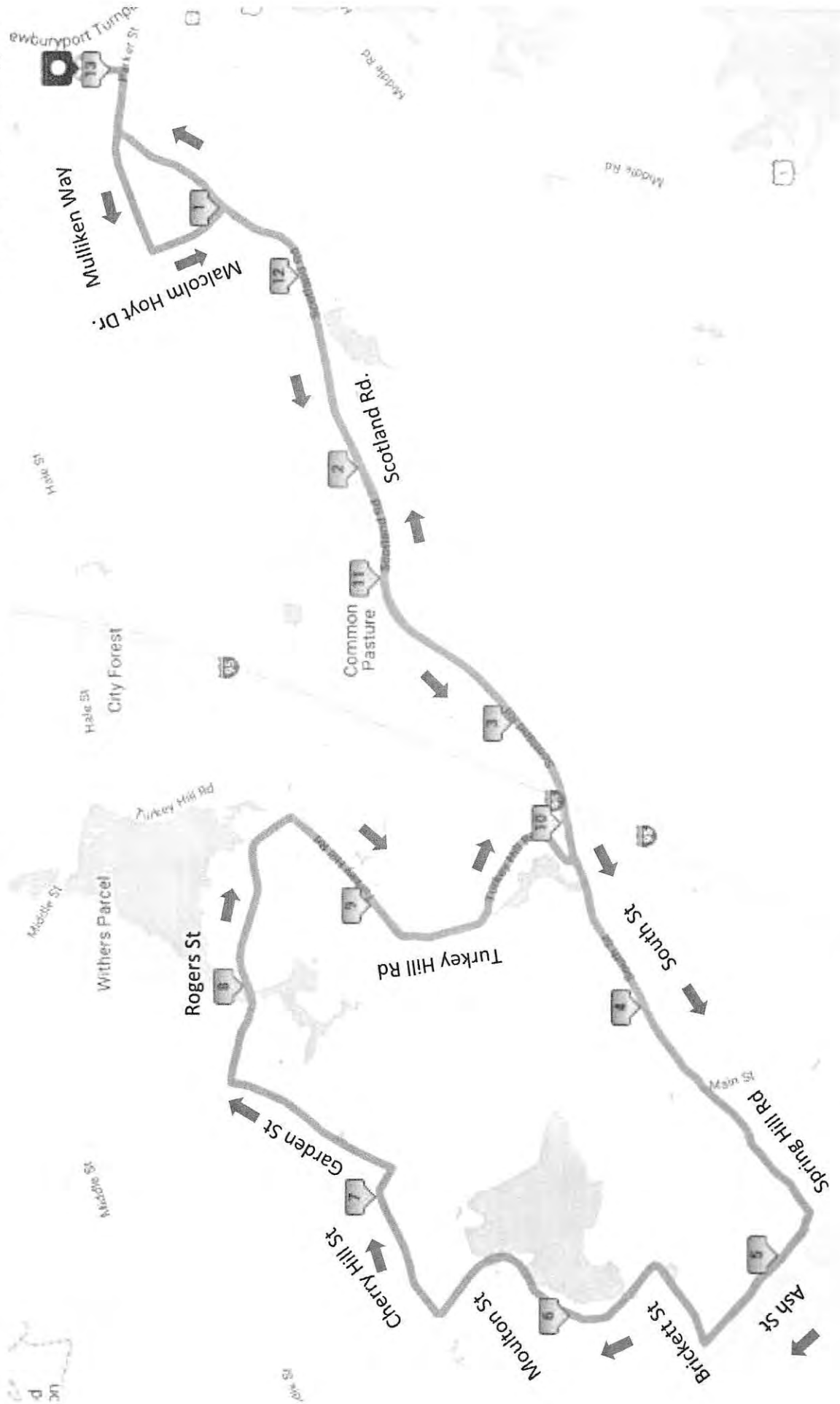
NOTICE OF CANCELLATION:

Should any of the above described policies be cancelled before the expiration date thereof, notice will be delivered in accordance with the policy provisions.

AUTHORIZED REPRESENTATIVE:



Start/Finish:
40 Parker St., Newburyport



**APPOINTMENTS
FIRST READING**



CITY OF NEWBURYPORT RECEIVED
OFFICE OF THE MAYOR CITY CLERK'S OFFICE
DONNA D. HOLADAY, MAYOR NEWBURYPORT, MA

2020 JAN -7 PM 4: 03

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: January 13, 2020
Subject: Appointment

I hereby appoint, subject to your approval, the following named individual as an alternate member of the Harbor Commission. This term will expire on January 13, 2022.

George Sass Jr.
37 Jefferson Street
Newburyport, MA 01950

George Sass Jr.
37 Jefferson Street
Newburyport, MA 01950
401.835.2803

September 4, 2019

Andrew B. Casson
Chairman
Newburyport Harbor Commission
60 Pleasant Street
Newburyport, MA 01950

Dear Andrew,

As you know, my family and I recently relocated to Newburyport from Newport, Rhode Island. In the interest of becoming more involved in the community which we plan on spending a very long time in, I'd like to be considered by the Harbor Commission and Mayor Holaday for the opening on the Newburyport Harbor Commission.

As a lifelong recreational boater and marine industry veteran, I feel I can offer my experience to help contribute to the overall agenda of the Harbor Commission. Not only did I live on board boats from the time I was 10 until about 30 years old, but I began working in a boatyard at age 12 in Annapolis, and then in East Boston while in college. I've been part of marina developments, maintenance programs, as well as the general service business, while also logging 40,000 ocean-miles. Although I've been fortunate to cruise some incredible places around the world, I'm quickly learning that Newburyport is one of the most special waterfront communities I've experienced.

My early marine service experience led to a career where I eventually served as editor-in-chief of *Yachting*, the oldest marine publication in the United States. I then took over as editor-in-chief of *Power & Motoryacht*. In addition to this role, I simultaneously served as the editorial director of the Active Interest Media Marine Group and oversaw the editorial departments of *Soundings*, *Soundings Trade Only*, *PassageMaker*, *Sail*, *Yachts International*, and *Anglers Journal*. During this time, I worked closely with the producers of the Ft. Lauderdale International Boat Show on the marketing and operations side. I continue to consult with the new owners of the show as well as the Miami and Palm Beach boat shows. During this time, I was also the executive producer of *Anglers Journal Television* which aired on the Discovery Channel.

I've complemented my media career in business with marketing and branding experience. I was on the marketing side for Grand Banks Yachts, and also oversaw marketing for clients such as Nordhavn, Alden Yachts, Fraser Yachts, Raymarine, Simrad, Pearson True North, Pearson Composite Pilings, Davis Yachts, GMC Trucks, Awlgrip, as well as marine destination clients such as the Bayside in Miami, and the Four Seasons at Costa Palmas in Mexico. I've also been involved in programs on behalf of the USCG to drive awareness of boating under the influence.

I feel strongly that I can leverage this experience, my contacts, along with my operational experience of managing 8-figure budgets for the benefit of the Harbor Commission to help promote the waterfront as a destination, produce additional opportunities for public relations and complement current community outreach efforts. I also feel strongly that it is vital to ensure that future generations experience the joys of being on and around the water.

I would welcome the opportunity to discuss the above with you and members of the Commission. Thank you for the consideration.

Sincerely,

A handwritten signature in blue ink, appearing to read "George Sass Jr.", with a long, sweeping underline.

George Sass Jr.

George Sass Jr.
37 Jefferson Street
Newburyport, MA 01950
401.835.2803
gsassjr@gmail.com

SKILLS SUMMARY Marketing communications and publishing leader with extensive experience in strategy development, creative execution, turnarounds operations, and publishing. Innovative problem solver with deep management experience gained from working with Fortune 100 companies to fast-paced start-ups. Excellent background in content development, packaging, writing, branding, and producing new streams of revenue.

EMPLOYMENT **Managing Director** June 2019-Present
Blue Creative Group

Newburyport, MA

Manage full service marketing agency focused on design, PR, content development, and business strategy

Vice President, Managing Director January 2016-2019
Catapult Creative Labs/AIM Media

Boulder, CO

- Managing daily operations and new business development program of multi-million dollar creative services agency.
- Responsible for P/L management, revenue generation, forecasting for board of directors, and budgeting.
- Strategic lead for key accounts, including The Four Seasons, Deer Valley Resort, Solitude Mountain Resort, The Balsams Resort, Natural Retreats, Wiemann Metalcraft, Merle Wood & Associates, Berkshire Hathaway Home Properties, Luitpold Pharmaceuticals, and Weatherbeeta Equine.
- Launched from ground floor. Doubled revenue in 18 months and delivered record profit.
- Incorporating research and best practices, developed strategic plans for clients across social media, television, email, web, print, and events.
- Honored as a Folio 100 Innovator. Recognizing key media leaders.

Editorial Director, AIM Media February 2012-March 2016
Editor-in-Chief, Power & Motoryacht

Essex, CT

- Tasked with due diligence duties during purchase of *Power & Motoryacht* by Active Interest Media and developing strategy with team to turn around brand from seven figure loss to profitability. Succeeded in 10 months.
 - Won multiple editorial awards and transitioned *Power & Motoryacht* to market share leader with leading subscription renewal and increased newsstand sales.
 - Launched new digital program and achieved record traffic numbers
-

within 8 months of launch.

- Created concept, and with editor, launched the award winning *Anglers Journal Magazine*.
- Executive Producer and co-founder of Discovery Channel's *Anglers Journal Television*. Developed content plan and revenue stream. Achieved record Nielsen Ratings.
- Lead re-designs of *Sail Magazine* and *PassageMaker*.
- Wrote and edited multiple features each week.
- Worked with boatbuilders around the world on media communications strategies to engage with North American market.

Editor-in-Chief, Yachting Magazine Dec. 2007-February 2012
New York, NY

- Responsible for creative strategy for oldest nautical magazine in North America.
- Brought in by new owners to turn around magazine and return to leadership role and profitability.
- Oversaw re-design and assembled highly motivated team that lead to magazine's overtaking media marine marketshare.
- Won numerous industry awards for design and content.
- Created processes to realign expenses, increasing quality of product, adding staff headcount, while reducing expenses by \$1.1 million.
- Managed division P/L.
- Member of parent company acquisition team during due diligence stage and coupling new investments to parent company structure, including IT, staffing, financials, and budgeting.
- Grew paid subscription renewals from 51% to 92%.

Managing Partner/Chief Operating Officer Sept. 2004-Dec. 2007
Force 12 Media, LLC

Fairfield, CT

- With business partner, purchased and re-launched *Boat Digest*, a regional niche magazine dedicated to educating serious boaters. Took to national circulation.
- With business partners, developed and launched *Center Console Angler Magazine*. Grew into seven figure business. Responsible for all operations, finance department, securing financing, P/L, magazine production, and editorial staff of 8.
- Served as editor-in-chief of *Boat Digest*, writing and driving editorial vision.
- In 2006, launched digital only version focusing on how-to and servicing for powerboaters.
- Developed and launched new web sites and digital assets.

Executive Editor Feb. 2000-Sept. 2004
Time 4 Media/Yachting Magazine
Greenwich, CT

-
- Responsible for content generation and shaping content each month.
 - Supervised staff of 10, including production, web and senior editors.
 - Worked directly with freelancers, assigning and editing features and columns.
 - Edited all content for clarity, and quality, and ensured it was engaging for affluent demographic of magazine.
 - Wrote several features per issue.
 - Managed editorial operations budget.

Marketing Director
Grand Banks Yachts, LTD
Southport, CT.

April 1994-February 2000

- Responsible for marketing planning and execution for luxury boat builder.
- Oversaw marketing budget
- Developed strategic marketing plans for North American, individual European and Asian markets.
- Wrote and produced all ads and collateral materials, including quarterly newsletter.
- Project managed boat files with sales broker and factory.
- Managed and produced all public relations, including Asia, Europe, and North America.
- Responsible for managing all photoshoots from factory to Europe.
- Created enhanced boatshow plan and managed all shows.
- Developed and managed yearly marketing budget with finance.
- Developed branding for new Aleutian Class from initial product development phase, pre-production market research to execution of all marketing materials and messaging.
- Created, hosted and managed various owner events.

Account Executive/Copy Writer
Sass Communications

1992-April 1994

Annapolis, MD and New York, NY

- Co-managed and developed marketing programs for several national brands, including Umbro Soccer, STX Lacrosse, Rouse Corporation, Raytheon Marine, Simrad Electronics, Menra Mills, Adcom Stereo, Head Sports, Mohamed Ali Enterprises, Delsey Luggage, Washington Wizards, and Nutmeg Mills/Lee Apparel.
- Produced ad copy, press releases, edited and managed large apparel catalogs for Umbro and STX.
- Worked at the retail level developing and executing in-store promotions with Sears, JC Penny, West Marine, Sports Authority and smaller outlets.
- Coordinated marketing activities and managed co-op program on

behalf of Lee Sportswear with the NFL, NASCAR, MLB, NBA, and NHL.

- Coordinated television and radio production

EDUCATION

B.A. International Business; Minor in Journalism

New England College, Henniker, NH



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

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2020 JAN -7 PM 4:03

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: January 13, 2020
Subject: Appointment

I hereby appoint, subject to your approval, the following named individual a member of the Tree Commission. This term will expire on January 13, 2023.

Janet Morris
288 Merrimac Street
Newburyport, MA 01950

Donna Musumeci

From: Lois Honegger
To: Donna Musumeci
Subject: FW: [Ext]Request to join the Tree Commission

From: Janet Morris [<mailto:jlymorris@comcast.net>]
Sent: Wednesday, October 16, 2019 6:13 PM
To: Donna Holaday
Cc: Lois Honegger
Subject: [Ext]Request to join the Tree Commission

external e-mail use caution opening

Dear Mayor Holaday,

I am writing to express my interest in becoming a member of the Newburyport Tree Commission.

I joined the Friends of Newburyport Trees (FoNT) as a board member earlier this year and have done tree maintenance work with the FoNT members and the Tree Commission. I currently work as an editor in textbook publishing and would like to assist the Commission with grant writing. My greatest qualification is probably my appreciation of trees; I admire the efforts and success of the Commission in planting and caring for trees in our beautiful city and raising awareness of all that trees offer us.

Attached is my resume for your consideration. I would be happy to answer any questions you may have.

Thank you!

Janet Morris
288 Merrimac Street
781-799-3629

Janet L. Morris
288 Merrimac Street · Newburyport, MA · 01950
781-799-3629 · jlymorris@comcast.net

Professional Experience

Jones & Bartlett Learning, Burlington, MA · Senior Editor · 2011–Current

Develop textbooks and interactive courses for emergency medical services education, working with partners, authors, and acquisition editors to ensure content meets curriculum objectives and professional standards. Manage the creation of online courses, including all student and instructor resource materials. Identify and hire subject matter experts to write content as needed. Initiated the overhaul of a major JBL textbook series design. Received company recognition for major revision of a core textbook title and a company award for best first edition.

HCPPro, Inc., Danvers, MA · Senior Managing Editor · 2007–2011

Managed the development of books and training materials for nursing and hospital compliance professionals. Conducted market research, signed authors, wrote content proposals, and presented project plans to executive board. Worked with authors to create examinations for continuing education credits. Guided products through editing, art development, layout, and proofing stages. Wrote product marketing copy for website and catalogs.

Jones & Bartlett Learning, Burlington, MA · Associate Managing Editor · 2004–2007

Edited textbook manuscript and ancillaries for the emergency medical services and criminal justice disciplines. Worked with partners, authors, and production team to advance projects through all phases, adhering to tight schedules while ensuring quality and maintaining diplomacy. Created art specifications and worked with researchers to fill and track art specs and secure permissions. Supervised two editorial assistants, delegating tasks and helping them manage workflow. Promoted from Associate Editor to Associate Managing Editor after two years.

Pearson, Boston, MA · Image Researcher · 2002–2004

Researched images and obtained permissions for textbooks in the science department. Delegated projects to freelance researchers as needed, monitoring schedules and workflow to meet tight production deadlines. Tracked the fulfillment, rights and permissions, and budget details for each project. Coordinated weekly photo shoots, including model and prop selection for science books.

Pearson, Boston, MA · Editorial Assistant · 2000–2002

Supported reprint editors in the science, social studies, and language arts departments of the middle-grades division. Commissioned reviewers and worked with the reprints director to create project plans, bid documents, and budget analyses. Maintained a corrections database and created errata lists for teachers' resource website.

St. Elizabeth's Medical Center, Boston, MA · Medical Administration Assistant · 1998–1999

Handled all patient correspondence and medical records for lead cardiologist while also assisting his research team. Organized and prepared multiple grant proposals, ensuring adherence to strict submission guidelines and deadlines.

Doctor Franklin Perkins School, Lancaster, MA · Assistant Counselor · 1996–1997

Guided adolescents with behavioral challenges through their daily routines at a residential facility and school. Supported an assigned group of individuals as they navigated the challenges of meeting their personalized goals and lesson plans.

Education

Atlantic Union College, Lancaster, MA; Saleve University, Collonges-sous-Saleve, France: Bachelor of Science in Psychology; minor in French



CITY OF NEWBURYPORT RECEIVED
OFFICE OF THE MAYOR CITY CLERK'S OFFICE
DONNA D. HOLADAY, MAYOR NEWBURYPORT, MA

2020 JAN -7 PM 4: 03

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: January 13, 2020

Subject: Re-Appointment

I hereby re-appoint, subject to your approval the following named individual as a member of the Newburyport Affordable Housing Trust. This term will expire on November 30, 2022.

Karen B. Wiener
7 Lincoln Street
Newburyport, MA 01950

Donna Musumeci

From: Donna Musumeci
Sent: Tuesday, December 31, 2019 1:29 PM
To: 'Karen Wiener'
Cc: Judy Tymon
Subject: RE: [Ext]Trust Reappointment

Hi Karen,

Thank you for your email response. If you could email your resume/VC, that would be great.

We need to submit the materials for the City Council meeting.

This email confirms your interest in reappointment.

Best regards,

Donna

Donna Musumeci
Executive Assistant to the Mayor
City of Newburyport
60 Pleasant St.
PO Box 550
Newburyport, MA 01950
978-465-4412

From: Karen Wiener <kbwiener@gmail.com>
Sent: Tuesday, December 31, 2019 12:13 PM
To: Donna Musumeci <DMusumeci@CityofNewburyport.com>
Cc: Judy Tymon <jmtconsult511@gmail.com>
Subject: [Ext]Trust Reappointment

external e-mail use caution opening

Hello Donna, I understand from Judy Tymon that I am to get in touch with you regarding my appointment to the Newburyport Affordable Housing Trust. I am interested in being reappointed. Please let me know if you need anything else from me.

Thanks, Karen

--

Karen Wiener
kbwiener@gmail.com

KAREN B. WIENER
7 Lincoln Street, Newburyport, MA 01950
978-518-0441 kbwiener@gmail.com

Professional Experience

Citizens' Housing and Planning Association (CHAPA) – Boston, MA

Chief Operating Officer, 2007 – present

Serve as Chief Operating Officer for leading statewide non-profit organization for affordable housing and community planning efforts in Massachusetts. Key responsibilities include fundraising, hiring and supervising staff, working with the Board of Directors, and representing the agency in various forums and coalitions. Ms. Wiener also focuses directly on several issue areas, including affordable housing awareness, homebuyer education, planning and land use, and smart growth.

Director of Special Projects, 2002-2007

Managed all smart-growth related projects, including implementing CHAPA's Smart Growth Demonstration Initiative, a project that provided technical assistance to communities demonstrating successful models of smart growth planning and development incorporate affordable housing; representing CHAPA in the Massachusetts Smart Growth Alliance, a collaboration of seven leading non-profit organizations representing diverse interests and approaches to smart growth; developing education forums on smart growth topics; and staffing CHAPA's Smart Growth Committee.

Director of Homeownership Initiatives, 1990-2002

Developed and implemented all of CHAPA's affordable homeownership programs, including statewide foreclosure-prevention programs for the RTC, FDIC, Fannie Mae and Freddie Mac. Established the Massachusetts Homeownership Collaborative, a statewide initiative that works to professionalize, improve and bring standards and consistency to the quality of homebuyer education services for low and moderate income households. Created the New England HUD Housing Counseling Program, securing more than \$10 million in federal funds over twelve years for distribution to 25 non-profit organizations in five New England states.

Resources for Community Development – Berkeley, CA

Project Manager, 1988-1990

Provided research, analysis and project management for conversion and rehabilitation of a dilapidated former hotel into an SRO for formerly homeless men

Tri-City Community Action Program – Malden, MA

Advocacy Coordinator, 1984-1987

Worked as an advocate for lower income households facing eviction, job loss and other financial crises, and coordinated the services offered by the advocacy department.

Metropolitan Washington Planning & Housing Association – Washington, D.C.

Tenant Advocate and Organizer, 1982-1983

Worked as a community organizer and tenant advocate for low income tenants facing eviction and other housing-related issues

Education

Master of City and Regional Planning, University of California, Berkeley
Concentration in Housing Planning and Development

Bachelor of Urban Affairs, George Washington University
Concentration in Political and Social Urban Analysis

Professional Affiliations

Member, Board of Directors, Massachusetts Nonprofit Network

Member, National Industry Standards for Homeownership Education and Counseling Committee

Member, Steering Committee, the Massachusetts Smart Growth Alliance

Member, Steering Committee, the Alliance for Racial Equity

Trustee, Newburyport Affordable Housing Trust



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

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2020 JAN -7 PM 4:03

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: January 13, 2020

Subject: Re-Appointment

I hereby re-appoint, subject to your approval, the following named individual as a Constable for City Business. This term will expire on December 1, 2022.

Paul Cardaci
135 Beach Road, #C5
Salisbury, MA 01952

From : Paul S.Cardaci

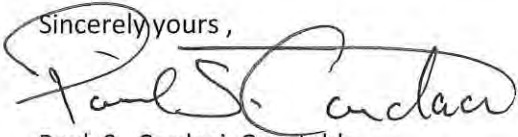
To: Donna D.Holaday ,Mayor

Date: Monday December 16, 2019

Dear Madam Mayor I would like to be considered for reappointment as a Constable for the City of Newburyport once again for a third term . The following documents your office has requested are here for your review .

Thank You.

Sincerely yours ,

A handwritten signature in black ink that reads "Paul S. Cardaci". The signature is written in a cursive style with a large, looping initial "P".

Paul S. Cardaci, Constable



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

December 11, 2019

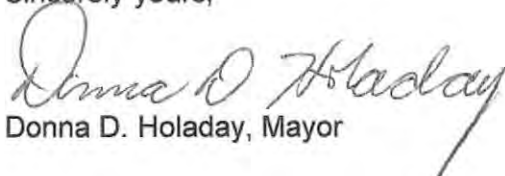
Mr. Paul S. Cardaci
135 Beach Road, Unit C5
Salisbury, MA 01952

Dear Mr. Cardaci:

It has come to my attention that your appointment as a Constable for the City of Newburyport expired on December 1, 2019. I am very appreciative of your commitment to this position and hope to have the opportunity to re-appoint you. Pursuant to MGL Chapter 41, §91B (see attached) your reappointment will require a statement as to your moral character from five (5) reputable citizens, one of whom shall be a lawyer. I have attached a form for your use, and once this has been filled out would you please either mail or drop off this form to my office. Kindly contact my office upon receipt of this letter to confirm that you will continue to serve our community.

Thank you.

Sincerely yours,


Donna D. Holaday, Mayor

THE COMMONWEALTH OF MASSACHUSETTS

GENERAL LAWS

CHAPTER 41 §91B

"Constables shall not be appointed by Mayors or Selectmen under ninety-one or ninety-one A except as hereinafter provided. A person desiring to be appointed as aforesaid shall make a written application therefor to the appointment authority stating his reasons for desiring such appointment and such information as may be reasonably required by said authority relative to his fitness for said office. Such application shall also contain a statement as to the moral character of the applicant signed by at least five reputable citizens of the city or town of his residence, one of whom shall be an attorney-at-law. The appointing authority shall also investigate the reputation and character of every applicant and his fitness for said office. The Chief of police or other official having charge of the police shall upon request give the appointment authority all possible assistance in making such investigation. The office of constable shall be filled only by appointment of an applicant hereunder who is found by the appointment authority, after investigation as aforesaid, to be a person of good repute and character and qualified to hold said office."

I, the undersigned, sign this voluntarily as to the moral character of Paul S Cardaci.

Nick G Mihelis
Name
135 Beach Rd # C-1
Address SALISBURY MA. 01952
NICK G MIHELIS
Signature

Bretchen Stone
Name
135 Beach Rd # 100
Address SALISBURY MA 01952
Bretchen Stone
Signature

Sheila MacPherson
Name
135 Beach Rd * Unit 201
Address Salisbury, Ma. 01952
Sheila MacPherson
Signature

Deborah Cronin
Name
135 Beach Rd # 212
Address SALISBURY MA 01952
Deborah Cronin
Signature

KAREN HAZKLETT
Name
135 BEACH RD #4 SALISBURY MA
Address 01952
Karen Hazklett
Signature

JOSEPH DORATO
135 BEACH RD - E2
SALISBURY, MA. 01952

Joseph Dorato



The Pitman Law Offices LLC

Don Pitman

Your Family Matters are Our Business

don@pitman-law.com www.pitman-law.com
31A Pleasant Street, Newburyport, MA 01950
o: 978-462-0243 f: 888-426-5556



The Hanover Insurance Company | 440 Lincoln Street, Worcester, MA 01653
Citizens Insurance Company of America | 645 West Grand River Avenue, Howell, MI 48843
Massachusetts Bay Insurance Company | 440 Lincoln Street, Worcester, MA 01653

CONTINUATION CERTIFICATE

Principal:
Paul S. Cardaci

135 Beach Rd Unit C5

Salisbury

MA 01952

Bond No.: BONA175265

Date: October 1, 2019

Continuation Term: Constable

From: December 12, 2019 **To:** December 12, 2022

Obligee:

City of Newburyport

60 Pleasant St

Newburyport

MA 01950

Agent:

Chase & Lunt Ins. Agcy. Inc.

65 Parker St, Ste 6

Newburyport, MA 01950

Bond Amount: \$ \$5,000.00

Premium: \$ \$50.00

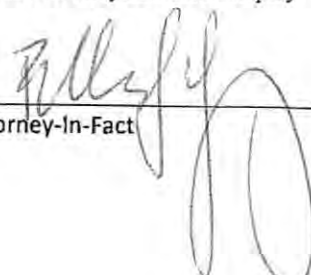
It is hereby agreed that the above referenced captioned numbered Bond issued by The Mass. Bay Insurance Company (hereinafter the "Surety") is continued in force in the above amount for the Continuation Term period of the continued term stated above, and is subject to all the covenants and conditions of said Bond.

This Continuation Certificate shall be deemed a part of the original Bond, and not a separate obligation, no matter how long the Bond has been in force or how many premiums are paid for the Bond, unless otherwise provided for by statute or ordinance applicable.

Surety's liability under said Bond and for all continuation certificates issued in connection therewith shall not be cumulative and in no event shall the liability of the Surety exceed the amount as set forth in the Bond or in any additions, riders, or endorsements properly issued by the Surety as supplements thereto.

In witness whereof, the company has caused this instrument to be duly signed, sealed and dated as of the above "continuation effective date."

Massachusetts Bay Insurance Company

By: 
Attorney-In-Fact

cc: 3200939

THE HANOVER INSURANCE COMPANY
MASSACHUSETTS BAY INSURANCE COMPANY
CITIZENS INSURANCE COMPANY OF AMERICA

POWER OF ATTORNEY

THIS Power of Attorney limits the acts of those named herein, and they have no authority to bind the Company except in the manner and to the extent herein stated.

KNOW ALL PERSONS BY THESE PRESENTS:

That THE HANOVER INSURANCE COMPANY and MASSACHUSETTS BAY INSURANCE COMPANY, both being corporations organized and existing under the laws of the State of New Hampshire, and CITIZENS INSURANCE COMPANY OF AMERICA, a corporation organized and existing under the laws of the State of Michigan, (hereinafter individually and collectively the "Company") does hereby constitute and appoint,

Christina D. Hickey, Ellen M. Dolan, Donna M. Robie, Frank J. Smith, Ellen J. Young and/or Tara L. Clifford

Of Eastern Insurance Group, LLC of Natick, MA each individually, if there be more than one named, as its true and lawful attorney(s)-in-fact to sign, execute, seal, acknowledge and deliver for, and on its behalf, and as its act and deed any place within the United States, any and all surety bonds, recognizances, undertakings, or other surety obligations. The execution of such surety bonds, recognizances, undertakings or surety obligations, in pursuance of these presents, shall be as binding upon the Company as if they had been duly signed by the president and attested by the secretary of the Company, in their own proper persons. Provided however, that this power of attorney limits the acts of those named herein; and they have no authority to bind the Company except in the manner stated and to the extent of any limitation stated below:

Any such obligations in the United States, not to exceed Twenty Million and No/100 (\$20,000,000) in any single instance

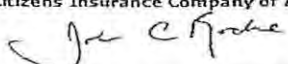
That this power is made and executed pursuant to the authority of the following Resolutions passed by the Board of Directors of said Company, and said Resolutions remain in full force and effect:

RESOLVED: That the President or any Vice President, in conjunction with any Vice President, be and they hereby are authorized and empowered to appoint Attorneys-in-fact of the Company, in its name and as it acts, to execute and acknowledge for and on its behalf as surety, any and all bonds, recognizances, contracts of indemnity, waivers of citation and all other writings obligatory in the nature thereof, with power to attach thereto the seal of the Company. Any such writings so executed by such Attorneys-in-fact shall be binding upon the Company as if they had been duly executed and acknowledged by the regularly elected officers of the Company in their own proper persons.

RESOLVED: That any and all Powers of Attorney and Certified Copies of such Powers of Attorney and certification in respect thereto, granted and executed by the President or Vice President in conjunction with any Vice President of the Company, shall be binding on the Company to the same extent as if all signatures therein were manually affixed, even though one or more of any such signatures thereon may be facsimile. (Adopted October 7, 1981 – The Hanover Insurance Company; Adopted April 14, 1982 – Massachusetts Bay Insurance Company; Adopted September 7, 2001 – Citizens Insurance Company of America)

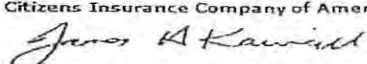
IN WITNESS WHEREOF, THE HANOVER INSURANCE COMPANY, MASSACHUSETTS BAY INSURANCE COMPANY and CITIZENS INSURANCE COMPANY OF AMERICA have caused these presents to be sealed with their respective corporate seals, duly attested by two Vice Presidents, this 18th day of October, 2017.

The Hanover Insurance Company
Massachusetts Bay Insurance Company
Citizens Insurance Company of America


John C. Roche, EVP and President

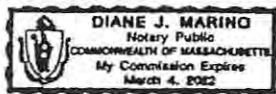


The Hanover Insurance Company
Massachusetts Bay Insurance Company
Citizens Insurance Company of America


James H. Kawiecki, Vice President

THE COMMONWEALTH OF MASSACHUSETTS)
COUNTY OF WORCESTER) ss.

On this 18th day of October, 2017 before me came the above named Vice Presidents of The Hanover Insurance Company, Massachusetts Bay Insurance Company and Citizens Insurance Company of America, to me personally known to be the individuals and officers described herein, and acknowledged that the seals affixed to the preceding instrument are the corporate seals of The Hanover Insurance Company, Massachusetts Bay Insurance Company and Citizens Insurance Company of America, respectively, and that the said corporate seals and their signatures as officers were duly affixed and subscribed to said instrument by the authority and direction of said Corporations.





Diane J. Marino, Notary Public
My Commission Expires March 4, 2022

I, the undersigned Vice President of The Hanover Insurance Company, Massachusetts Bay Insurance Company and Citizens Insurance Company of America, hereby certify that the above and foregoing is a full, true and correct copy of the Original Power of Attorney issued by said Companies, and do hereby further certify that the said Powers of Attorney are still in force and effect.

GIVEN under my hand and the seals of said Companies, at Worcester, Massachusetts, this 18th day of October, 2017.

CERTIFIED COPY


Theodore G. Martinez, Vice President



January 6, 2020

The Honorable Donna Holaday
Mayor, City of Newburyport
60 Pleasant Street
Newburyport, MA 01950

RE: Paul Cardaci

Dear Mayor Holaday:

I am pleased to have been asked to offer my recommendation of Paul Cardaci to be a constable in the City of Newburyport. Over the past several years, Paul has worked with me in his official capacity and has shown himself to be scrupulous, diligent and thoughtful in all of his work. Several individuals who have been served by Mr. Cardaci have stated they appreciated his discretion in delivering sensitive legal documents, and he has also been very creative in serving other items that have been complicated. I have referred Paul to many other colleagues and they have all been pleased with his services and would no doubt support his reappointment if asked to do so.

I believe that he is an excellent example of the professional we could hope to have serving this community and I highly recommend him for reappointment as constable.

Please do not hesitate to contact me with any further questions you may have. Thank you for your attention and consideration of his appointment.

Very truly yours,

Donald L. Pitman III, Esq.
DP/aam



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

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2020 JAN -7 PM 4:03

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: January 13, 2020
Re: Re-Appointment

I hereby re-appoint, subject to your approval, the following named individual as a member of the Library Board of Directors. This term will expire on January 1, 2027.

Gary Gorski
18 Magnolia Street
Newburyport, MA 01950

Donna Musumeci

From: Gary Gorski <garygorski@comcast.net>
Sent: Thursday, January 2, 2020 3:09 PM
To: Donna Musumeci
Cc: mvalerianijr@hotmail.com; Giselle Stevens
Subject: [Ext]Re: Hello - Reappointment to Library Board of Directors
Attachments: Gary Gorski library board reappointment.pdf; gary gorski resume 2020.pdf

external e-mail use caution opening

Hi Donna.

Thank you for reaching out about this.

I'd be happy to help serve as library board trustee again for another term.

Attached is a short note confirming my interest as well as my current resume.

I hope this covers everything but if anything else is needed, just let me know.

Thanks

Gary

18 Magnolia St.
Newburyport, MA 01950-2012

978-463-8617

On December 31, 2019 at 3:28 PM Donna Musumeci <DMusumeci@CityofNewburyport.com> wrote:

Hi Gary,

By way of introduction, I am the new assistant to the mayor, nice to meet you! I look forward to meeting you in the near future.

In the meantime, I wanted to inquire about your term on the Library Board of Directors that expires on January 1, 2020. Can you advise if you would like to be reappointed for another term?

If so, please email me a short letter stating your intention to be appointed, and a copy of your resume/CV.

2 January 2020

Donna Musumeci

Executive Assistant to the Mayor

City of Newburyport

60 Pleasant St.

PO Box 550

Newburyport, MA 01950

Dear Ms. Musumeci,

In response to your recent e-mail, I'd like to confirm my interest in continuing as a trustee of the Newburyport Public Library.

Per your request, I have attached a copy of my resume to my e-mail response.

Please let me know if there's anything you need from me for this and I wish you all the best in your new role as the mayor's assistant.

Sincerely,

Gary Gorski

18 Magnolia St.

Newburyport, MA 01950-2012

Gary A. Gorski
Newburyport, MA
978-463-8617
garygorski@comcast.net

Employment

Sheridan Journal Services, Waterbury, VT

- **Freelance Copy Editor**, March 2019–present
 - Edit journal articles for *Cell Reports*

American Meteorological Society, Boston, MA

- **Copy Editor**, 1994–1996 and 2002–2019
 - Edited journal article, monograph, and book chapter manuscripts and proofs
 - Proofread materials and web content for other departments within the Society
- **Senior Copy Editor**, 1996–1998
 - Interviewed, hired, trained, and managed editorial assistants and copy editors
 - Developed and communicated house style standards and expectations through a collaborative decision-making process involving copy editors and technical editors
- **Journals Production Manager**, 1998–2002
 - Oversaw publication schedule for 20,000+ pages of scientific content across eight journals annually
 - Coordinated efforts of editorial assistants, copy editors and technical editors, volunteer science editors, press, and authors to ensure publication schedule remained on track
 - Worked with authors and staff to resolve editorial, billing, and copyright issues

Volunteer efforts

Boy Scouts of America

Founded and serve as Scoutmaster for Boy Scout Troop 251

Newburyport Public Library Board of Directors

Board member; twice served on search committees hiring new Head Librarian

Newburyport Boy Basketball Association

Board member and coach; helped launch and serve as coordinator for boy's high school rec league

Newburyport Livable Street

Established walking and cycling advocacy group; helped secure grant funding to improve walkability for children to local schools

Port Pride committee cochair

Helped lead community-wide budget override effort to successfully secure funding for a new elementary school and senior/community center

Education

Rivier College, Nashua, NH

B.A. in Communications, cum laude

Skills

Word, Excel, Adobe Acrobat, Google Sheets and Docs, Chicago Manual of Style



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978-465-4402 FAX

To: President and Members of the City Council
From: Donna D. Holaday, Mayor
Date: January 13, 2020
Re: Re-Appointment

I hereby re-appoint, subject to your approval, the following named individual as a member of the Library Board of Directors. This term will expire on January 1, 2027.

Sarah T. Spalding
280 High Street
Newburyport, MA 01950

Sarah T. Spalding
280 High Street
Newburyport, MA 01950

December 31, 2019

Donna Musumeci
Assistant to Mayor Donna Holaday
60 Pleasant Street
Newburyport, MA 01950

Dear Donna,

Please let Mayor Holaday know that I would be honored to serve another term on the Newburyport Public Library Board of Directors. The library is a gem and an essential part of our community, now more than ever. Attached is a copy of my resume.

Happy New Year.

Best regards,

Sarah T. Spalding

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

Work Experience:

YMCA Camp Nokomis, Bear Island, Meredith, NH – summers 1984 – 2019
Currently: Associate Camp Director, Waterfront Director
Past Roles: Program Director, Unit Leader, Counselor

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

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

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

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

Education:

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

Volunteer Work:

Newburyport Public Library Board of Directors 2016-2019

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

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

American Camping Association, Visitor for Camp Accreditation Program

Merrimack Valley YMCA Camping Services Board of Managers 1997-1998

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



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978-465-4402 FAX

To: President and Members of the City Council
From: Donna D. Holaday, Mayor
Date: January 13, 2020
Subject: Re-Appointment

I hereby re-appoint, subject to your approval, the following named individual as a Director of Finance. This term will expire on February 1, 2023.

Ethan Manning
31 Howard Street
Newburyport, MA 01950

ETHAN R. MANNING

31 Howard Street, Newburyport, MA 01950

(617) 620-2510 | ermanning@gmail.com | LinkedIn: [EthanManning](#)

PROFESSIONAL EXPERIENCE

CITY OF NEWBURYPORT, Newburyport, MA

Oct. 2011 – Present

FINANCE DIRECTOR/CITY AUDITOR (7/14-Present)

- Managing the City's finances, including a balance sheet with assets of over \$230mm, and an annual operating budget of over \$80 million.
- Developing and analyzing long-range revenue and expenditure projections.
- Executing and developing a five-year capital improvements plan.
- Implementing recommendations from the annual audit, such as the creation of an irrevocable trust fund for other post-employment benefits (OPEB) and improved tracking of time and attendance.
- Ensuring compliance with federal and state laws, including Mass. General Law, Generally Accepted Accounting Principles (GAAP) and Uniform Municipal Accounting Standards.
- Management of debt issuance and investing strategies.
- Led the renewal process of Newburyport's ten-year Comcast Cable License.
- Oversight of staff in accounting, assessing, treasury/collections and procurement.
- Serve as ex-officio member on the Newburyport Retirement Board.

ASSISTANT CITY AUDITOR (9/13-7/14)

- Maintained all financial books and records for the City of Newburyport.
- Developed a fully transparent online budget document for the City of Newburyport, receiving the *Distinguished Budget Presentation Award* by the Governmental Finance Officers Association (GFOA) in the City's first submission to the awards program.
- Created the five-year capital improvements plan for the City in FY2012, which was first incorporated into the FY2013 budget, becoming a Charter requirement in January 2014.
- Developed the Financial Policies and Objectives manual for the City, receiving recognition from Standard & Poor's credit rating agency during their upgrade of the City's long-term debt rating in 2015.

BUSINESS MANAGER, DEPARTMENT OF PUBLIC SERVICES (10/11-9/13)

- Supervised a staff of administrative assistants, including oversight of the meter reading program.
- Implemented quarterly billing cycles allowing for high flows to be identified sooner, easier budgeting for residents and businesses and improved cash flow for the City.
- Optimized meter reading routes to allow readings to be taken faster and more frequently.
- Forecasted and analyzed water/sewer revenues and costs to ensure long-term stability of rates.
- Streamlined payment processing time from 4 to 1 business days.
- Created a Home Rule Petition, approved in July 2013, allowing the City of Newburyport to impose liens on delinquent properties in the Town of Newbury (Ch. 48, [Acts of 2013](#)).
- Managed the rollout of the net metering credit (NMC) program with True North Energy and put in place a process for managing Solar Renewable Energy Credits generated at City facilities.

BAIN CAPITAL, Boston, MA & London, United Kingdom

June 2006-Oct. 2011

ANALYST, Sankaty Advisors, LLC (11/09-10/11)

- Monitored fundamental drivers of value and performance on a continuous basis.
- Analyzed and benchmarked performance and portfolio construction of 9 multi-strategy fixed income funds and 10 collateralized loan obligation vehicles, totaling over \$8.4bn in assets.
- Communicated with portfolio management team on trading decisions and macro fund positioning.
- Maintained complex Excel-based models using inputs from corporate balance sheets, income statements and associated market/economic data.
- Led the effort in developing a complex database to monitor and report Sankaty's defaults and recoveries track record, going back to the firm's inception in 1999.

ETHAN R. MANNING – PAGE TWO

31 Howard Street, Newburyport, MA 01950
(617) 620-2510 | ermanning@gmail.com | LinkedIn: [EthanManning](#)

PROFESSIONAL EXPERIENCE (CONTINUED)

LONDON OPERATIONS AND TRADING ASSOCIATE, Sankaty Advisors, Ltd. (10/07-11/09)

- Successfully launched a trading operations desk in the London office, transitioning it to permanent staff, prior to returning to the United States.
- Supported all aspects of European primary and secondary loan trading and settlements.
- Liaised with Boston office on all areas of finance and operations.
- Managed and developed relationships with various London operations contacts through participation in market activities and networking events hosted by local asset managers and banks.
- Reviewed legal documentation, including transfer certificates, accession deeds, trade confirms and pricing letters to ensure compliance with internal policies and procedures.
- Educated analysts and staff on operational procedures and understanding of complex investments, such as leveraged loans, distressed debt, mezzanine and structured products.

SENIOR PORTFOLIO OPERATIONS ASSOCIATE, Sankaty Advisors, LLC (6/06-9/07)

- Reconciled market value and cash flow portfolios daily with custodians and prime brokers to ensure complete accuracy in cash movement.
- Reported positions regularly to senior management, including the creation of a summarized exceptions report to constantly analyze trends and progress.
- Managed and responded to inquiries on portfolio positions from all parts of the firm, including Managing Directors, Analysts and Traders in a timely, accurate and thorough manner.

LIBERTY MUTUAL INSURANCE GROUP, Dover, NH May 2004-Aug. 2005

SUMMER ANALYST, Corporate Treasury (5/05-8/05) Commercial Markets (5/04-8/04)

EDUCATION

BENTLEY UNIVERSITY, Waltham, MA

Bachelor of Science in Finance (2006), *Magna Cum Laude* (GPA 3.8/4.0)

Minors in Government and Management

Bentley Honor Society, Beta Gamma Sigma Honor Society, Student Body President (Elected)

CERTIFICATIONS/PROFESSIONAL AFFILIATIONS

Certified Governmental Accountant (CGA)

Certified Massachusetts Public Procurement Officer (MCPPO)

Governmental Finance Officers Association (GFOA) – GFOA Budget Reviewer (July 2014-Present)

Massachusetts Government Finance Officers Association

New England States Government Finance Officers Association

Massachusetts Municipal Auditors' & Accountants' Association (MMAAA)

TECHNICAL SKILLS

Munis Financial Software (Advanced User), Microsoft Office (Advanced Microsoft Excel), Bloomberg, Massachusetts Department of Local Services (DLS) Gateway, Harper's Payroll, Zobrio Cashbook



CITY OF NEWBURYPORT

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DONNA D. HOLADAY, MAYOR

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2020 JAN -7 PM 4:03

To: President and Members of the City Council
From: Donna D. Holaday, Mayor
Date: January 13, 2020
Re: Re-Appointment

I hereby re-appoint, subject to your approval, the following named individual as the Director of Public Works. This term will expire on February 1, 2023.

Anthony Furnari
10 Olsen Road
Peabody, MA 01960

ANTHONY J. FURNARI

10 Olsen Road ♦ Peabody, MA 01960

(978)904-1034

ajfurnari@yahoo.com

PROFESSIONAL PROFILE

- Accomplished professional with over 30 years of broad-based experience in the Public Works field.
- Extensive administrative background with emphasis in supervision of staff and management of Public Works Department.

PROFESSIONAL EXPERIENCE

City of Newburyport Department of Public Services

Director of Public Services

Interim Deputy Director of Public Services/Director of Operations

Deputy Director of Public Services/Director of Operations

Public Works Superintendent

Newburyport, MA

May 2010 – Present

November 2009 – May 2010

July 2005 – November 2007

March 2002 – July 2005

Responsible for the overall management of the Department of Public Services which include the Water, Sewer, Fleet Maintenance, Facility Maintenance and Highway Divisions.

- Provide the Mayor and City Council with necessary and appropriate information on projects
- Develop and implement annual Capital, Operations and Maintenance plans and budgets
- Provide recommendations to the Mayor and City Council on water and sewer rates to adequately maintain the enterprise funds and provide for strategic investments in the water and sewer systems
- Maintain professional management structure and deploy appropriate personnel systems throughout divisions
- Review major design and construction projects
- Ensure proper procurement of goods and services
- Negotiate service contracts and oversee compliance and project management
- Effectively work with consultants to assure quality projects at acceptable costs
- Develop strategies to effectively and efficiently employ City resources with a focus on innovative techniques and best practices
- Ensure proper operation and maintenance of all city infrastructure and public facilities
- Develop and maintain vehicle and equipment maintenance programs
- Provide adequate staffing through inter-agency collaboration with Director of Operations, Water Superintendent, Sewer Superintendent and Chief Operators
- Meet with all appropriate officials to ensure compliance with local, state and federal regulations
- Oversee approximately 70 employees and assume responsibility for approving weekly assignments
- Assist with all public property maintenance issues, including school department
- Work with the Mayor and Human Resources Director throughout contract negotiations, interpret and execute two collective bargaining agreements and manage personnel related issues as needed
- Manage line items to budget; specifically payroll, capital projects and general operating expenses
- Serve as a member of the City's Emergency Management Planning Team and contribute to the development of disaster and recovery plans

Town of Danvers Department of Public Works

Assistant Director of Public Works

Danvers, MA

November 2007 – November 2009

Responsible for the overall management of infrastructure within the Department of Public Works which include Water, Sewer, Buildings, Grounds, Forestry, Equipment, Street and Sanitation divisions.

- Plan, organize, direct, control and monitor policies and priorities for programs listed above
- Responsible for budget control, purchasing, and vendor relations
- Oversee the daily tasks and personnel issues of 100 employees
- Receive and resolve complaints from residents ensuring positive public relations
- Chapter 90 filing for road work, project and reimbursement requests

City of Salem Department of Public Services

Assistant Director of Public Services

General Foreman

Salem, MA

June 2000 – March 2002

June 1997 – June 2000

Responsible for managing the daily operations of the Public Services Department.

- Managed and maintained over 110 miles of roads and 100 miles of water, sewer and drain lines
- Trash collection and recycling
- Supervised general foreman, motor pool fleet manager, cross connection inspector as well as 20 crew members
- City-wide snow removal operations, street sweeping, street paving, sidewalks and general construction
- Handled customer service issues

Essex County Sheriff's Department (ECSD)

Fleet Operations Supervisor

Middleton, MA

November 1992 – June 1997

Responsible for the repair and maintenance of over 100 vehicles.

- Building Maintenance, landscaping and snow removal
- Supervision of inmate work crews
- Purchasing of equipment, parts and materials

Boston Housing Authority

Labor Foreman

Boston, MA

July 1979 – May 1992

Responsible for performing all duties consistent with expediting rehabilitation work on various Boston Housing Authority developments.

- Supervised all department vehicles as equipment operator
- Liaison to fleet maintenance
- Coordinated with central warehouse and purchasing departments
- Responsible for all time sheets, overtime cards and payroll dispersal's
- Inspection of all state and city code violations within each development

EDUCATION

- Integrative Strategic Planning Program, Endicott College (Beverly, MA) – 2001
- Leadership Development Program, Endicott College (Beverly, MA) – 2001
- Criminal Justice Program - Northshore Community College (Beverly, MA)
- Salem High School (Salem, MA) – Class of 1976

CERTIFICATIONS, LICENSES & TRAININGS

- New England Wastewater Collection System – Grade IV License
- Massachusetts Heavy Equipment Operator – License 2B
- Mass Emergency Management Agency (MEMA) – Incident Command System Training for Executives
- Federal Emergency Management Agency (FEMA) – Seabrook Evacuation
- Baystate Roads Program – Various trainings
- State of Massachusetts – Notary Public

ANTHONY J. FURNARI

10 Olsen Road ♦ Peabody, MA 01960

(978)904-1034

ajfurnari@yahoo.com

PROFESSIONAL ASSOCIATIONS

- Essex County Highway Association – Past President 2014
- New England Chapter American Public Works Association
- New England Water Environment Association
- New England Water Works Association
- Massachusetts Tree Warden Association



CITY OF NEWBURYPORT
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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: January 13, 2020
Subject: Re-Appointment

I hereby re-appoint, subject to your approval, the following named individual as a member of the Board of Health. This term will expire on January 13, 2023.

Dr. Robert E. Slocum
38 Jefferson Street
Newburyport, MA 01950

Donna Musumeci

From: Robert Slocum <rslokes393@gmail.com>
Sent: Wednesday, January 1, 2020 7:02 PM
To: Donna Musumeci
Cc: Frank Giacalone
Subject: [Ext]Board of Health
Attachments: CV.docx

external e-mail use caution opening

Donna,

It has been my privilege to serve on the City of Newburyport's board of health since 2016. I have very much enjoyed working with our city's health department team as well as our other board members. I would very much like to continue this important work as a member of the board.

Please accept this email as my request to do so as well as find my CV attached.

Thank you.

Sincerely,
Rob Slocum

Robert E Slocum, DO, MPH

38 Jefferson St, Newburyport, MA, rslokes393@gmail.com
978-530-8597

SUMMARY

Mission driven physician with Master's Degree in Public Health and special interest in the treatment of substance use disorders. Interested in solving health care problems at the population level to include process improvement, protocol implementation as well as leveraging technology for better, safer, more efficient and more cost effective health care. I believe in accessible and respectful care for all as a form of social justice.

POST RESIDENCY EXPERIENCE:

- 9/18 – present NORTH SHORE COMMUNITY HEALTH CENTERS
- Director, Medication for Addiction Treatment (MAT) Program (2/18 – present)
- Lead team of providers and RN's in treatment of opioid use disorder for nearly 400 patients across 3 sites
 - Focus on organization wide initiative to increase integration of MAT into primary care
 - Focus on RN care management model
- Medical Director, Gloucester Family Health Center
- Medical Director of site which provides full spectrum primary care to patients of all ages along with integrated behavioral health services, medication for addiction treatment for opioid use disorder as well as women's health and dental services
 - Provide full spectrum outpatient family medicine services to patients of all ages as well as medication for addiction treatment for opioid use disorder
- 7/14 – 12/19 ANNA JAQUES HOSPITAL, NEWBURYPORT, MA
- Lead Physician PERSIST Clinic (7/18 – 12/19)
- Provided buprenorphine treatment to pregnant and postpartum women suffering from Opioid Use Disorder
 - In collaboration with the department of Maternal Health, developed Anna Jaques Hospitals first opioid use disorder treatment program
- Family Physician (7/14 – 3/19)
- Provided comprehensive primary care to men, women and children of all ages in small office setting.
- Wound Care Physician (9/14 – 12/19)
- Provide acute and chronic wound care to complex patients as part of multi-disciplinary wound care team. Supervise hyperbaric treatments.
- 10/17 – 10/18 LINDE FAMILY FELLOWSHIP, BIDMC, BOSTON, MA
- Linde Fellow in Primary Care Leadership
- One year fellowship in primary care leadership. Focus on developing an integrated addiction treatment program at Anna Jaques Hospital.
- 10/16 – present BOARD OF HEALTH, CITY OF NEWBURYPORT
Board Member

10/13 – 7/14 GREATER LAWRENCE FAMILY HEALTH CENTER, LAWRENCE, MA

Family Physician

- Provided full spectrum primary care to low income, predominately Latino children and adults in a fast paced, community health setting.
- Initiated implementation of a nurse and pharmacist led, protocol based Coumadin management program

9/06 - 9/13 FAMILIES FIRST HEALTH AND SUPPORT CENTER, PORTSMOUTH, NH

Medical Director

- Provided clinical leadership to community health center specializing in the care of primarily uninsured patients with minimal resources
- Oversaw transition to level 3 Patient Centered Medical Home
- Implemented policies and protocols designed to maximize a team based model of care with goals of increasing access, eliminating barriers and increasing safety, quality and efficiency of care
- Involved in development, oversight and evaluation of an integrated behavioral health program.
- Served on the Community Health Access Network's health services committee which develops EMR tools and clinical protocols for best practices as well as troubleshoots issues around data collection and reporting.

Family Physician

- Responsible for providing comprehensive primary care to a panel of mostly uninsured, medically and psychosocially complex patients with limited resources.
- Provided inpatient care to pediatric and nursery patients.

ACADEMIC AFFILIATIONS/TEACHING/CONSULTING

10/19 – Present OPIOID RESPONSE NETWORK (ORN)
Consultant

2/19 – Present AMERICAN SOCIETY of ADDICTION MEDICINE (ASAM)
Assistant Instructor, Buprenorphine Waiver Course

8/16 – 8/19 BOSTON UNIVERSITY SCHOOL OF MEDICINE
Clinical Instructor, Department of Family Medicine

RESIDENCY EXPERIENCE

7/04 – 7/06 MOUNT SINAI SCHOOL of MEDICINE, FAMILY MEDICINE RESIDENCY at JAMAICA HOSPITAL, NEW YORK
Resident, Family Medicine

- Provided full spectrum comprehensive inpatient and outpatient care to a culturally diverse, low income population in central Queens.

7/03 – 7/04 NEW YORK UNITED HOSPITAL / ST. BARNABAS HOSPITAL, NEW YORK
Resident, Osteopathic Manipulative Medicine

- Specialized training program for osteopathic physicians focused on providing traditional osteopathic manipulative therapy to a wide range of patients in both inpatient and outpatient settings
- Served a low income, primarily Spanish speaking population in the central Bronx

6/02 – 7/03 MOUNT SINAI SCHOOL of MEDICINE, FAMILY MEDICINE RESIDENCY at JAMAICA HOSPITAL, NEW YORK
 Traditional Rotating Intern, Family Medicine

- Rotated through all major services of busy urban hospital in culturally diverse area of Queens

WORK EXPERIENCE

12/97 – 8/98 ST. ANTHONY FREE CLINIC, SAN FRANCISCO, CA
 Front Office Staff

- Front office staff at a free clinic serving the homeless in San Francisco's Tenderloin district
- Triage walk-in patients to nurse or provider visits

1/95-6/97 UNIVERSITY of CALIFORNIA, SAN FRANCISCO, CA
 Staff Research Associate, Department of Anesthesia

- Conducted physiologic research, assisting in experimental design and manuscript preparation

4/94-8/95 UNIVERSITY of CALIFORNIA, SAN FRANCISCO, CA
 Hospital Laboratory Technician, Neonatal Intensive Care Unit

EDUCATION:

UNIVERSITY OF MASSACHUSETTS, AMHERST, MA
 Masters of Public Health, Public Health Practice, May 2016

TOURO UNIVERSITY COLLEGE of OSTEOPATHIC MEDICINE, VALLEJO, CA
 Doctor of Osteopathy, May 2002

UNIVERSITY of MASSACHUSETTS, AMHERST, MA
 Bachelor of Science, September 1993
 Major: Exercise Science
 Minor: Psychology

LICENSE/CERTIFICATIONS:

Diplomat, American Board of Family Medicine, July 2006 & November 2013
 New Hampshire State Medical License, Current
 Massachusetts State Medical License, Current
 DATA 2000 waiver to prescribe buprenorphine, March 2016
 ACLS, Current
 Basic Life Support, Current
 Certificate of Training, Wound Related Procedures, APWCA, March 2016
 Basic HIV Counseling Skills for Physicians, June 2002
 Identification and Prevention of Domestic Violence, June 2002

PROFESSIONAL COURSES:

Massachusetts Association of Health Boards, 2016 Board of Health Training Program
Diabetes & Cardiometabolic Syndrome in Primary Care, Harvard Medical School, 2016
American Professional Wound Care Association 2016 Annual Conference, Philadelphia, PA
Grand Hack 2015. MIT Hacking Medicine, Cambridge, MA
The Wound Care Course, NIX Medical Center, San Antonio, Texas, Fall 2014
Hyperbaric Medicine Team Training, NIX Medical Center, San Antonio, Texas, Fall 2014
Reach Out and Read, Online Training Course, Fall 2013, Summer 2019
Managing Ambulatory Healthcare: A Program for Medical Directors of Community Health Centers, Harvard School of Public Health, 2009
National Procedures Institute, Dermatologic Procedures, Boston, MA
Behavioral and Developmental Pediatrics, Boston University School of Medicine
Medical Spanish, 4 week Course, APF Languages, Quito, Ecuador
Pain Management Strategies for the Primary Care Physician, NYU
Basic Course in Cranial Osteopathy, Cranial Academy
Introduction to Cranial Osteopathy in Children
Basic Course in Cranial Osteopathy, SCTF

PUBLICATIONS/RESEARCH:

The Opioid Epidemic in America, Causes and Potential Solutions: Focus on Haverhill, MA. MPH capstone project. University of Massachusetts, Amherst. Spring 2016

Cross Cultural Trends in the Use of Complimentary and Alternative Medicine: Family Medicine senior research project. Spring 2006.

Cason BA, Gamperl AK, **Slocum RE**, Hickey RF: Anesthetic-Induced Preconditioning: Prior Administration of Isoflurane Decreases Myocardial Infarct Size in Rabbits. *Anesthesiology*; November 1997.

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

COMMUNICATIONS

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

NEWBURYPORT CITY COUNCIL RULES (2020)

PURPOSE

Pursuant to the City of Newburyport Home Rule Charter (Charter), except as otherwise provided by the General Laws of the Commonwealth of Massachusetts (General Laws) or by the Charter, the legislative powers of the City Council of the City of Newburyport (Council) may be exercised in a manner determined by it. The purpose of these rules of the Council (Rules) is to establish in writing the manner in which the Council shall exercise its legislative powers.

ORGANIZATION

Rule 1. No later than December 31 after each regular municipal election, the City Clerk (Clerk) shall provide written notice to each member of the Council for the coming two-year legislative session of the date, time, and place of the first meeting of the Council in the next calendar year, to be known as the Inaugural Meeting.

Rule 1A. At the Inaugural Meeting, the Council shall, by majority vote of all its 11 members, notwithstanding any vacancies (Full Council), elect a President from within its membership. The City Clerk (Clerk) shall preside at the Inaugural Meeting until such time as a President is elected. The Full Council shall vote to set the date of its next regular meeting before it may vote to adjourn the Inaugural Meeting.

Rule 1B. No later than at its next meeting after the Inaugural Meeting, the Council shall, by majority vote of the Full Council, adopt its Rules for such calendar year.

Rule 1C. No later than at its next meeting after the Inaugural Meeting, the Council shall, by majority vote of the Full Council, adopt a schedule of regular meetings of the Council for the remainder of such calendar year.

Rule 1D. In the second year of each two-year legislative session, no Inaugural Meeting shall occur. Instead, at its first meeting of such calendar year, the Council shall, by majority vote of the Full Council: (1) elect a President from within its membership; (2) adopt its Rules for such calendar year; and (3) adopt a schedule of regular meetings of the Council for the remainder of such calendar year.

MEETINGS

Rule 2. Council meetings shall be held in the Council Chamber of City Hall unless the President, or a majority of the Full Council, determine by any means reasonable and practicable, and give written notice to all members, that such meeting will be held in an alternate location.

Rule 2A. Special meetings of the Council shall be held at the call of the President, or any six (6) or more members, for any lawful purpose, by causing a notice of such special meeting to be delivered in hand or to the place of business or residence of each member. This notice shall, except in an emergency of which the President shall be the sole judge, be delivered at least forty-eight (48) hours in advance of the time set, and shall specify the purpose or purposes for which the special meeting is to be held. The Clerk shall cause a copy of each such notice to be posted immediately, including on the City's Website, in accordance with applicable laws.

Rule 2B. If any meeting of the Council is in session at 11:00pm, said meeting shall be adjourned until 7:30pm of the following evening, unless another date and time is voted by a majority of the Full Council.

HOLIDAYS

Rule 3. Except as otherwise provided in the Charter, whenever the day set by these Rules for any meeting of the Council, regular or special, shall fall upon a holiday, then such meeting shall be canceled or postponed to a date certain by majority vote of the Full Council.

PRESIDING OFFICER

Rule 4. The President, if present, shall preside at all meetings. In the absence of the President, the senior-most member in terms of consecutive, uninterrupted service on the Council shall serve during the absence of the President. If more than one member has served the same length of time, the Council shall elect a President Pro Tem by majority vote from the most senior Councillors in terms of consecutive, uninterrupted service on the Council.

DUTIES AND POWERS OF THE PRESIDING OFFICER

Rule 5. The presiding officer shall: preserve decorum and order; speak to points of order in preference to other members; decide all questions of order, subject to appeal to a super-majority of the Full Council; declare all votes, or permit the Clerk to do so; and perform any other duties consistent with the office that may be provided by charter, ordinance, or by other vote of the Council.

Rule 5A. If any member doubts a vote as declared, the presiding officer, without further debate on the question, shall require that a count be taken by roll call of the membership.

Rule 5B. During any meeting, whether regular or special, the presiding officer may, at any time, call for a five-minute recess.

RELINQUISHING THE CHAIR

Rule 6. When the presiding officer desires to relinquish the Chair, he or she may call upon any Councillor to take the Chair, but such call to the Chair shall not continue beyond the will of the presiding officer so relinquishing the Chair, or beyond an adjournment of the Council, except as hereafter provided. If the presiding officer wishes to express an opinion on any subject under debate, he or she shall relinquish the Chair as above provided, and shall not resume the Chair until he or she is through speaking, and all points of order arising therefrom have been decided by the Councillor presiding in his or her place. Notwithstanding the foregoing, the presiding officer may, however, state facts and give opinions upon questions of order without relinquishing the Chair.

COMMITTEES AND COMMITTEE BUSINESS

Rule 7. The President shall appoint all members to all City Council Committees, both standing and ad hoc, designate the Chair of each such Committee, who shall serve as its presiding officer, and fill any vacancies thereon as they arise. Likewise, the President may establish, dissolve, and/or reconfigure ad hoc Committees in his or her discretion, provided that such ad hoc Committees shall be re-established each two-year legislative session. Ad hoc committees may include members other than members of the Council for purposes of deliberation, but they may not vote. Except as otherwise provided in Rule 12, the Council shall, by a majority vote, refer each matter newly introduced through the Council agenda (Agenda) to a single Committee, either standing or ad hoc, for review at a public meeting of such Committee, before such matter may be acted upon again by the Council. Notwithstanding the foregoing, a Councillor may make all parliamentary motions, including a motion to receive and file the newly introduced matter.

Rule 7A. Pursuant to the Newburyport Code (Code), there shall be nine (9) standing committees of the Council, as follows, each consisting of three (3) members of the Council, and concerned with the matters specified for it in the Code:

- Committee on Budget & Finance
- Committee on Education
- Committee on General Government
- Committee on Licenses & Permits
- Committee on Neighborhoods & City Service;
- Committee on Planning & Development
- Committee on Public Safety
- Committee on Public Utilities
- Committee on Rules

Rule 7B. Except as provided expressly otherwise in these Rules, a matter shall not be referred to more than one Committee, either separately or jointly, nor may a matter be referred to the Full Council sitting as the Committee-of-the-Whole except by super-majority vote.

Rule 7C. Committees may meet at any time, in open and/or executive session, at any place within the City of Newburyport, subject to the Massachusetts General Laws, the City Charter, and the Newburyport Code.

Rule 7D. Committees shall meet and review each matter referred to them by the Council no later than fifteen (15) calendar days after such referral.

Rule 7E. Committee meetings shall be cancelled when scheduled during any time when a declared snow emergency is in effect.

Rule 7F. During a meeting of the Council, the Chair of a Committee, whether regular or ad hoc, may remove any matter from such Committee to bring it to the floor for discussion by the Council, upon making a motion to do so, receiving a second from any other Councillor, regardless of Committee membership, and upon affirmative vote of the Full Council. Once such matter is before the Council (on the floor), any Councillor may then make a motion regarding such matter to approve it, not approve it, or refer it back to the original or to another Committee, and all parliamentary rules, including motions to amend, to table, and so on, shall be available, subject to these Rules.

Rule 7G. In the event that either: (a) the Committee has failed to meet and review a matter within the required 15 days under Rule 7D; or (b) the Chair of a Committee has failed to remove any matter from such Committee after (6) weeks of its original referral to such Committee, such matter may be removed from such Committee to bring it to the floor for discussion by the Council, provided that a petition signed by no fewer than two Councillors has been filed with the City Clerk--with copies to both the President and the relevant Committee Chair -- in accordance with Rule 16.

Rule 7H. Any matter that remains in Committee at the end of the Council's two-year legislative session shall die, unless a majority of the Full Council votes at its last meeting of such session to carry such item into the succeeding session. Any item that remains on the table at the end of the Council's two-year legislative term shall die, and may not be carried on.

Rule 7I. For any Committee item relating to the disposition of any real property, including, without limitation, purchase or sale, an appraisal of the fair market value of said real property, performed by a duly licensed professional based upon the requirements and guidelines of the current Uniform Standards of Professional Appraisal Practice (USPAP), shall be presented to the Council no fewer than seven (7) calendar days before such Committee item can be brought to the floor. The appraisal must be dated within twelve (12) calendar months of the date the relevant item is removed from Committee. The appraisal may be presented in Executive Session and/or may otherwise remain confidential in accordance with the City's Charter, and applicable law.

Rule 7J. Any Measure to authorize the issuance of a bond in an amount over \$500,000 shall not be removed from the committee to which it is first referred until the greater of thirty (30) calendar days or one (1) regular meeting of the City Council has elapsed since such referral.

SUFFICIENCY OF VOTE

Rule 8. The affirmative vote of a majority of the members present shall be sufficient to adjourn any meeting of the Council or its Committees.

Rule 8A. Except as expressly provided in these Rules, the affirmative vote of a majority or super-majority, as may be required by law, of the Full Council, rather than of the quorum present, shall be required to adopt any ordinance, order, or other vote or proceeding adopted, or which might be adopted

(Measure). Consistent with the Charter, Measures include, without limitation, all transfers, expenditures, and acceptance of funds, which shall be put into effect by an order of the Full Council.

MANNER OF VOTING

Rule 9. The Council and each of its Committees, standing and ad hoc, shall vote at a duly noticed public meeting, unless otherwise permitted under the Open Meeting Law.

Rule 9A. A vote to confirm Mayoral Appointments on a second reading shall be by roll call of the Full Council.

Rule 9B. Approval of any ordinance shall require two (2) readings and two (2) roll-call votes to be held at separate City Council meetings, while approval of any other Measure requires one (1) reading and one (1) vote, which, except in the case of bond order, may be by voice vote. Amendments to any motion to approve, not approve, or to refer back to Committee may be recorded by voice vote, including such parliamentary motions in regard to an ordinance. Following its passage on first reading, such ordinance shall be timely posted to the City's Website, as defined in the Charter, in a manner prescribed by the City Clerk. Notwithstanding the foregoing, pursuant to the Charter, votes regarding Mayoral Appointments shall be treated specially under Rule 20.

Rule 9C. At the Inaugural Meeting, the Clerk shall begin the order of roll-call voting throughout such meeting with that Councillor whose last name is first in alphabetical order. At each successive meeting that requires a roll call vote or votes, the Clerk shall begin roll calls throughout such meeting with the Councillor whose last name follows the previous Councillor in alphabetical order until the last meeting of the two-year legislative term. Notwithstanding the foregoing, the Clerk shall, for all votes at all meetings, call the President to vote last.

Rule 9D. In the event that a member of the Council or one of its Committees wishes to have his or her vote recorded differently after announcement of the results of a roll call vote by the Clerk or presiding officer, the member must receive unanimous consent from every other present member of the Council or the Committee, as the case may be.

Rule 9E. A motion to table once seconded is not debatable, but clarifying points of information shall be allowed for the purpose of understanding the effects of such proposed tabling.

GAINING THE FLOOR

Rule 10. All Councillors, when desiring to speak on a matter, shall raise their hands and respectfully address the President, and wait until recognized by the presiding officer.

Rule 10A. Once recognized by the President, the Councillor shall stand to speak on the matter. A Councillor shall remain standing while speaking, and shall sit down to indicate to the President the conclusion of the Councillor's speech.

Rule 10B. No Councillor shall speak a second time on any motion until each Councillor has the opportunity to speak once, however the President may permit a Councillor to speak out of turn to respond to questions directed to him or her by another Councillor.

Rule 10C. In speaking, members shall at all times confine themselves to the motion in order, shall use parliamentary language and appropriate demeanor, and shall strive to refer to all other members by their ward or as an At-Large Councillor, or as the Chair or a member of a particular Committee, etc., rather than by their first or last names.

Rule 10D. No member shall leave a Council or Committee meeting while it is in session to seek or accept counsel, nor may such member while away from such meeting exchange information pertaining to an item on the meeting agenda, nor to conduct any other city business.

Rule 10E. The Council President and Committee Chairs, as the case may be, shall have the responsibility and discretion for recognizing speakers other than Council or Committee members. Any member of the Council or a Committee may request of the presiding officer recognition of a speaker other than a member, but the presiding officer's determination whether to grant such recognition shall not be appealed.

SPONSORSHIP OF MATTERS

Rule 11. With the sole exception of a Mayoral Appointment, as described in Rule 20, no Measure or other matter beside a Communication, of any kind, shall be placed on the Agenda by any City official or other person, including, without limitation, the Mayor, nor may it be acted upon by the Council, unless it is sponsored by a member of the Council. Each such matter carried over from a previous, two-year legislative term must be sponsored by a current member of the Council.

Rule 12. Except in the case of an Emergency Measure, as regulated under the Charter, the Council shall not pass or otherwise adopt any Measure until it has first been reviewed at a public meeting of a Committee in accordance with Rule 7.

Rule 12A. Failure of by any person, including, without limitation, an applicant or a city official, to meet a deadline, specified by law, regulation, or rule shall not constitute an Emergency. For example, and without limitation, the Council shall not approve a license or permit, or otherwise authorize, any person to use public property for a road race or other event by Emergency Measure solely because such event is scheduled to occur before the Council's next meeting.

Rule 12B. Pursuant to the Charter, no Measure making a grant, renewal, or extension, whatever its kind or nature, or a franchise or special privilege, shall be passed as an emergency measure, and, except as provided by the laws of the Commonwealth, no such grant, renewal, or extension shall be made otherwise than by ordinance.

Rule 12C. Pursuant to the Charter, an Emergency Measure shall become effective immediately upon its adoption without signature by the Mayor, or at such later time as the emergency measure expressly provides.

Rule 12D. In the event that a sponsor of any Measure or other matter is not present physically or telephonically at a meeting of the Council when the Clerk reads such Measure or other matter, then the Council shall not consider such Measure or other matter, unless all sponsors of such measure have presented a written statement requesting the Council to proceed in the absence of such sponsor.

WITHDRAWING ITEMS FROM THE AGENDA

Rule 13. After a Measure or other matter is reached on the Agenda and read aloud by the Clerk, it shall be deemed to be in possession of the Council, and shall be disposed of in some matter by vote. At any time prior to a Measure or other matter being brought before the Council through such reading, it may be withdrawn provided all sponsors so notify the President or the Clerk.

RECONSIDERATION

Rule 14. Notwithstanding Rule 9D, after a vote has been taken on a Measure or other matter, it shall be in order for any member voting with the prevailing side to move reconsideration thereof at the same meeting at which the vote was taken, and such motion shall be disposed of accordingly. Alternatively, such member may file with the Clerk, not later than noon of the next business day following such meeting, written notice of a motion to reconsider such vote. After receiving such written notification from a member, the Clerk shall place the motion for reconsideration on the Agenda for the next regular meeting of the Council, and the Clerk shall forthwith, either verbally or in writing, notify the Full Council of such filing.

DUTIES OF THE CLERK

Rule 15. The Clerk shall attend and keep all records of all meetings of the Council, shall record the names of the members present, shall record the vote of members on roll calls, and shall have the care and custody of the City records, and all documents, plans, and papers pertaining to the business of the Council. The Clerk shall also, at the request of a member, assist in the drafting of items to be presented at the meetings of the Council. The Clerk shall cause notice to be made to each Councillor of each meeting of the Council, regular and special, and of Committee meetings, and shall also post notice on the City Website at least 48 hours prior to commencement.

DEADLINE FOR AGENDA ITEMS

Rule 16. Printed materials regarding any matter, including, without limitation, the full text of new Measures, to be considered by the Council at its next regular meeting shall be presented in complete form to the Clerk not later than 4:00pm on the Tuesday preceding such regular meeting. Notwithstanding the preceding sentence, not later than 4:00pm on the Wednesday preceding a regular meeting, Committee Chairs shall submit to the Clerk the text of any Measures they intend to remove from Committee and put into the possession of the full Council. Except as otherwise provided under Rule 18A, papers presented after these times shall be considered Late-Filed Items, which shall not be taken up without a suspension of these Rules, which requires a super-majority vote of the Council. The provisions of this Rule 16 apply to all persons, and in all cases, without exception, including to all members and other City officials, such as the Mayor and Department heads, as well as the public.

AGENDA AND PACKET

Rule 17. For each meeting of the Council, the Clerk in consultation with the President shall compile the Agenda of all matters to come before the Council at such meeting, in accordance with the order of business listed below, and shall make available to the public such Agenda and all supporting documents (together, Packet) to be considered by the Council by 5:00pm of the fourth (4th) calendar day prior to such meeting; provided, however, that in the case of a special meeting the Agenda shall be made available as otherwise provided by law and these Rules, and no Packet shall be required. The Clerk shall cause a printed copy of the Packet to be delivered to each Councillor by their individually preferred means, and to be posted on the City Website at least 48 hours prior to commencement.

Items that are to be added to the Agenda as Late-Filed Items must be submitted for approval to be placed on the Agenda immediately following the Call to Order.

The order of business for the Agenda shall be as follows:

1. Moment of Silence
2. Pledge of Allegiance
3. Call to Order
4. Late-Filed Items
5. Public Comment
6. Proclamations
7. Mayors Comment
8. Consent Agenda
 - a) Approval of Minutes
 - b) Communications (including Applications)
 - c) Orders (including Transfers/Appropriation Orders) and Resolutions
 - d) First Reading of Mayoral Appointments
7. Second Reading of Mayor's Appointments
8. Communications
9. Orders (including Transfers/Appropriation Orders) and Resolutions
10. Ordinances
11. Committee Reports (including all Measures for the Council to consider)
12. Good of the Order
13. Adjournment

Rule 17A. The Consent Agenda shall be reserved for routine and non-controversial matters that may be considered apart from the rest of the Agenda and approved collectively and without debate.

The President has the sole discretion to place matters on the Consent Agenda excepting Committee Measures. Pursuant to the deadlines set in Rule 16, Committee Chairs may ask the Clerk to place Committee Measures on the Consent Agenda. This rule shall not be construed to limit or alter other rules relating to removing measures from Committee including, without limitation, Rules 7F and 7G. The retention thereon of any measure in the Consent Agenda is subject to the unanimous consent of the members present when the Council reaches the Consent Agenda during its meeting. Committee items removed from the Consent Agenda shall be handled during the regular agenda under the measure's respective Committee report, under Rule 7F.

The Clerk shall read matters on the Consent Agenda by title only. At any time before the Council acts upon the Consent Agenda, any member of the Council may cause any matter or matters listed upon the Consent Agenda to be removed and then placed into the appropriate portion of the regular Agenda, either by providing written notice to the President and/or the Clerk, or, alternatively, by rising and so requesting by motion. The

Council shall then, without debate permitted, vote collectively on all matters remaining on the Consent Agenda, by simple majority of the Full Council. Such vote may be conducted by voice vote at the discretion of the presiding officer.

Rule 17B. Supporting copied (paper copy) documents for Council agenda items shall be placed in the packet and provided to Council members only the first time the item is introduced to the Council. Subsequently, as items are taken up for debate, whether in committee or during regular meetings, it shall be the responsibility of each Councillor to have retained the documents for reference. Notwithstanding the foregoing, the electronic version of the packet, posted on the website, shall be complete.

PUBLIC COMMENT

Rule 18. There shall be designated a Public Comment time during each meeting of the City Council. The procedure for this comment time is listed below:

1. Individuals who wish to speak before the Council, whether on their own behalf or on behalf of a group, must sign in on the door of the Council Chamber prior to the start of the Public Comment segment of the meeting. Each speaker must provide his or her name and the address where he or she resides permanently (i.e. legal domicile), and indicate which Agenda item he or she will be speaking on. The President will advise attendees of their right to speak and responsibility to sign-up.
2. Two minutes allotted to each speaker.
3. One opportunity per individual to speak.
4. Comment must be related to an Agenda item.
5. Speakers who are attorneys shall disclose the identity of all clients whose interests are materially affected by the Agenda item upon which they speak.

Rule 18A. There shall be designed a Mayor's Comment time during each regular meeting of the City Council. The procedure for this comment time is listed below:

1. To address the Council during the Mayor's Comment period, the Mayor may provide notice to the President at any time prior to the Call to Order.
2. The Mayor will be allowed to speak for a total of seven (7) minutes.
3. The Mayor will be offered reserved seating on the front bench of the Council Chambers
4. Notwithstanding the normal deadline for written materials to be submitted to the City Clerk under Rule 16, the Mayor may submit a written report to the Full City Council not later than 11:00am on the day of the Council meeting, and such report shall not be deemed a Late-Filed item.
5. Nothing in this rule prohibits the Mayor from speaking otherwise in compliance with the Charter and these Rules.

PRESENTATIONS

Rule 19. To be included on the Council Agenda, presentations by individuals or groups must be sponsored by a Councillor in writing pursuant to Rule 16, and approved by the President, in which case such presentation shall be placed in the Communications segment of the Agenda, for a period not longer than twenty (20) minutes.

MAYORAL APPOINTMENTS

Rule 20. Mayoral Appointments do not require sponsorship by a member of the Council, but shall require two (2) readings and two (2) votes by the Council, the second such vote by roll call. For its first reading, each such appointment, including reappointments, shall be accompanied by submittal to the Clerk of the appointee's resume in accordance with Rule 16. The first reading shall be placed in the Consent segment of the Council's Agenda for referral to the Council's next meeting, sitting as the Committee of the Whole.

Rule 20A. As with any Consent Agenda item, a single member of the Council may move such item to the regular Agenda. As provided in the Charter, the Council may elect to refer any proposed Mayoral Appointment to a standing or ad hoc Committee, which shall review such appointment and may make a recommendation to the Full Council not fewer than seven (7) nor more than 45 days after such referral. Such Committee may require any person whose name has been referred to it to appear before such Committee, or before the Full Council, to give any information relevant to the appointment that the Committee of the Full Council may require. Notwithstanding the optional referral of proposed appointments provided for in this Rule 20A, appointments and reappointments of the following officers shall always be referred through the Consent Agenda to the standing committee with oversight over such board or commission:

- Members of the Board of Health and Health Director;
- Building Inspector;
- City Auditor/Director of Finance;
- City Librarian;
- City Treasurer;
- Director of the Department of Public Services;
- Members of the Conservation Commission and Conservation Agent;
- Harbormaster;
- Members of the License Commission;
- Members of the Newburyport Redevelopment Authority board;
- Members of the Newburyport Waterfront Trust board;
- Members of the Planning Board, Planning Director, and Zoning Administrator;
- Members of the Water and Sewer Commission; and
- Members of the Zoning Board of Appeal.

MID-YEAR BUDGET REVIEW

Rule 21. Each calendar year, the Committee on Budget & Finance shall schedule and hold a public meeting to conduct a Mid-Year Budget Review as soon as practical after six (6) months of actual expenditures are available in written form, but no later than February 28. The Chair of the Committee shall cause the Finance Director to attend, pursuant to the Charter, the Chair shall invite all members of the Council, as well. Pursuant to the Charter, the Chair shall ask the Finance Director to distribute to the Full Council documentation in support of the Mid-Year Budget Review no less than two (2) weeks before such meeting, including a year-to-date actual budget summary. Further pursuant to the Charter, any member of the Council may request that a Department Head be present at the Mid-Year Budget Review meeting, by making a request through the Chair of Budget & Finance.

ELECTRONIC COMMUNICATION DEVICES

Rule 22. The audible use of mobile phones, radios, and other electronic communication devices by any person, including members of the Council, but excepting on-duty public safety officers, is strictly prohibited within the Council Chamber while the Council is in session, and all such devices shall be turned off or otherwise made to be silent.

Rule 22A. Members of the Council may read from or otherwise obtain information from a computer, tablet, or other electronic device within the Council Chamber while the Council is in session, such as by conducting computer searches online.

Rule 22B. Except as otherwise permitted under the Open Meeting Law, no member of the Council shall, at any time while the Council is in session, be permitted to communicate with other people, either located within or without the Chamber, using such any electronic device, whether verbally or otherwise, audibly or inaudibly.

PARLIAMENTARY PRACTICE

Rule 23. In all matters of parliamentary practice not provided for in these rules, the Council shall use Robert's Rules of Order as a guide.

RECUSAL

Rule 24. Upon his or her recusal regarding a matter, a member of the Council or a Committee shall leave the room where the meeting is being conducted, and such member shall not be counted as part of the quorum on that matter. Notwithstanding the foregoing, a recused member may, if permitted under applicable law, remain in the room solely if he and she wishes to give testimony on the matter.

Rule 24A. If the matter is to be addressed in open session, then the recusal shall be made orally and shall be included as part of the official public record. The recused member may obtain and review any records of such public discussions and/or action by the Council or Committee on the matter.

Rule 24B. If the matter is to be addressed in executive session, then the recusal must be made orally during the open session before the Council or Committee goes into such executive session and shall be included as part of the official public record. A member so recused shall not knowingly obtain or review a recording, minutes, or any other non-public information regarding such matter, other than the fact of his or her own recusal.

AMENDING THE RULES

Rule 25. Any amendment of these Rules shall require successful passage of an order by the Full Council, by simple majority, as provided in these Rules.

SUSPENDING THE RULES

Rule 26. Except as otherwise, expressly provided in these Rules, a motion to suspend the rules shall require a two-thirds super-majority vote of the Full Council.

Jared J. Eigerman, Council President

Barry N. Connell, Councillor-At-Large

Joseph H. Devlin, Councillor-At-Large

Afroz Khan, Councillor-At-Large

Charles F. Tontar, Councillor-At-Large

Bruce L. Vogel, Councillor-At-Large

Sharif I. Zeid, Ward 1 Councillor

Heather L. Shand, Ward 3 Councillor

Christine E. Wallace, Ward 4 Councillor

James J. McCauley, Ward 5 Councillor

Byron J. Lane, Ward 6 Councillor

CITY OF NEWBURYPORT



IN CITY COUNCIL

July 23, 2012

ORDERED:

THAT, The CITY COUNCIL of the City of Newburyport hereby authorizes remote participation in meetings held by all City of Newburyport public bodies subject to the Open Meeting Law and pursuant to 940 CMR 29.10. For the purposes of this order, remote participation shall be permitted under the following terms and conditions:

Media: Telephone, internet, satellite enabled audio/video conferencing, or other similar technology may be used for remote participation provided that the participant and all in attendance can hear each other. If videoconferencing is used, the member participating remotely must be visible to all in attendance.

Quorum: A quorum of the public body, including the chair or, in the chair's absence, the person authorized to chair the meeting, must be physically present at the meeting location before an absent member may participate remotely.

Votes: If any member of the public body is participating remotely, all votes of the body, including those taken in open session, are required to be by roll call and the results of the roll must be recorded in the minutes.

Status: A member participating remotely may vote, and is not deemed to be absent from the meeting, including for purposes of MGL Chapter 39 Section 23D.

Reasons: Acceptable reasons for participating remotely include one or more of the following: personal illness, personal disability, emergency, military service or geographic distance. A member cannot participate remotely for convenience.

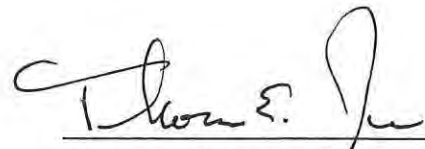
Notification: A member who will not be present at a meeting must notify the chair as far in advance as possible. The chair must announce at the beginning of the meeting the name of the person participating remotely and the reason. The categories listed above under Reasons may be used for this announcement such that a member's privacy rights are protected, especially with respect to illness or disability.

Technical Issues: If technical issues arise with the media connection, the chair must decide how to address them. Deliberations shall be suspended while the difficulties are addressed. If the remote member is disconnected during the meeting, the minutes must reflect this fact.

Use of Plans and Other Visuals: The chair or, in the chair's absence, the person authorized to chair the meeting, shall distribute to remote participants, in advance of the meeting, copies of all relevant documents, exhibits, and presentation materials used during the meeting. If a member of the public body is remotely participating in a public hearing relative to the issuance of any permit involving a site plan or architectural drawings, that member must utilize video conferencing such that all maps, plans or other presentation materials used or referenced during the meeting are visible. This requirement for video conferencing is not necessary where the member has already received a copy of all relevant maps, plans, or other presentation materials and no new materials are introduced during the meeting.

Executive Session: There shall be no remote participation in any executive session including, but not limited to, any vote to go into or out of said executive session.

FURTHER, any City of Newburyport public body utilizing remote participation is required to comply with all provisions of 940 CMR 29.10 as summarized above, as well as all other requirements of the Open Meeting Law and all of the Massachusetts Attorney General's Division of Open Government's regulations.



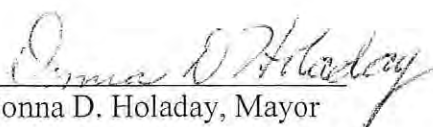
Councillor Thomas E. Jones

In City Council July 23, 2012

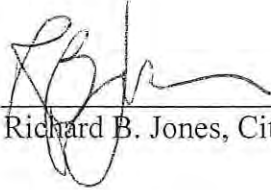
Motion to approve by Councillor Jones, seconded by Councillor Heartquist. Motion withdrawn. Motion to refer to General Government by Councillor Jones, seconded by Councillor Sullivan. So voted.

In City Council December 10, 2012

Motion to remove from committee by Councillor Cronin, seconded by Councillor Connell. Motion to approve by Councillor Cronin, seconded by Councillor Jones. So voted.

Approve: 

Donna D. Holaday, Mayor

Attest: 

Richard B. Jones, City Clerk

Date: JAN 3 0 2013

2020**City Council Meetings 7:30 PM in the Council Chambers, City Hall.**

January 13, 2020

January 27, 2020

February 10, 2020

February 24, 2020

March 09, 2020

March 30, 2020

April 13, 2020

April 27, 2020

May 11, 2020

May 26, 2020

Tuesday**Monday (May 25 , 2020 –Memorial Day)**

June 08, 2020

June 29, 2020

July 13, 2020

August 10, 2020

August 31, 2020

September 14, 2020

September 29, 2020

Tuesday**Monday (September 28 , 2020 –Yom Kippur)**

October 13, 2020

October 26, 2020

Tuesday**Monday (October 12, 2020–Columbus Day)**

November 09, 2020

November 30, 2020

December 14, 2020

ORDERS

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

January 13, 2020

THAT, The CITY COUNCIL of the City of Newburyport accepts with gratitude the following gift:

Donor: Josephine & Nora Connors Scholarship Trust
Amount: \$5,000.00
Purpose: Scholarships for graduating Newburyport High School students

This gift is accepted in accordance with M.G.L. Chapter 44, Section 53A.

Councillor Charles F. Tontar

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

January 13, 2020

THAT the City Council of the City of Newburyport approves the following Licensed Contractor application for the 2020 construction year for Water, Sewer, Drain Layer, Roadway, Sidewalk, Gas, and Electric work:

Greener Group, LLC
123 Bolt Street
Lowell, MA 01852

Councillor Sharif I. Zeid
Public Utilities Chairperson



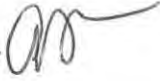
CITY OF NEWBURYPORT
RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2019 DEC 16 PM 2:35

DEPARTMENT
OF
PUBLIC SERVICES

MEMORANDUM

ANTHONY J. FURNARI
DIRECTOR

TO: Richard Jones, City Clerk
FROM: Anthony J. Furnari, DPS Director 
DATE: December 11, 2019
RE: License Contractor Application and recommendation for 2020 Season

JAMIE TUCCOLO
DEPUTY DIRECTOR /
DIRECTOR OF OPERATIONS

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

16A PERRY WAY

NEWBURYPORT, MA 01950

TEL: 978-465-4464

FAX: 978-465-1623

WWW.CITYOFNEWBURYPORT.COM

Greener Group LLC
123 Bolt St
Lowell, MA 01852

For the following work;

Water Service
Sewer Service
Drain Laying
Roadway
Sidewalk
Gas
Electric

Thank you for your attention to this matter.



ANTHONY J. FURNARI, DIRECTOR
JAMIE TUCCOLO, DEPUTY DIRECTOR

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

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

**Application to become a
Licensed Contractor**

*Submit **completed** application to the above address*

Today's Date: 11/13/2019

Name of Company: Greener Group LLC

Name of Owner: Jeremy McSorley

Contact Person: Mike Ruggiero

Street Address: 123 Bolt Street City: Lowell State: MA Zip Code: 01852

Phone #: 978-441-3900 Cell #: 978-654-9475 Fax #: 978-441-0603

Insurance Certificate #: _____ Policy Expiration Date: _____

Name and Contact Information of Insurer: _____

Bond # _____ Bond Expiration Date: _____

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

- | | | |
|---|--|--|
| <input checked="" type="checkbox"/> Water Service/Main | <input checked="" type="checkbox"/> Sewer Service/Main | <input checked="" type="checkbox"/> Drain Laying |
| <input checked="" type="checkbox"/> Roadway (incl. curb cuts) | <input checked="" type="checkbox"/> Sidewalk | |
| <input checked="" type="checkbox"/> Gas | <input checked="" type="checkbox"/> Electric | <input type="checkbox"/> Communications |

Submit the Following with this completed Application:

- **Certificate of Insurance incl. Worker's Compensation Insurance Affidavit** (per M.G.L. .c152)
- **\$5000 Bond ORIGINAL ONLY** (\$10,000 Bond for laying Wire or Conduit)
- **\$500 Check non-refundable payable to City of Newburyport** (not required for ROW Occupancy)
- **Minimum 3 Municipal References within the last 5 years** (Renewals do not require references)



CITY OF NEWBURYPORT

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

ANTHONY J. FURNARI, DIRECTOR
JAMIE TUCCOLO, DEPUTY DIRECTOR

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

PERMIT APPLICATION FOR RIGHT OF WAY/UTILITY/TRENCH/ELECTRICAL ACCESS

BRING THIS COMPLETED APPLICATION TO THE ABOVE ADDRESS TO OBTAIN A PERMIT

Project Street: Colby Farm Lane **Project Name (if different):** Reserve at Bashaw Farm

Today's Date: 11/13/2019 Length of Trench/Curb cut: 500' Dig Safe #: 20194510120

Name of Applicant: Greener Group LLC Phone #: 978-441-3900

Street Address: 123 Bolt Street City: Lowell State: MA Zip Code: 01852

Name of Excavator: Greener Group LLC Phone #: 978-441-3900

Street Address: 123 Bolt Street City: Lowell State: MA Zip Code: 01852

Phone #: 978-441-3900 MA Hoisting License #: HE-137945 License Grade: 2A Exp. Date: 8-12-20

Name of Property Owner: Mallow Realty Trust Phone #: _____

Street Address: 185 Low Street City: Newburyport State: MA Zip Code: 01950

Insurance Certificate #: _____ **Exp. Date:** _____ **Name of Insurer** _____

Name of Competent Person (as defined by 520 CMR 7.02): Joe Homen

Description, location, and purpose of proposed work: *Please describe the location of the proposed work and its purpose. If applicable provide a description of what is intended to be laid (e.g. pipes/cable lines, etc.)*

370' of 8" watermain/ 180' of Sewer main/ Drain tie ins to 2ea DMHS on Colby Farm Lane.
2 NCL curb cuts & new curbing & sidewalk on Colby Farm Lane also.

Type of Permit: (check all that apply) Approved permits are valid for 30 days from approval date.

- Sidewalk ROW Opening / Fee \$100
- Street ROW Opening/Fee \$100 plus \$2.00/sq/ft
- ROW Occupancy (dumpster, staging)/Fee \$50 per wk.
- Sidewalk Partnership Replacement Program / No Fee
- Electricity Access Permit / Fee \$25 per day/\$300 per mo.
- Sewer Service (new, repair, replace) Fee varies
- Water Service (new, repair, replace) Fee varies
- Curb Cut/Fee \$100 per application-DPS reviews
- Special Events(trash/staging) \$45 per hr/employee

Additional Information: (if checked, must be approved/initialed by DPS)

- Road Detour / Road Closure
- Storage of Materials on Private Way
- Disrupting Resident Right of Way (must attain abutter list)

Water Dept. Signature & Date: _____

Highway Dept. Signature & Date
(Final Approval/Denial)

Sewer Dept. Signature & Date: _____

Special Comments/Conditions:

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

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

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

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

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

- i. No trench may be excavated unless the requirements of sections 40 through 40D of chapter 82, and any accompanying regulations, have been met and this permit is invalid unless and until said requirements have been complied with by the excavator applying for the permit including, but not limited to, the establishment of a valid excavation number with the underground plant damage prevention system as said system is defined in section 76D of chapter 164 (DIG SAFE);
- ii. Trenches may pose a significant health and safety hazard. Pursuant to Section 1 of Chapter 82 of the General Laws, an excavator shall not leave any open trench unattended without first making every reasonable effort to eliminate any recognized safety hazard that may exist as a result of leaving said open trench unattended. Excavators should consult regulations promulgated by the Department of Public Safety in order to familiarize themselves with the recognized safety hazards associated with excavations and open trenches and the procedures required or recommended by said department in order to make every reasonable effort to eliminate said safety hazards which may include covering, barricading or otherwise protecting open trenches from accidental entry.
- iii. Persons engaging in any in any trenching operation shall familiarize themselves with the federal safety standards promulgated by the Occupational Safety and Health Administration on excavations: 29 CFR 1926.650 et.seq., entitled Subpart P "Excavations".
- iv. Excavators engaging in any trenching operation who utilize hoisting or other mechanical equipment subject to chapter 146 shall only employ individuals licensed to operate said equipment by the Department of Public Safety pursuant to said chapter and this permit must be presented to said licensed operator before any excavation is commenced;
- v. By applying for, accepting and signing this permit, the applicant hereby attests to the following: (1) that they have read and understands the regulations promulgated by the Department of Public Safety with regard to construction related excavations and trench safety; (2) that he has read and understands the federal safety standards promulgated by the Occupational Safety and Health Administration on excavations: 29 CMR 1926.650 et.seq., entitled Subpart P "Excavations" as well as any other excavation requirements established by this municipality; and (3) that he is aware of and has, with regard to the proposed trench excavation on private property or proposed excavation of a city or town public way that forms the basis of the permit application, complied with the requirements of sections 40-40D of chapter 82A.
- vi. This permit shall be posted in plain view on the site of the trench.

For additional information please visit the Department of Public Safety's website at www.mass.gov/dps

Summary of Excavation and Trench Safety Regulation (520 CMR 14.00 et seq.)

This summary was prepared by the Massachusetts Department of Public Safety pursuant to G.L.c.82A and does not include all requirements of the 520 CMR 14.00. To view the full regulation and G.L.c.82A, go to www.mass.gov/dps. Pursuant to M.G.L. c. 82, § 1, the Department of Public Safety, jointly with the Division of Occupational Safety, drafted regulations relative to trench safety. The regulation is codified in section 14.00 of title 520 of the Code of Massachusetts Regulations. The regulation requires all excavators to obtain a permit prior to the excavation of a trench made for a construction-related purpose on public or private land or rights-of-way. All municipalities must establish a local permitting authority for the purpose of issuing permits for trenches within their municipality. Trenches on land owned or controlled by a public (state) agency requires a permit to be issued by that public agency unless otherwise designated.

In addition to the permitting requirements mandated by statute, the trench safety regulations require that all excavators, whether public or private, take specific precautions to protect the general public and prevent unauthorized access to unattended trenches. Accordingly, unattended trenches must be covered, barricaded or backfilled. Covers must be road plates at least ¾" thick or equivalent; barricades must be fences at least 6' high with no openings greater than 4" between vertical supports; backfilling must be sufficient to eliminate the trench. Alternatively, excavators may choose to attend trenches at all times, for instance by hiring a police detail, security guard or other attendant who will be present during times when the trench will be unattended by the excavator.

The regulations further provide that local permitting authorities, the Department of Public Safety, or the Division of Occupational Safety may order an immediate shutdown of a trench in the event of a death or serious injury; the failure to obtain a permit; or the failure to implement or effectively use adequate protections for the general public. The trench shall remain shutdown until re-inspected and authorized to re-open provided, however, that excavators shall have the right to appeal an immediate shutdown. Permitting authorities are further authorized to suspend or revoke a permit following a hearing. Excavators may also be subject to administrative fines issued by the Department of Public Safety for identified violations.

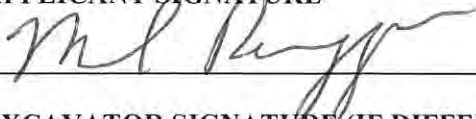
Summary of 1926 CFR Subpart P -OSHA Excavation Standard

This is a worker protection standard, and is designed to protect employees who are working inside a trench. This summary was prepared by the Massachusetts Division of Occupational Safety and not OSHA for informational purposes only and does not constitute an official interpretation by OSHA of their regulations, and may not include all aspects of the standard. For further information or a full copy of the standard go to www.osha.gov.

- **Trench Definition per the OSHA standard:**
 - An excavation made below the surface of the ground, narrow in relation to its length.
 - In general, the depth is greater than the width, but the width of the trench is not greater than fifteen feet.
- **Protective Systems** to prevent soil wall collapse are always required in trenches deeper than 5', and are also required in trenches less than 5' deep when the competent person determines that a hazard exists. Protection options include:
 - Shoring. Shoring must be used in accordance with the OSHA Excavation standard appendices, the equipment manufacturer's tabulated data, or designed by a registered professional engineer.
 - Shielding (Trench Boxes). Trench boxes must be used in accordance with the equipment manufacturer's tabulated data, or a registered professional engineer.
 - Sloping or Benching. In Type C soils (what is most typically encountered) the excavation must extend horizontally 1 ½ feet for every foot of trench depth on both sides, 1 foot for Type B soils, and ¾ foot for Type A soils.
 - A registered professional engineer must design protective systems for all excavations greater than 20' in depth.
- **Ladders** must be used in trenches deeper than 4'.
 - Ladders must be inside the trench with workers at all times, and located within 25' of unobstructed lateral travel for every worker in the trench.
 - Ladders must extend 3' above the top of the trench so workers can safely get onto and off of the ladder.
- **Inspections** of every trench worksite are required:
 - Prior to the start of each shift, and again when there is a change in conditions such as a rainstorm.
 - Inspections must be conducted by the competent person (see below).
- **Competent Person(s) is:**
 - Capable (i.e., trained and knowledgeable) in identifying existing and predictable hazards in the trench, and other working conditions which may pose a hazard to workers, and
 - Authorized by management to take necessary corrective action to eliminate the hazards. Employees must be removed from hazardous areas until the hazard has been corrected.

- **Underground Utilities** must be:
 - Identified prior to opening the excavation (e.g., contact Digsafe).
 - Located by safe and acceptable means while excavating.
 - Protected, supported, or removed once exposed.
- **Spoils** must be kept back a minimum of 2' from the edge of the trench.
- **Surface Encumbrances** creating a hazard must be removed or supported to safeguard employees. Keep heavy equipment and heavy material as far back from the edge of the trench as possible.
- **Stability of Adjacent Structures:**
 - Where the stability of adjacent structures is endangered by creation of the trench, they must be underpinned, braced, or otherwise supported.
 - Sidewalks, pavements, etc. shall not be undermined unless a support system or other method of protection is provided.
- **Protection from water accumulation hazards:**
 - It is not allowable for employees to work in trenches with accumulated water. If water control such as pumping is used to prevent water accumulation, this must be monitored by the competent person.
 - If the trench interrupts natural drainage of surface water, ditches, dikes or other means must be used to prevent this water from entering the excavation.
- **Additional Requirements:**
 - For mobile equipment operated near the edge of the trench, a warning system such as barricades or stop logs must be used.
 - Employees are not permitted to work underneath loads. Operators may not remain in vehicles being loaded unless vehicles are equipped with adequate protection as per 1926.601(b)(6).
 - Employees must wear high-visibility clothing in traffic work zones.
 - Air monitoring must be conducted in trenches deeper than 4' if the potential for a hazardous atmosphere exists. If a hazardous atmosphere is found to exist (e.g., O₂ <19.5% or >23.5%, 20% LEL, specific chemical hazard), adequate protections shall be taken such as ventilation of the space.
 - Walkways are required where employees must cross over the trench. Walkways with guardrails must be provided for crossing over trenches > 6' deep.
 - Employees must be protected from loose rock or soil through protections such as scaling or protective barricades.

APPLICANT SIGNATURE



DATE:

11/22/19

EXCAVATOR SIGNATURE (IF DIFFERENT)

DATE:

OWNER'S SIGNATURE (IF DIFFERENT)

DATE:

DEPUTY DIRECTORS SIGNATURE

DATE:



GREEN-4

OP ID: KT

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

11/13/2019

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 Eastern States Insurance Agency, Inc. 50 Prospect Street Waltham, MA 02453	CONTACT NAME:	
	PHONE (A/C, No, Ext): 781-642-9000	FAX (A/C, No): 781-647-3670
E-MAIL ADDRESS: certificaterequest@esia.com		
INSURER(S) AFFORDING COVERAGE		NAIC #
INSURED	INSURER A : U.S. Fire Insurance Company	21113
Greener Group LLC 123 Bolt Street Lowell, MA 01852	INSURER B : Travelers Property Casualty Co	25674
	INSURER C : The Hartford Group	19682
	INSURER D :	
	INSURER E :	
	INSURER F :	

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

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

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	X COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR X XCU Incl X Contract Liab GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:			543-222906-3	01/01/2019	01/01/2020	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 500,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 \$
A	AUTOMOBILE LIABILITY X ANY AUTO X ALL OWNED AUTOS <input checked="" type="checkbox"/> SCHEDULED AUTOS X HIRED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS <input checked="" type="checkbox"/> Phys Dam			133-744970-7	01/01/2019	01/01/2020	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ comp/coll \$ 1,000
B	X UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED <input checked="" type="checkbox"/> RETENTION \$ 0			ZUP-16N07854-19-NF	01/01/2019	01/01/2020	EACH OCCURRENCE \$ 5,000,000 AGGREGATE \$ 5,000,000 \$
A	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	408-735702-9	01/01/2019	01/01/2020	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTHER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000
SEE PAGE TWO FOR ADD'L COVERAGE							

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

CERTIFICATE HOLDER

NEWBUR1

City of Newburyport
16A Perry Way
Newburyport, MA 01950

CANCELLATION

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

AUTHORIZED REPRESENTATIVE

© 1988-2014 ACORD CORPORATION. All rights reserved.

CONTRACTORS EQUIPMENT FLOATER
Insurance Carrier: Hartford Group
Policy Number: 08UUMHX6781
Policy Period: 01/01/2019-01/01/2020
Owned/Leased: \$5,187,502
Rented: \$700,000
Deductible: \$1,000

CONTRACTORS POLLUTION LIABILITY
Insurance Carrier: Ironshore Specialty Ins. Co.
Policy Number: 003557200
Policy Period: 04/25/2018-01/01/2020
Each Loss: \$1,000,000
Aggregate: \$1,000,000
Deductible: \$10,000



*TOWN OF NATICK
MASSACHUSETTS*

JEREMY T. MARSETTE, P.E.
DIRECTOR

WILLIAM E. MCDOWELL, P.E.
TOWN ENGINEER

November 20, 2019

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

Re: Greener Group Letter of Reference

To Whom it May Concern:

Greener Group has recently become a licensed utility installer in the Town of Natick. The company installed approx. 300 feet of 8" diameter water main to provide fire protection and domestic water service to a commercial site in Natick.

Greener Group constructed the service in accordance with Town standards and performed field adjustments as requested by inspection Staff. The work site was clean, well kept and safe.

Sincerely,

William E. McDowell, PE
Town Engineer.

Town of Upton

DEPARTMENT OF PUBLIC WORKS
RON SAN SOUCI
WATER AND SEWER SUPERINTENDENT



Massachusetts

1 MAIN STREET
P.O. BOX 75 UPTON, MA 01568
508-529-3067 FAX 508-529-1001

Joe Homen of Greener Excavating, LLC has worked in the Town of Upton performing Water Main Installation, services, hydrants and roadwork. The work was coordinated and done in the time frame stated. His work was up to the town standards.

Sincerely,

A handwritten signature in cursive script, appearing to read "Ronald San Souci".

Ronald San Souci
Water/Sewer Supervisor

Cc: Greener Excavating, Director, file



Town of Belmont

Department of Public Works

Cemetery • Highway • Parks & Facilities • Water

Peter J. Castanino
Director

To Whom It May Concern:

Greener Excavating LLC is in great standing with the Belmont Public Works Department. They have done sanitary sewer work, storm drain work and various other general contracting work for the Department of Public Works and our Engineering Department. I have found them to be extremely knowledgeable, reliable and responsive to the Town of Belmont and its property. They have always met or exceeded the expectations of the Town from the permitting process to the end follow up.

If I can be of further assistance, please contact my office at 617-993-2680

Sincerely,

Michael A. Santoro
Highway Division Director

TOWN OF DANVERS
Department of Public Works



1 Burroughs Street
Danvers, Mass. 01923
Telephone (978) 777-2668
Fax# (978) 774-5623

ENGINEERING DIVISION

RE: GREENER EXCAVATING LLC

To whom it may concern:

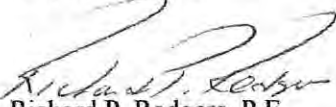
This office has been requested to provide a reference on the quality of work by Greener Excavating LLC with respect to the installation of water and sewer services within the Town of Danvers.

Please be advised that Greener Excavating LLC, under Project Manager Frank Toste, has been the site development contractor for the 46 Lot Choate Farm Subdivision including roadway construction; drainage installation; underground electric telephone and CATV; water & sewer mains including service connections. In addition, the approval of the subdivision required the replacement of 2000 lineal feet of Water Main and services in Locust Street as well as extending the municipal sewer to serve the development.

Mr. Toste has shown to be very knowledgeable and qualified to perform these types of utility installations and the work performed under his direction by Greener Excavating has been acceptable to the Town of Danvers.

Should you have any questions or need any additional information, please do not hesitate to call this office. You can reach me at (978) 777-2668, ext. 637.

Very truly yours,


Richard P. Rodgers, P.E.
Town Engineer



References

Bank Reference

- Currently we do not run on a line of credit and self-fund through the company's own cashflow.
- Bank of America (checking accounts only)
p. 888-287-4637

Suppliers

- Steve Zanni
EJ Prescott
steve.zanni@ejprescott.com
p. 978-973-8608
- Lynn Davis
WJ Graves
ldavis@wjgraves.com
p. 978-939-5568
- Phil Knowles
BitCon Paving
pknowles@bitconcorp.com
p. 978-375-0880

Customer Contacts

- Michael R. King - Project Executive
The Hanover Company
mking@hanoverco.com
www.hanoverco.com
p. 857-400-7735
c. 508-801-2313
- Tony Casapulla - Asst Vice President
Toll Brothers, *America's Luxury Home Builder*
tcasapulla@tollbrothers.com
www.Tollbrothers.com
116 Flanders Road, Suite 1200
Westborough, MA 01581
p. 508-366-1440
- Eli Pechthold
Garden Homes
elip@gardenhomes.com
www.gardenhomes.com
820 Morris Turnpike
Short Hills, NJ 07078
p. 973-467-5000 x1289
f. 973-467.0654

Client List

- Toll Brothers
- Pulte Homes
- Gavin & Sullivan Architects
- The Hanover Company
- Fairfield Residential
- J.G. MacLellan Concrete Company, Inc.
- Peterson Built Homes
- Trident Ad Developers & Builders
- Lincoln Property Company
- Market Basket
- Lowell Five
- Farley White Interests
- CM&B - Construction, Management & Builders, Inc.
- New England Studios
- TJX Companies
- PBC - Performance Building Company, Inc.
- Toll Brothers Apartment Living
- Jewett Construction Company Inc.
- Garden Communities